

OCTOBER 20, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual Meeting)

PRESENT: Mayor Bo Dorough
Mayor Pro Tem Jon Howard
City Commissioners: BJ Fletcher, Chad Warbington and Demetrius Young
City Attorney: C. Nathan Davis

Mayor Dorough called the (virtual) meeting to order at 8: 32 a.m. and confirmed the attendance of those on the virtual conference call as follows: City Manager Sharon Subadan, Commissioners Matt Fuller and Bob Langstaff.

SPEAKER APPEARANCE

1. Henry Mathis discussed three concerns 1) the lack of lighting at E. Oglethorpe and US 19, with there being a fatality at that location. He asked that the City, Dougherty County and GDOT/DOT work to have lighting installed; 2) request the City to provide the same lighting that was installed at Westover, Oakridge and Dawson from Oglethorpe Boulevard south on Radium Springs Road to Oakridge Drive, another very dark area. Students at ASU are at risk when crossing the street at night and; 3) due to crime here, he suggested that to recruit/retain police officers to have a starting salary of \$45,000 and \$15,000 in benefits, as well as provide incentives to officers to obtain a degree. A college educated officer would have better written/speaking communication skills, which is essential in their role as police officers.

Commissioner Young asked if he feels that what the City offers is not enough. Mr. Mathis discussed: public safety as the top priority of the City, with public safety affecting economic/community development; citizens perception of Albany not being safe, which is a critical issue; law enforcement being responsible for the security of citizens. Offering a good starting salary and benefits will result in getting better officers who will stay with APD and one means, used in the past and was effective, was to help them further their education. Commissioner Young asked Ms. Subadan if the 6% reaches the baseline Mr. Mathis suggested.

Ms. Subadan stated that she does not have the information on hand; however, she pointed out that it is not equitably possible to bring 30 new employees in at a higher rate. It creates wage compression for those already employed as well as morale problems. The 6% was for all sworn officers and provided equity across the board and as Mr. Mathis mentioned, the more problematic issue is retention; over 170 officers were recruited in five years, but the City has lost many of them for a variety of reasons.

Mr. Mathis interjected that public safety is #1 and is one of the top responsibilities of city government, adding that he feels the morale issue of bringing in new officers making more than those who have been there three-four years is a morale problem already.

CHANGING NOVEMBER AND DECEMBER MEETING DATES

Mayor Dorough stated that the first work session in November falls on election day and the proposal is to move that meeting to Thursday, November 5th. Staff recommended one work session in December (December 1) and to schedule the regular meeting for December 8th or 15th.

Mayor Dorough stated that he prefers to hold the regular December meeting on the 15th in the event something came up that would result in the need for a special call. The consensus was to schedule the regular meeting for December 15th.

RIGHT-OF-WAY LICENSE/AGREEMENT WITH GAIA TELEKOM INFX, INC.

Mr. Davis explained that Hal Boyd, Crown Network, is the principal driver behind seeking the right-of-way agreement (copy on file, referenced pg. 9) and is the same type agreement as that of other companies with fiber in the City's right-of-way. He discussed stipulations (pg. 10/11); the maximum they can be charged; securing a bond; CPI-type increases; and paying for a full-year (\$1780.00) this year, if approved, even though they would not be in the right-of-way until next month.

Commissioner Fuller asked if this agreement is the same boiler-plate agreement we have entered into with other companies; Mr. Davis agreed.

Mayor Dorough requested that Mr. Davis provide a summary regarding what is included in the contract. Mr. Davis explained that it is a medical facility with the request to go across Osler Court to the neurology practice. Mayor Dorough discussed his concerns regarding the ten-year agreement and the indemnification provision, with paragraph 17 seeming to negate all the other provisions of the indemnification. Mr. Davis referred to page 12, paragraph B regarding automatic renewals, which could stretch beyond the initial time period, adding that if a problem arises with construction, they can be put on notice to correct the issues. In reply to Mayor Dorough regarding indemnification, Mr. Davis advised that the indemnification only extends to third parties and provides protection against third party claims, i.e. someone claims they suffered an injury caused by a third party, the company would have to come forward to defend and pay for that type claim. Mayor Dorough asked if they could transfer the contract to a third party; Mr. Davis replied in the affirmative and explained the City's control over that. Mayor Dorough asked if \$1767.20/year is a statute; Mr. Davis stated that it is a GDOT regulation. Mayor Dorough stated that it would be beneficial to include that in the summary. He asked Ms. Subadan to list any possible disadvantages when items of this nature are on the agenda.

AMENDMENT TO CHAPTER 6 OF ALCOHOLIC BEVERAGE CODE

Mr. Davis advised that the legislature recently passed a State law allowing alcoholic beverages to be delivered to the public; however, they also provided local governments the ability to prohibit delivery, with this ordinance prohibiting delivery of alcohol within municipal boundaries.

Mayor Pro Tem Howard asked Mr. Davis if passed, can delivery be made seven days a week. Mr. Davis explained that if the ordinance is adopted, delivery will be prohibited.

Commissioner Fuller asked if this just applies to package/liquor stores or would it include grocery stores. Mr. Davis explained that any retail store will be able to deliver alcoholic beverages. Commissioner Fuller stated that if the ordinance is not adopted, one possible pro is less drinking and driving.

Commissioner Fletcher asked if this includes restaurants; Mr. Davis agreed. Commissioner Fletcher stated that she does not serve alcohol at her restaurants; however, with restaurant sales being down so much, many in that business are trying to find ways to keep their business open and competitive with others. She suggested doing what we can to help businesses pick up their bottom line.

Commissioner Warbington asked if the legislation is currently active; Mr. Davis replied in the affirmative. Commissioner Warbington stated that restaurants, grocery stores, etc., can make deliveries right now; Mr. Davis agreed. Commissioner Warbington asked if alcohol delivery was in effect during the pandemic and why the City did not have to approve it then; did the State approve it in July. Mr. Davis replied that he thinks that is when the Governor signed it.

Commissioner Langstaff stated that he opposes the amendment to the alcohol beverage code and feels that we are interfering with the free market. If the Governor is allowing it state-wide, we should allow those who want to participate, whether it is grocery stores, etc., to do so.

Commissioner Young stated that as always, he will defer to the safety/health of the community. Even though we are still in the pandemic and businesses are suffering, we must realize that when doing something that has never been done before, we do not know the ramifications it will have on our community. He suggested to look at other locales where this is available and see the effect it has created on those communities and then take our vote. We should not approve something that serves a particular interest, especially if we do not know what it will do to our community.

Mayor Dorough stated that he has no opposition; the legislature has authorized the delivery of alcoholic beverages. However, he feels it is appropriate to have staff research the issue. Ms. Subadan stated that Mr. Davis can research the legal issues and she will research the practical side, adding that this has been done in Florida for quite some time. She stated that it may not have been proliferated in Albany because the public does not know it was passed because the Governor delayed signing the executive order, adding that Albany was provided guidance by GMA after the retreat. Information will be brought back for the Commission to make an informed decision. Mayor Dorough noted that a local municipality would have to pass their own law prohibiting this; Mr. Davis agreed.

Commissioner Warbington advised that it became effective August 4th and mixed drinks cannot be delivered; the alcohol must be in its original package; he discussed other stipulations in the law.

Commissioner Young stated that the statements by Commissioner Warbington addressed some of his issues, adding that he supports a case study.

PHOEBE PUTNEY HEALTH SYSTEM REPORT

Using a PowerPoint presentation (copy on file), Phoebe President/CEO Scott Steiner discussed the vital need of any community to have a good health care system. Reviewing ‘220 days of COVID’, he advised that the numbers reflect those of the hospital, not the State’s. He mentioned that last Friday, Phoebe had 26 patients in Albany’s hospital and this morning there were 36; the virus remains very prevalent in our community and, he encouraged the public to continue wearing masks

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and practicing measures to protect their safety. The report shows the financial impact of Phoebe's presence here; the services offered; local partners; educational programs/opportunities; nursing shortages; and the various ways Phoebe invests in Albany.

Mayor Pro Tem Howard asked when Phoebe East will be renovated and if new services will be provided. Mr. Steiner stated that it will be a staged approach, but by the end of next summer most new services will be offered. Renovations on the building and parking lot will be extensive and completion is anticipated by the end of next summer. Mayor Pro Tem Howard mentioned rural areas lacking medical care, asking if Phoebe will continue outreach programs in those areas. Mr. Steiner advised that Phoebe remains committed to bringing care to all communities it serves. He mentioned a Mobile Health Unit that serves Terrell County at the Walmart parking lot every Monday from 8:00 am – 1:00 pm, adding that dental services are also something Phoebe may consider in the future. Mayor Pro Tem Howard asked if he said that 199 deaths at Phoebe were from COVID; Mr. Steiner agreed; however it will not match the State's numbers, explaining that someone from Worth County may have passed away in Albany; if they died here at Phoebe, they were counted in with Albany's number.

Commissioner Fletcher mentioned the care and compassion Phoebe shows its patients, which she feels it lacked in past years. She said that she cannot imagine this community without Phoebe and cannot imagine Phoebe without Scott Steiner.

Commissioner Warbington mentioned the nursing shortage and asked how we, as a community, can help fill that pipeline, asking that he provide some details. Regarding health care costs, he asked Mr. Steiner where he sees the overall health care cost of Phoebe compared to a similar hospital and what does he think will help drive down health care cost in our community. Mr. Steiner discussed the intensive recruitment Phoebe engages in because of being so desperate for doctors. Using an agency to help sell Phoebe/Albany, incentives are offered to build interest in coming here. He advised that only 1% of doctors coming out (of school) consider rural medicine, while the need is 20-25%; however, today, 250 openings were filled. Phoebe, like other employers, P&G, Georgia/Pacific, etc., must sell Albany and Workforce Development is a team effort with everyone working in concert to sell Albany to entice professionals to come here. He stated that health care cost is something they are always working toward and mentioned a goal of saving \$50.0 million by driving the cost out of Phoebe within the past five years; they are in the fifth year. This year's goal is \$10.0 million, which they hope to match or exceed last year's \$19.0 million. He discussed other ways used to reduce costs.

Mayor Dorough asked the reason Archibald sacrificed the trauma designation. Mr. Steiner stated that it is the expense; a hospital does not get paid to have trauma service. Unfortunately, fiscally it makes no sense, but from a humane standpoint, it makes all the sense in the world when saving lives is the focus. He said that for Thomasville, it did not make sense. Mayor Dorough noted that like the City's retention of law enforcement, Phoebe is challenged by the nursing shortage. Mr. Steiner reported that nurses are in such demand, they lose 17-18% every year.

The entire Board commended and thanked Mr. Steiner for his performance since taking the helm of Phoebe; the pandemic was, and continues to be, a challenge, testing his leadership and fortitude and, Albany is proud and appreciative of having him here.

BREAST CANCER AWARENESS (DPH)

Assistant to the City Manager Barry Brooks mentioned the timeliness of this agenda item and discussed Mayor Pro Tem Howard being the catalyst to have those in health care educate the community on health issues faced by many throughout southwest Georgia. The Department of Health offers a presentation dealing with a different issue every month and will accommodate Commissioners if they wish to continue with these presentations. He introduced Jill McNurlan, to review information.

Ms. McNurlan stated that she works in the cervical and breast cancer program at the Dougherty County Health Department, which reaches 14 counties in southwest Georgia and reviewed the information (copy on file).

Mayor Pro Tem Howard asked Ms. McNurlan if the types of diseases are tracked to determine which county has the highest percentage of a disease. Ms. McNurlan stated that they do track that, however, she does not have the information with her. Mayor Pro Tem Howard clarified that men, too, can develop breast cancer; Ms. McNurlan agreed, adding that only females are served in her program.

Commissioner Fletcher mentioned the importance of women having annual mammograms, adding that her sister, a healthy, active person, seemingly overnight began her battle with breast cancer. She asked the reason the program stops at age 64. Ms. McNurlan explained that their program only serves women up to 64 because that is when Medicare kicks in; however, females should continue getting their mammograms.

Commissioner Young asked if the health department specifically goes into African American communities to target that population with this information. Ms. McNurlan stated that she tries to go into all communities, but because of the pandemic it has been difficult to touch all bases; however, she will be speaking at a church next week. Her aim is to reach as many women as possible to provide education and support.

PUBLIC SAFETY MATTERS

RENEWAL (STATEWIDE MUTUAL AID AGREEMENT)

Fire Chief Cedric Scott discussed the agreement (copy on file) regarding the mutual aid assistance and reimbursement of cost incurred by those responding to emergencies and disasters, adding that the agreement is renewed every two years.

Mayor Dorough asked if the agreement is between the City of Albany and GEMA; Chief Scott explained that it is an agreement with GEMA and all participating municipalities which render aid to each other in times of disasters/emergencies. Mayor Dorough clarified that the agreement in the agenda package is between the City and GEMA; Chief Scott agreed. Mayor Dorough asked if there is an obligation to send assistance. Chief Scott explained that there is not an obligation and

if we are able to do so, we will, adding that they are not obligated to send anyone either; it is a reciprocal relationship. Mayor Dorrough stated more detail would have helped make the agreement clearer.

PUBLIC FUNCTION MATTERS

2020 CENSUS UPDATE

Using PowerPoint (copy on file), Planning Director Paul Forgey, stated that this will be his last census update unless he is called back for something. He stated that information will be released, but not for some time and advised that the census officially ended on October 15, although it was supposed to go through the end of the month. He briefly discussed court-wrangling among the Census Bureau, some cities/counties and Civil Rights organizations, adding that counting was shut down on October 16, etc. According to the Census Bureau this region, from Brunswick to Columbus, is 99.9% complete; adding that according to the Census Bureau, even those who did not fill out their form was counted. He advised on October 29, a Complete County wrap-up meeting is scheduled and invited the Board to attend. He thanked the Utility Board and City Manager for initiating the drawing for credits against customers' utility bill, resulting in at least 200 residents filling out their census forms. The \$10,000.00 from the Utility Board was money well-spent as it equated to \$4.0 million coming back to the community as a result of the 200 customers who filled out their forms. He thanked: staff, Kerri Davis, Tanner Anderson and Denise Clark, whose tremendous amount of assistance was invaluable; and Phoebe for loaning ten iPads used to sign-up residents for the census. As required by law, the census data will go to the President by the end of the year for reapportionment purposes. By April 1, the data will be available for use in redistricting; however, detailed information about city/county demographics will not be available for at least another year, usually coming out approximately a year and half after the census.

The entire Board thanked Mr. Forgey, staff and the Complete Count Committee for their hard work during this long, demanding process, especially during our crisis.

Ms. Subadan also congratulated and thanked Mr. Forgey and staff for the heavy lifting, adding that this was an arduous process made even more difficult by the pandemic.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES

Central Services Director Yvette Fields discussed information on the following (copy on file):

1. Professional Services, (State Lobbyist); Government Solutions; Atlanta, GA

Total expenditure \$69,600.00

Commissioner Warbington asked if the services start November 1; Ms. Fields agreed

Ms. Fields discussed information on the following (copy on file):

2. Turn-out Gear; Georgia Fire & Rescue; Canton; GA

Total estimated expenditure \$333,280.00

Mayor Dorough asked Chief Scott to explain turn-out gear and why firemen need it. Chief Scott advised that turn-out gear is personal protective equipment worn by firefighters (heavy coat, pants and gloves) when responding to fires.

Commissioner Fuller expressed support for the new equipment. He noted a big variation in the pricing of pants and asked if they were offering the exact same equipment. Chief Scott explained that Ms. Fields specs out the bid, which must be bid accordingly. Those who did not submit a bid according to the specs are not given consideration in the process.

GRANTS

Community and Economic Development Director Shelena Hawkins discussed information on the following (copy on file):

1. 2020-2021 Emergency Solutions Grant Award

The Board thanked Ms. Hawkins for her service to Albany, adding that with her upcoming departure from the City of Albany, she will be missed. The Board also wished her well in her future endeavors.

Mayor Dorough noted possible disadvantages of the award: commitment of staff time, potential of being sanctioned should the funds not be properly expended or accounted for and asked that the pros and cons be included in presentations.

CITY MANAGER UPDATE

Ms. Subadan advised that she will send out her written report, which will also be published on the City's website. She stated that her plans are to return to in-person meetings the second meeting in November, unless there is a prevailing reason preventing that, adding that only directors with items on the agenda will be required to attend meetings. On November 17, an in-person zoning hearing is scheduled; for those wanting to speak, but not in-person, accommodations will be made for them to call in if notifying the City in advance. She advised that social distancing will be observed, and arrangements made to keep everyone as safe as possible. Regarding the Utility Administration

Building, the decision was made to not bring customers back into the building for the purpose of paying their bills and briefly discussed plans she will put into action.

Mayor Pro Tem Howard asked if Commissioners will be social distancing when in-person meetings resume. Ms. Subadan stated that tables will be set up for Commissioners to maintain 6' apart.

Commissioner Warbington asked if consideration had been given to moving meetings to a larger space, maybe the Municipal Auditorium. Ms. Subadan mentioned recording equipment being 'bolted' in Room 100. However, if Commissioners desire to move to larger accommodations, we can try. She also mentioned other cities having monitors set up outside the room to watch the proceedings and when their name is called, they may enter the meeting room to speak.

Commissioner Young mentioned the gyms, asking when they will return to operations. Problems are being created by youths who have no activities to keep them off the streets; he asked if consideration is being given to opening gyms, especially in his ward. Ms. Subadan advised that Parks has a reopening plan, with a lot of outdoor activities, adding that she will provide the plans for Recreation, as well as the gyms to determine what we will be doing. Commissioner Young asked what solutions will be used for customers paying bills now that the Utility Admin Building will not be a site to pay bills. Ms. Subadan advised that the drive-thru is open, adding that the accommodations in place for the past seven months will continue to be used. Commissioner Young thanked her for her support regarding the initiative to help with the elections.

ITEMS FOR NEXT AGENDA

Mayor Dorough asked Mr. Davis if the City has an ordinance to allow Commissioners to participate remotely; Mr. Davis advised that it is not allowed. Mayor Dorough stated that it would be timely to adopt an ordinance allowing this. Ms. Subadan stated that she thinks that we have an ordinance regarding teleconferencing, but it is restricted. Mayor Dorough stated that with today's technology, if a Commissioner is out-of-town, why would they not be allowed to participate. He stated that while we continue to have a problem with COVID, something needs to be in place to allow for social distancing.

Commissioner Young noted that without headphones those in the audience will not be able to hear discussion; he suggested that IT look into Bluetooth headphones. Ms. Subadan explained that the plan was to no longer conduct meetings via Zoom and broadcasting as we did prior to Zoom. She stated that we will look into a hybrid way to conduct meetings.

Mayor Pro Tem Howard mentioned the Public Safety Committee held yesterday and asked Mayor Dorough to share the discussion and recommendation of the committee with the Ms. Subadan and Chief Persley.

Commissioner Fuller advised that he would like to have discussion regarding amending the ordinance on traffic calming devices. He asked that it be on the next work session agenda; the

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stipulation that prevents renters from signing the petition is an obstacle in his ward due to the high number of renters. Commissioner Fletcher agreed with Commissioner Fuller that people are speeding or not stopping at stop signs which creates dangerous situations.

Commissioner Warbington advised that he, Mayor Dorough and Commissioner Fletcher went to Carver Park yesterday and learned that a vacant, City-owned building is located there and suggested moving forward with demolishing the building. Ms. Subadan stated that a price will be ascertained, and the process started.

Commissioner Young mentioned that he and Mayor Dorough looked at Bill Miller and Henderson Gyms; his hope that while looking at renovations for the buildings, we are looking at programing for the Recreation Department. He discussed an incident at the Candy Room last week during early voting; his involvement with the Black Voters Matter; people in the group being threatened with arrest based on outright lies and, he and other members being threatened with a handgun. He urged those in authority within the City government to use the power of their position appropriately and based on guidelines.

Mayor Dorough stated that he feels positive things are ahead after visiting the parks, adding that he feels that the facilities have outlived their useful lives and that recreation is an issue in which the City is deficient; he commended members of staff involved in this endeavor.

There being no further business, the meeting adjourned at 11:03 a.m.

SISSY KELLY
ASST. CITY CLERK