GOVT. CENTER – RM. 100 (Virtual Meeting)

PRESENT: Mayor Bo Dorough

Mayor Pro Tem Jon Howard

City Commissioners: Chad Warbington, Demetrius Young

City Attorney: C. Nathan Davis

Mayor Dorough called the (virtual) meeting to order at 6:00 p.m.

Commissioner Chad Warbington gave the invocation, which was followed by the Pledge of Allegiance.

Mayor Dorough confirmed the attendance of those on the virtual conference call with City Manager Sharon Subadan, Commissioners Matt Fuller, BJ Fletcher, and Bob Langstaff present.

Mayor Pro Tem Howard moved to approve the minutes of the previous meeting, seconded by Commissioner Young and, following a rollcall vote, the motion unanimously carried.

PUBLIC HEARING

1. Highland Ave. Alley Closing

Engineering Director Bruce Maples reported that this item was brought to the Commission last month to seek approval to close the alley and advertise notice in the newspaper; approval was granted and, the closing has been duly advertised. The project is for the construction of the Albany Transportation Center with the request being to close 263' of Highland Avenue Alley.

No one signed up to speak, and there were no questions/comments from the Commissioners, therefore, Mayor Dorough closed the public hearing.

REPORT OF COMMITTEE OF THE WHOLE

Alcohol License Applications:

Chief Deputy/License Inspector Anthony Donaldson discussed the following:

1. E & L Sports Bar; 1009 Clark Avenue; L. Adams/Agent; Liquor and Beer Consumption

Commissioner Young asked the proximity of residential homes to this establishment; Chief Deputy Donaldson stated that he does not have that information. Commissioner Young stated that at the last work session, Marshal Norman reported that residences were less than a quarter mile to the east of the establishment, as well as to the north. Chief Deputy Donaldson reported that located across the street to the south are Fleet Master and two residential structures, with one vacant and the other occupied.

No motion was made, therefore, in response to Mayor Dorough, Mr. Davis advised that before a denial, the applicant is afforded a hearing, in which the vote to deny would be taken and advised that it can be denied at the next meeting.

Chief Deputy Donaldson discussed the following:

2. HRH Fashion LLC/d/b/a HRH Mart; 1608 S. Jefferson; G. Wallace/Agent; Beer and Wine Package

Commissioner Young asked the proximity of residential homes to this establishment. Chief Deputy Donaldson explained that proximity to residences is not a requirement in the application; only schools and churches are taken into consideration. In response to Commissioner Young, Chief Deputy Donaldson stated that a home is located across the street.

Commissioner Young moved to deny the application.

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Mr. Davis advised that there cannot be a vote to deny until there has been a hearing as required by the City Code. He stated that he will contact Marshal Norman, adding that there is one denial waiting to be scheduled and the applications from tonight will also be scheduled. He then read the requirement from the Code Book.

Chief Deputy Donaldson discussed the following transfer of ownership:

3. Shri Shashi Pujan LLC, d/b/a/ Creekside 3; 2340 Dawson Road; V. Patel/Agent; Beer and Wine Package

In reply to Commissioner Warbington, Chief Deputy Donaldson repeated the following information regarding the 15 calls for police assistance within the last 12 months: 14 reported incidences: (4) Fraud Reports; (3) Accident Reports; (7) Personal Offenses/Disorderly Conduct/Affray/Misc. Commissioner Warbington asked him to discuss the seven disorderly/personal calls and whether they were related to gaming machines, etc. Chief Deputy Donaldson stated that the calls were for: burglar alarm, contact person, building check, lost or mislaid property, motor vehicle theft, suspicious person, and fraud.

Commissioner Warbington moved to approve, seconded by Commissioner Fletcher and, following a rollcall vote, the motion carried 6-1 with Mayor Pro Tem Howard voting no.

APPOINTMENTS

1. Mayor's appointment to Albany Housing Authority for a five-year term ending June 2025

Mayor Dorough advised that he is reappointing Linda Coston.

2. Tree Board appointments (by Mayor and Wards) for two-year term ending August 2022

Mayor Pro Tem Howard reappointed Dr. Jeff Hoopes. Commissioner Fuller stated that he will submit a name later, adding that neither of the two individuals confirmed their desire to be appointed. Commissioner Fletcher reappointed Carlos Phillips. Commissioner Warbington reappointed Richard Foreman. Commissioner Langstaff reappointed Chuck Norvell. Commissioner Young appointed Carolyn Clark.

Mayor Dorough asked that the Clerk's office continue to advertise his appointment.

ORDINANCES

Mayor Dorough noted the three ordinances on the agenda and asked for unanimous consent to dispense with the second reading of each of the ordinances, seconded Mayor Pro Tem Howard.

Commissioner Warbington referred to the ordinance regarding the budget amendment for the Brownfield Grant Fund, which Ms. Subadan explained. Commissioner Warbington stated that he is not in favor of all three because the Brownfield expenditure is also a resolution and he would like more discussion on the Revolving Loan Fund. Mayor Dorough stated that his intent was to move the ordinances to the consent agenda. Commissioner Warbington advised that he does not agree to dispense with the second reading.

Mayor Dorough introduced

ORDINANCE NO. 20-113

Closing a portion of Highland Avenue between S. Jackson Street and S. Jefferson Street

Mayor Dorough then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Mayor Pro Tem Howard and, after a rollcall vote, the motion unanimously carried.

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Finance Derrick Brown discussed the following two ordinances which were also approved by the Utility Board. The first is a budget amendment for electric charging stations on Front Street and the second is a proposal for a consultant to perform an overall assessment of the City's utility contract from an independent perspective.

Commissioner Young introduced

ORDINANCE NO 20-114

Amending the City of Albany's Fiscal Year 2020 Budget

Commissioner Young then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Mayor Pro Tem Howard.

Commissioner Young mentioned that this will move the City a few steps forward in green solutions regarding energy and that he hopes the City will continue to advance in this direction.

Hearing no further comments and, after a rollcall vote, the motion unanimously carried.

A brief discussion ensued on the following:

AN ORDINANCE

Amending the City of Albany's Fiscal Year 2020 budget

Mr. Brown advised that when presented last week, the agenda item stated that a budget amendment is required if the item is approved.

Mayor Dorough noted that before adopting the ordinance, the resolution needs to be approved, Ms. Subadan agreed and asked to come back, if necessary.

RESOLUTIONS

Commissioner Fletcher stated that she will speak on the next two items, reporting that, with Kelvin Crawford present on February 25, a discussion was held to rename Carver Park to Charles "Coach" Driskell Park to honor the legacy of Coach Driskell. A committee was formed and with a 5-0 vote, the request was approved. She then moved to adopt the following resolution, seconded by Mayor Pro Tem Howard, and following a rollcall vote the motion unanimously carried.

A RESOLUTION NO. 20-R164

Renaming Carver Park to Charles "Coach" Driskell Park

Commissioner Fletcher stated that on January 28, Frank Wilson of the Civil Rights Museum, made the request to name the Transit Facility in honor of Ola Mae Quartimon-Clemons and on August 12 a 5-0 vote (by the re-naming committee) approved the request.

Mayor Pro Tem Howard moved to adopt the following resolution, seconded by Commissioner Fletcher, and following a rollcall vote the motion unanimously carried.

A RESOLUTION NO. 20-R165

Renaming the Transit Operations Facility on Flint Ave. to Ola Mae Quartimon-Clemons Transit Operations Center

Commissioner Warbington moved to adopt the following resolutions with the exclusion of numbers five, seven and 12 (as noted on the agenda), seconded by Commissioner Fletcher, and following a rollcall vote the motion unanimously carried.

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A RESOLUTION NO. 20-R166

Authorizing a Memorandum of Agreement between the City of Albany and Albany Technical College regarding Law Enforcement Services

A RESOLUTION NO 20-R167

Authoring a Cooperative Agreement between the City of Albany and Turner Job Corps Center regarding Law Enforcement Services

A RESOLUTION NO 20-R168

Approving the Albany Enterprise Redevelopment Plan

A RESOLUTION NO 20-R169

Accepting the report presented on September 15, 200 re: Renovation of the Pace Building (211 N. Jefferson St.)

A RESOLUTION NO 20-R170

Authorizing contracting with Kazmier & Associates for Lift Station Telemetry Upgrades

A RESOLUTION NO 20-R171

Accepting Grant Award from the U.S. Department of Housing and Urban Development re: Housing Counseling Grant

A RESOLUTION NO 20-R172

Approving the 2021 Public Employees Group Health Plan

Regarding the next resolution pertaining to the 2020 Sidewalk Project, Mayor Pro Tem Howard asked Engineering Director Bruce Maples when the project will be shovel ready. Mr. Maples explained that if approved tonight, a Notice of Award will be issued to the contractor; he briefly discussed the process including the Notice to Proceed issuance, assigned start date and advised that they will have 300 days to start from that point. Mayor Pro Tem Howard commented on concerns regarding piecemealing the project and mentioned the BUILD grant. Ms. Subadan explained that notification was received advising that the City was not approved for the BUILD grant, adding that she will bring this back for discussion to ascertain how Commissioners want to proceed with sidewalks. Mayor Pro Tem Howard asked if it is possible to reapply next year. Ms. Subadan replied in the affirmative and advised that she sent an email today recommending another study because the current one is outdated.

Mayor Dorough stated that E. Broad Avenue needs to be a priority, suggesting that further SPLOST funds can be reallocated for this project.

Mayor Pro Tem Howard moved to adopt the following resolution, seconded by Mayor Dorough, and, following a rollcall vote the motion unanimously carried.

A RESOLUTION NO 20-R173

Authorizing the use of SPLOST VII funds for 2020 Sidewalk Project

Ms. Subadan stated that the Brownfield Revolving Loan Fund is an eco-grant, which encourages the City to make loans to perspective redevelopers of brownfield properties that are either suspected of or have been confirmed to have contamination. She explained that the Board accepted the grant that the City was awarded, adding that to establish the program, a contract is proposed to engage in seeking developers to participate with the City in the redevelopment of projects that are characterized as brownfield.

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Planning and Development Services Director Paul Forgey stated that this is a \$192,000 contract for a five-year period. Due to the nature of this program, a qualified environmental professional is needed as part of the team to implement the loan. This cannot be done without a firm like Cardno, which is currently administering three revolving loan fund programs in Georgia and one in Florida. The 'not to exceed' \$192,000 expense is reimbursable for the next five years.

Commissioner Warbington noted targeted sites in the grant and asked if we can choose other sites or is the City bound to them. Mr. Forgey explained that those sites were put in the grant application to establish a plan, and once the City gets funded, we can deviate with notice. The purpose of the revolving loan fund is to market Albany and potential sites to developers and funds loaned to them for clean-up of any brownfield issues. Commissioner Warbington expressed concern about giving \$192,000 without first establishing priorities and suggested giving Commissioners an opportunity to discuss; he asked the process for projects to come back to the Board. Ms. Subadan explained the process including establishing perimeters for Commission approval, adding that Commissioners will have the final decision whether to grant a loan to developers. In reply to Commissioner Warbington she advised that this is strictly a revolving loan program for development and redevelopment of brownfield property, adding that there are circumstances allowing a loan to be forgivable, making that loan a grant i.e., a non-profit. Referring to the theater, Commissioner Warbington questioned if the City could use the grant funding to work at that site until a developer is approved and a loan extended to them. Ms. Subadan discussed the public/private partnership, i.e., ADICA/DDA, whereby the developer and City could collectively decide to do something on that site. Commissioner Warbington suggested launching out into a smaller amount of money and asked if the proceeds/expenses were included in the budget for 2021. Ms. Subadan explained that when the budget was finalized, we did not know what would be required; the request is to amend the grant portion in the budget by the amount for the consultant. Commissioner Warbington asked if the entire amount will be in the budget this year. Ms. Subadan advised that the amendment reflects that amount, but it can be adjusted/prorated to determine how much is used this year; if the Commission is more comfortable with restricting the amount per year, she feels that Cardno and the City would have no problem with that.

Mayor Dorough stated that he was under the impression this was a grant for the City to use to mediate contaminated property. However, it is a grant creating funds for the City to loan money to developers, making it an incentive to the private sector to invest in property that would otherwise be prohibited because of the contamination; Ms. Subadan agreed.

Mayor Pro Tem Howard moved to adopt the following resolution, seconded by Commissioner Fuller.

A RESOLUTION NO. 20-R174

Authorizing contracting with Cardno to assist the City with the implementation of the Brownfield Revolving Loan fund

Commissioner Warbington made a substitute motion to divide the \$192,000 by five, with \$38,400 being funded over the five years, seconded by Commissioner Young.

Commissioner Fuller stated that he understands Commissioner Warbington's concern; however, if there is a developer ready to start a project, more money might be needed in a particular year and we end up hamstringing ourselves, adding that he will vote no.

Commissioner Fletcher stated that she will vote no to reduce the amount.

Commissioner Warbington stated his concern of issuing a purchase order in that amount and it falls off the Commission's radar, adding that he is not insinuating that Cardno would mismanage or overcharge the City, however, there is not a lot of clarity. A \$38,000 cap allows the City Manager to come back to Commissioners if funds have already been expended; in the event three developers show interest, Commissioners would approve spending the money, adding that his concern is having an open-end purchase order with no safeguards in place for them to come back to the Commission for managing the money.

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Commissioner Langstaff stated that he supports the original motion.

Commissioner Young asked Commissioner Warbington to explain how chopping up the money will work and, is he waiting on a developer or has one in mind. Commissioner Warbington replied in the negative and explained that his substitute motion was to drive more conversation and explain their need for more funding and show what the \$38,000 provided the City. In response to Commissioner Young, Mr. Forgey stated that the grant was submitted with specific sites in the proposal; however, priorities change with the proposed sites no longer a priority. No development interest in the properties means no reason to issue a loan; we respond to developers' interest to make loans with people to clean up property.

In reply to Mayor Dorough, Commissioner Warbington restated his motion to issue Cardno a \$38,400 purchase order to assist the City with the loan.

Hearing no further comments and, following a rollcall vote, the substitute motion failed 1-6 with Mayor Pro Tem Howard, Commissioners Fuller, Fletcher, Langstaff, Young and Mayor Dorough voting no.

In reply to Commissioner Warbington regarding reports, Ms. Subadan stated that she can provide quarterly reports or more often if need be. She explained the process which will involve community input and because it is revolving, it is intended to be over a long period of time; as money comes back to the program, funds are reallocated as well as putting the City in line for other potential grants. In reply to Commissioner Warbington, Ms. Subadan stated that, being a loan program, there is no opportunity for Commissioners to be engaged. Commissioner Warbington mentioned the environmental issues at the theater that would have to be explained prior to the assessment, with Ms. Subadan advising that the assessment and cleanup grant that is planned will be brought to the Board next month. She stated that the grant requires a match, and would be used to do investigations, assessments and small cleanup.

Mayor Dorough agreed with Commissioner Warbington regarding the need for a consultant at this time, however, after learning that the City has no control over this project, he suggested that the prudent course is to postpone making payments to a consultant from the funds until we have a developer interested in a specific property.

Hearing no further comments, and following a roll call vote on the main motion, the motion carried 5-2 with Commissioner Warbington and Mayor Dorough voting no.

Central Services Director Yvette Fields reported that the next item is conditional regarding a bid to purchase generators and transfer switches for lift stations and wells regarding the Hazard Mitigation Grant Program. She stated that staff recommends approval for four generators from Power and Energy Services of Lithia Springs, Georgia in the amount of \$381,685.96 and the purchase of 12,600 amps transfer switches from Flint Power Systems of Albany, Georgia in the amount of \$109,800. The deadline for performance of the grant is December 31, 2020, with the equipment having to be purchased and installed before December 31.

In reply to Commissioner Warbington, Ms. Fields explained that the bid was structured to give the City flexibility to buy from whomever, and awarding to two different vendors saved approximately \$200,000 overall.

Mayor Dorough moved to adopt the following resolution, seconded by Mayor Pro Tem Howard.

A RESOLUTION NO. 20-R175

Approve purchase of generators and transfer switches for lift stations & wells re: Hazard Mitigation Grant Program.

Commissioner Warbington asked about the warranty and service from Power Energy Services for the generators. Facilities Director Don Gray stated that the warranty is for two years, etc. Commissioner Warbington asked if it is full-service, on-site warranty of repairs in Albany; Mr. Gray agreed.

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Hearing no further comments, and following a rollcall vote, the motion unanimously carried.

Mayor Dorough stated that the Consent Agenda includes resolutions voted on earlier.

CONSENT AGENDA

Mayor Pro Tem Howard moved to approve the consent agenda.

Recommendation of the Committee of the Whole to approve the following:

1. Contract of Operations Assessment of APD; BerryDunn; Portland, ME

Total expenditure \$68,000.00

Calling for a point of order, Commissioner Warbington stated that he does not agree to have Professional Services on the consent agenda and asked that it be removed for more discussion. Mayor Dorough listed the following resolutions on the consent agenda and the omission of the Professional Services contract, seconded by Commissioner Young and, following a rollcall vote the motion unanimously carried to remove the above referenced item from the consent agenda.

RESOLUTION NUMBERS 20-R166 – 20-R172

In reply to Mayor Dorough, Ms. Fields discussed the police department assessment contract, as advertised and evaluated.

Chief Persley expressed concern of this not being pushed forward and stated that he feels it is a good opportunity for an assessment by a reputable firm and his department ready to get underway.

Commissioner Warbington stated that he is supportive of an assessment; however, BerryDunn's bid package created a concern; he asked if Chief Persley is comfortable with the validity of all the tools they listed. Chief Persley replied that Dr. Weinzetl used the same process for the International Association of Chiefs of Police and is the same concept. Commissioner Warbington noted the proposal was aimed for community involvement though townhall meetings, etc., and suggested that each Commissioner conduct their own townhall meetings. Chief Persley agreed that community input will be a major part of the assessment, adding that he has already received calls from volunteers wanting to participate. In response to Commissioner Warbington, Chief Persley advised that other law enforcement agencies will be involved; and that stakeholders must be identified and be part of the assessment. Commissioner Warbington asked about Commissioners serving on the Project Team or at least copied on reports, etc. Chief Persley stated that he is the Project Manager, and that all information/updates he receives will be passed onto the Board. When the surveys begin, he wants as much involvement as possible; all suggestions/recommendations are welcomed.

In reply to Mayor Dorough, Chief Persley stated that he expects Commissioners involvement in this process. A brief discussion ensued regarding Commission involvement, updates/reports, etc. with it being clarified that BerryDunn is the Project Team.

Mayor Dorough moved to approve the APD assessment contract, seconded by Mayor Pro Tem Howard, and following a rollcall vote, the motion carried. Commissioner Fuller advised that even though Commissioner Fletcher was inaudible, she voted in the affirmative. Mayor Dorough stated that he is unsure what to do about this, asking if Commissioners can vote by proxy. Commissioner Langstaff noted that regardless, it was a majority vote in favor. Mayor Dorough stated that the record will show Commissioner Fletcher's support.

Mayor Dorough noted the reminder on the agenda of the Commission retreat this weekend and asked the time it starts; Ms. Subadan advised that the last she heard from the City Clerk it will start at 2:00.

In reply to Mayor Pro Tem Howard, Ms. Subadan stated that Chief Persley is scheduled to be there, adding that ADDU and the Gang Task Force will also be asked to attend.

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Ms. Subadan advised that the Commission has not yet revisited the Brownfield ordinance, which had to be adopted after the resolution was approved.

Mr. Brown briefly discussed the need for the \$192,000 budget amendment as it pertains to the resolution approved earlier this evening.

Commissioner Warbington asked the method to pay invoices, and when are they reimbursed. Mr. Brown explained the process, adding that the City will incur no cost, there are no matching funds required and reimbursements will be received in a timely manner once invoices are submitted to the grantor.

Mayor Pro Tem Howard introduced

AN ORDINANCE NO. 20-115

Amending the City of Albany's Fiscal Year 2020 budget

Mayor Pro Tem Howard then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Young; the motion carried 5-1-1 with Commissioner Warbington voting no and Commissioner Fletcher being inaudible.

ITEMS FOR FUTURE AGENDA

Commissioner Warbington commented on the mask mandate (in place for 19 days) and asked Chief if any citations have been issued for violations. Chief Persley replied that no citations have been issued, but over 100 masks have been distributed, there have been no major issues and businesses that have opted out have signs posted, adding that most of the public is wearing masks. Commissioner Warbington briefly discussed the continuous fluctuation of numbers and how that affects enforcement of the ordinance, asking if APD has been affected any. Chief Persley stated that he and his department take directions from the Board and if they are instructed to not enforce the mandate, it will not be enforced. Commissioner Warbington expressed concern regarding the confusing state of being in limbo and the legality of issuing a citation on a day that the number is at 99 versus 101. Chief Persley asked to hear what the Board recommends that they do. Commissioner Warbington suggested that if the number drops below the threshold and stays steady, discussion will be necessary to repeal the ordinance.

Commissioner Young expressed appreciation for those wearing masks and abiding by the law. He suggested that the decrease in numbers is due to wearing masks, statistics of surrounding communities, etc., and discussed the value in wearing masks. He then thanked Chief Persley and APD for educating the public and distributing masks.

Mayor Dorough asked Ms. Subadan for an update on the gates installed on the trail. Recalling the renaming tonight of Carver Park to Coach Driskell Park, he mentioned that a consultant is in the process of getting public input for the Park with most of it being conducted remotely, adding that if the center's director has been there less than a year, he wants to be in touch with the previous director and asked Ms. Subadan to arrange a meeting. He suggested that Commissioners, ministers and congregations from that neighborhood need to help spread the word about the City's plan to revitalize the park, especially the seniors/elderly.

Ms. Subadan advised that Recreation and Parks Director Joel Holmes is on the line to share information. Mr. Holmes briefly discussed the on-line survey; however, he stated that responses from the community were low. Therefore, printed copies of the survey were taken to the neighborhood and, 100 written responses were returned. After the data is analyzed a report will come to the Board and a future in-depth survey will also be conducted. He offered to arrange for Ms. Harris and Mayor Dorough to make contact. Mayor Dorough asked Ms. Subadan if the School Board has indicated its interest in participating in this project. Ms. Subadan advised that they are awaiting the results of the study, which includes surrounding School Board properties. Because there is no plan yet, she has not formally approached the Superintendent, but she stated that she feels that the Board will work with the City if property is needed. Mayor Dorough stated that there

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is more the City can do with its recreation centers, especially the afterschool programs, which can be explored in the design phase.

Commissioner Young announced that the meeting (FB live streaming) has been off the air for the last three to four minutes. Ms. Subadan advised that TAC had informed her of that. In reply to Mayor Dorough, she stated a delayed re-broadcast is aired on 16.

There being no further business, the meeting adjourned at 8:09 p.m.

	MAYOR		
ATTEST			
ASST_CITY_CLERK			