

OCTOBER 27, 2020

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF ALBANY,  
GEORGIA  
GOVT. CENTER – 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 6:34 p.m.

Pastor Gary Sanders, Sr. 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 and Bob Langstaff present.

Commissioner Fletcher moved to approve the minutes of the previous meeting, seconded by Mayor Pro Tem Howard and, following a roll call, the motion unanimously carried.

REPORT OF COMMITTEE OF THE WHOLE

Purchases:

In reply to Mayor Dorough, Central Services Director Yvette Fields discussed the following (copy on file) regarding vactor trucks and their use, adding that Public Works Director Stacey Rowe would provide additional information. Mr. Rowe advised that they are used to clean out storm drains, sewer lines, etc.

Commissioner Warbington moved to approve, seconded by Commissioner Young and, following a rollcall vote the motion unanimously carried.

1. Vactor Truck – Sourcewell Contract # 081716-KTC  
Total expenditure \$424,855.00

Mr. Rowe discussed the following information (copy on file) regarding the front-loader garbage trucks to be used to service commercial dumpsters.

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

2. Front Loaders – Sourcewell Contract #081-716-PMC  
Total expenditure \$507,876.84

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

3. Street Sweepers – Sourcewell Contract #122017-TUM  
Total expenditure \$893,964.00

Mr. Rowe discussed information (copy on file) and stated that the dump trucks are used for various tasks, from hauling material to the landfill, repairing alleys/streets/curb and gutter as well as hauling materials for other City departments.

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

4. Dump Trucks – Sourcewell Contract #081716-KTC  
Total expenditure \$316,286.94

Ms. Fields discussed the following (copy on file), adding that the recommendation is a one-year contract with two options to renew for an estimated total expenditure up to \$333,280.00. The expense for the first year will not be for that total amount; they have three years to spend up to \$333,280.00 for the same price.

OCTOBER 27, 2020

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Fire Chief Cedric Scott advised that this gear is the heavy suits firefighters wear, which include the coat, pants and gloves.

Mayor Pro Tem Howard moved to approve the following purchase, seconded by Commissioner Warbington and, following a rollcall vote the motion unanimously carried.

5. Turnout Gear; Georgia Fire & Rescue; Canton, GA  
Total expenditure up to \$333,280.00

Alcohol License Applications:

Business License Director Marshal Walter Norman discussed the following alcohol license application, advising that it meets all criteria for approval.

1. RJ Alversons LLC; d/b/a The Rib Shack; 2206 Dawson Road Suite A; J. Whiting/Agent; Beer Consumption

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

Marshal Norman discussed the following alcohol license application, advising that it meets all criteria for approval.

2. Albany Seafood House LLC; d/b/a Juicy Crab; 2524 Archwood Dr.; Z. Dumlap/Agent; Liquor, Beer and Wine Consumption

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

Marshal Walter Norman, Business License Director, discussed the following alcohol license transfer of ownership to Jigarkumar Patel advising that it meets all criteria for approval:

3. Krishna Group LLC; d/b/a Mini Mart; 2422 Stuart Ave.; N. Patel/Agent; Beer and Wine Package

Commissioner Warbington noted that the manager/responsible person's address is Motel 6 and asked if it has been confirmed that there is a living residence there. Marshal Norman advised that the applicant resides there. Commissioner Warbington asked if papers had to be served, would it be at this location that he would legally be served; Marshal Norman replied that it has been identified as his residence.

Commissioner Fletcher moved to approve the application, seconded by Mayor Dorough and, following a rollcall vote, the motion carried 5-2 with Mayor Pro Tem Howard and Commissioner Young voting no.

ORDINANCES

Mayor Dorough explained that Georgia passed legislation permitting the delivery of alcohol statewide; however, a city not wanting to permit this, would have to opt out and pass their own law.

Mayor Pro Tem Howard introduced

AN ORDINANCE

Amending Chapter 6 of the City Code (Alcoholic Beverages) so as to prohibit delivery of any alcoholic beverages by any Packaged Goods Retailer or "Licensed Retail Package Liquor Store" located within the municipal boundaries of the City of Albany

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 Warbington

OCTOBER 27, 2020

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF ALBANY,  
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Commissioner Warbington asked Mr. Davis if the vote tonight is to prohibit alcohol delivery, can the Commission allow it in the future, if the decision is made to do so. Mr. Davis advised that there would have to be a six-month gap before being able to bring it back up. Commissioner Warbington noted one stipulation of being allowed to deliver only in our jurisdiction, i.e., only stores located within the City of Albany can deliver to Albany residents; a business could not deliver to Lee or Dougherty County, adding that every entity is bound by their local jurisdiction; Mr. Davis agreed. Commissioner Warbington advised that all the calls he received did not support the delivery of alcohol, adding that he spoke with package stores, which see this as a risk, additional overhead, etc. He clarified that this ordinance would have no bearing on curbside pick-up, Publix, i.e., Walmart and restaurants. Mr. Davis agreed and advised that it is not a delivery if someone shops online at Walmart, then picks up the delivery. He briefly discussed various factors that would have to be considered such as training, additional work on the Marshal's office, etc.

Commissioner Young agreed with Commissioner Warbington, adding that we do not know the effect of this, as well as already dealing with a lot of issues. He suggested not proceeding with this now.

Hearing no further comments, the motion failed 3-4 with Commissioners Fuller, Fletcher, Langstaff and Mayor Dorough voting no.

Referring to the next agenda item, Mayor Dorough asked if an exception is being made to the three-monthly meetings or changing the Code so that from now on, we will have only two meetings in December. Mr. Davis stated that this is the attempt so that from now on we would not have to do this every December.

Ms. Subadan noted that the ordinance specifically refers to December 2020 and if the intention is for a permanent change there should be a slight change to the ordinance.

Mayor Pro Tem Howard introduced

AN ORDINANCE NO. 20-116

Amending Article II of Chapter 2 of the Code of Ordinances of the City of Albany to provide for only two meetings in December: Work Session at 8:30 A.M., Regular Business Meeting at 6:00 P.M.

(Following a brief discussion, it was the consensus to modify the original ordinance to not specify December dates). 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 Fletcher and, following a rollcall vote the motion unanimously carried.

RESOLUTIONS

Planning Director Paul Forgey briefly discussed the following resolution (copy on file) regarding authorization to apply to the Environmental Protection Agency for \$300,000 for a Brownfield Assessment Grant.

Commissioner Langstaff moved to approve the slate of resolutions (1-6) and asked for their adoption, seconded by Commissioner Fletcher and, following a rollcall vote the motion unanimously carried.

A RESOLUTION # 20-R177

Authorizing submittal of a Brownfield Assessment Grant to the Environmental Protection Agency

A RESOLUTION #20-R178

Authorizing execution of Agreement with GAIA TELEKOM INFX, INC.

OCTOBER 27, 2020

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A RESOLUTION #20-R179

Authorizing execution of the Georgia Emergency Management Agency Statewide Mutual Aid and Assistance Agreement

A RESOLUTION #20-R180

Authorizing execution of a Service Provider Contract with Government Solutions

A RESOLUTION #20-R181

Approving the 2020 Emergency Solutions Grant Award to the City's Department of Community and Economic Development

A RESOLUTION #20-R182

Changing the first Work Session in November 2020

OTHER BUSINESS

Mayor Pro Tem Howard asked to add Concrete Enterprises to the next work session agenda for an update.

There being no further business, the meeting adjourned at 7:22 p.m.

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MAYOR

ATTEST

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ASST. CITY CLERK