

JANUARY 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual Meeting)

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

Mayor Dorough called the (virtual) meeting to order at 8:30 a.m. and confirmed the attendance of those on the virtual conference call as follows: City Manager Sharon Subadan, Commissioners Matt Fuller, BJ Fletcher and Bob Langstaff.

Mayor Pro Tem Howard mentioned the loss of loved ones by the Mayor and Board of Commissioners, City officials and employees due to COVID-19 and asked the audience to stand and observe a moment of silence in their memory.

PUBLIC HEARING (Zoning Applications)

Mayor Dorough opened the public hearing for the following:

1. Zoning Case #22-001 – Claire Jackoski & VR Morgan, LLC/Owners; Claire Jackoski/Applicant; request to rezone property located at 1300 N. Slappey Blvd. from C-1 to C-2.

Using a power point presentation (copy on file), Planning Director Paul Forgey reviewed the zoning application, advising that the Planning Commission recommends approval.

Mayor Pro Tem Howard asked the name of the restaurant; Mr. Forgey stated that he does not know; however, he added that it is a local restaurant, not a large chain, they will use the existing building and the owner is present to answer questions.

Commissioner Fuller asked the configuration of the drive-thru; Mr. Forgey stated that he does not know, but suspects that it will be located in front, between the restaurant and Slappey, adding that there is no room for it to go anywhere else.

Commissioner Warbington mentioned an email sent to the Commission from a local owner regarding restaurants with a drive-thru and lines of customers up and down Slappey. He estimated that three cars will be in the road based on the view of the canopy and asked if this would be covered under Zoning, Building Codes, etc., that addresses this. Mr. Forgey explained that to his knowledge, there is nothing that specifies that as a requirement. Commissioner Warbington noted the concrete wall on the back side and an indicated property dispute; especially if a condition might affect adjacent property. Mr. Forgey explained that the condition takes this into consideration; in the event it is on the neighbor's property and that person tears it down, the condition would require the current property owner replace it with another wall that he, as the Planning Director, would have to approve. The author of the email was concerned about the wall being removed and replaced with something other than a masonry wall.

Glenda Maye and Sue Zheng were present to answer questions.

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Mayor Pro Tem Howard asked the type restaurant she has proposed. Ms. Zheng stated that it will be a fast-food restaurant with only call-in, pick-up and go.

In reply to Commissioner Fuller, Ms. Zheng stated that it is a family-owned business and the drive-thru will be located as recommended by Planning.

Commissioner Warbington asked if the canopy will be placed where the former fuel pumps were located. Ms. Zheng explained that they do not plan to renovate the building other than installing commercial kitchen equipment. They plan to install a City-approved canopy that will be very simple, adding that the traffic should be minimal.

2. Zoning Case #21-002 – Kaship Butt/Owner/Applicant; requests to rezone property located at 1701 & 1703 W. Gordon Ave. from R-2 to C-2

Using a power point presentation (copy on file), Mr. Forgey reviewed the application, advising that the Planning Commission recommends denial.

Mayor Pro Tem Howard asked the distance between this site and the convenience store on Magnolia. Mr. Forgey stated that he does not know the distance. Mayor Dorough stated that it is at least eight blocks.

Commissioner Warbington asked if the property zoned C-R north of the site is vacant; Mr. Forgey stated that it is according to the map. Commissioner Warbington mentioned ‘step up zoning’, asking if it is irregular to go from R-2 to C-2. Mr. Forgey explained that it is a case-by-case issue; the surrounding land use had changed where it was appropriate and makes sense; however, in this case, because the surrounding land has not changed, residential in character, it would be a major transition. Commissioner Warbington noted that if this property became C-2, neighboring property could become C-R, C-1 or C-2, including the four corners of the intersection; Mr. Forgey agreed.

Commissioner Young acknowledged the emails from the members of that community, which is heavily residential, and they do not want the residential character of the neighborhood to change. He suggested that for the future, community planning is in effect for cases such as this, which has a drastic zoning change, to ease the change so that it is acceptable to the community. Mr. Forgey explained that the Comprehensive Plan was developed to determine what the community wanted; at that time, the community wanted it to remain residential, with the City and Planning Commissions agreeing that the intersection remain residential rather than transitioning. However, it can be amended if the community decides it is a node which should transition to commercial, through changing the Comp Plan and Future Land Use Map. Commissioner Young explained the issue of the applicant wanting to find a suitable site to build his own store, due to the owner where he works unwilling to do any renovation on the building. He would like for the City/Planning to find a way to assist him with that intent.

Mayor Dorough noted that the traffic count has decreased approximately 25%, asking if traffic counts are taken on the same day of the week. Mr. Forgey explained that they are conducted in a way to be a sample and taken with the same methodology each time; however, other factors may

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influence the count. Mayor Dorough asked that he provide the information when the traffic counts were taken.

Ben Barrow, LRA, stated he appreciates the feelings of those opposed to the rezoning; however, the neighborhood is in decline due to many factors. Regarding Mayor Pro Tem Howard's question regarding the distance, he stated that it is at least a quarter mile, adding that Mr. Butt is not trying to force the issue on residents/neighborhood but wants to improve that area.

Commissioner Warbington asked Mr. Butt if he is planning on a gas station/fuel island; Mr. Butt agreed. Commissioner Warbington asked if he plans to sell alcohol; Mr. Butt replied affirmatively, adding that it will be a convenience store and that stores on Gordon do not sell gas.

Mr. Barrow asked if the store two blocks down from the site is in a residential neighborhood. Commissioner Warbington replied that he does not know.

Commissioner Young advised that that the residents are not looking at it as an improvement to the area; rather, the concern is the number of establishments selling alcohol. If approved, it would put four convenience stores within a quarter mile radius. He encouraged that another site be located or work with the Planning Commission to minimize the impact and make gradual changes.

Mayor Pro Tem Howard mentioned Mr. Barrow's observation regarding Mr. Butt doing some research about the area prior to purchasing the property and suggested that applicants submit a site plan indicating their intentions for the property before making such investments. Mr. Forgey agreed that due diligence on the buyer's part is necessary as well as the realtor being responsible for advising the buyer what can be done with the property and potential hurdles, adding that there are frequent conversations regarding this topic, but it depends on an educated buyer being aware of possible pitfalls. Planning is not involved until after the property has been purchased.

In reply to Commissioner Warbington, Mr. Forgey advised that the property zoned C-4 to the north is vacant, but he does not know the history; tax records show that at least for five years it has been vacant, however, he said he can research to see what it was and why it changed. Commissioner Warbington asked to know the history of the C-1 where the current store is located. Mr. Forgey reported that the current store was built in 1970, when the City implemented zoning; therefore, it is possible plans had been submitted and underway before the property was even zoned, adding that today, Planning would not recommend C-1 because of being surrounded by residential; it pre-dates zoning.

Commissioner Young asked if there are any best practices in place to determine how many alcohol outlets/convenience stores should be located in a general area. Mr. Forgey stated that he is not familiar with any standard best practice but feels it would have to be balanced by the density and type of community and cannot say that 'one size fits all' approach would work.

Mayor Dorough recognized Mattie Wright. Ms. Wright spoke in opposition to the application and noted that the Planning Commission recommended denial of the rezoning request, adding that as Commissioner Young stated, there are several convenience stores already in that area; the one that the applicant currently occupies, (1801 W. Gordon) has plenty of parking space. There is not

enough space at 1701 and 1703 W. Gordon for the store and gas pumps. She mentioned traffic, lighting, as well as peeping toms, etc., (his patrons) going around the neighborhood. She urged the Commission to take into consideration the recommendation of the Planning Commission and deny the rezoning request and suggested that someone assist in finding a more suitable location. She advised that she is speaking on the behalf of herself and many others in the community.

In reply to Mayor Pro Tem Howard, Ms. Wright agreed that putting another convenience store in a depressed neighborhood would not be compatible with the surrounding neighborhood. She suggested that Mr. Butt renovate the homes and rent them, and that the City help him find another property for the convenience store.

Commissioner Warbington recognized Ms. Wright as the President/Captain of the local Neighborhood Watch group, which straddles his and Commissioner Young's ward. He asked if she feels that the majority would be opposed to this; she stated that they would be against it, even though it is not in their ward; she knows that residents in Ward VI oppose it.

Commissioner Young stated that at some point gradual changes can be made to transition the neighborhood and avoid disrupting the neighborhood.

There being no further comments, Mayor Dorough closed the public hearing portion of the meeting.

SPEAKER APPEARANCE

William Wright reported a problem he had getting on the agenda as a result of running into many roadblocks, adding that the information he wanted to present was time sensitive. Referring to the packet (copy on file), the information covers a Georgia Tech program, the Small Business Center. Mentioning the Payroll Protection Program (PPP), he stated that the program did not provide much assistance to local, black-owned business and mentioned a report of the Census Bureau containing details about peculiarities that adversely impacted minority businesses. Disclosing that he serves as a panelist on the Board of Governors Federal Reserve System of the Federal Reserve Bank of Atlanta, he referred to the Main Street New Loan Program developed by Congress for small businesses, which he briefly discussed. These factors resulted in his proposal for an Entrepreneur Academy, which is geared toward Small and Disadvantaged Enterprises (DBE) based on the 8(a) Business Development Program. He asked that a task force be assigned to this issue, advising that he will be back next month as part of Black History Month and continue his discussion of the DBE program and the Green New Deal.

Mayor Pro Tem Howard clarified that minority businesses in Albany received very little funding through the PPP; Mr. Wright agreed and discussed why minority businesses faired so poorly.

Commissioner Young referred to Mr. Wright's statement about not being able to come before the Commission, asking the reason. Mr. Wright replied that, in addition to the various reasons he was given for the delay, he had issues with the limited data on his ISP. Commissioner Young asked where in the City would this information be most relevant, adding that he would think that someone within the City would be privy to information regarding Federal funding. If Mr. Wright's contention is that the City missed this opportunity, where did we miss it. Mr. Wright stated that it

was a breakdown in communication, but the major factor was President Trump, who told the Secretary of Treasury and Board of Governor’s Federal Reserve System to keep quiet about it. Had he not been on the panel, he would not have known about the program that was in effect from October 31 – December 31, 2020, with approximately \$1.0 trillion dollars allocated for the program, with money available until it ran out. He discussed the loan, which was open to non-profits, religious organizations, etc., stating that the local Payroll Development Authority issued \$500.0 million for M&M Mars. There is hope that President-elect Biden will reauthorize the program. Commissioner Young mentioned that at the beginning of the pandemic, Mayor Dorough specifically asked him to keep an eye open for Federal funds that would be coming down. He asked Ms. Subadan if someone has been tasked to keep watch for Federal funds and prevent the City from missing opportunities. Ms. Subadan advised that there is no particular person who does this, she and her staff monitor Federal funding opportunities. A brief discussion ensued regarding which local Authority would receive such information and be responsible for dispensing the information. Commissioner Young recommended that a task force be formed that would stay abreast of opportunities like this, especially for small/minority businesses and to reestablish the minority procurement office.

Mayor Dorough stated that he is unsure who would act as a lender; however, the City’s maximum exposure for defaulted loans would be 5%; Mr. Wright agreed. Mayor Dorough asked if ACT could be a lender. Ms. Subadan interjected that ACT is already a lender and actively participating, adding that the amount of funding can be ascertained. Mayor Dorough asked that the number of applications/extended loans also be ascertained.

Mr. Wright stated that the idea was to put America back to work with the programs through the realization that the minimum wage will be raised to \$15/hour, bringing more taxes. He briefly discussed President Trump restructuring the tax system in 2017 and its negative affect on those earning less than \$1.0 million/annually, while those earning \$1.0+ million enjoyed a 50% tax break. He advised that this program was designed to offset the effects of the restructuring.

Mayor Dorough assured Mr. Wright that the City will investigate and monitor this program.

2021 ANNUAL APPOINTMENTS

Legislative Liaison Triquenski “Que” Hicks noted the 2021 Annual Appointments as follows (copy on file):

- I. Municipal Court - Appointed Officials: Public Defender and City Solicitor
- II. Commission Member Board Appointments:
 1. Aviation Commission: (two appts)
 2. Pension Board: (one appt)
 3. SWGA Regional Commission: (three appts)
- III. Appointed Boards by Ward
 1. City Tree Board: (two appts)

2. Joint Board of Adjustment and Appeals

IV. Regular Board Appointments

1. ADICA: (three appts)
2. Community and Economic Development Council appointments
3. KADB: (four appts)
4. Planning Commission: (three appts)
5. Albany Utility Board: (two appts)

Commissioner Young asked about the demographics in the handout; Mr. Hicks replied that the information came from Mr. Davis' office.

In reply to Mayor Dorough, Mr. Davis explained the bill, adding that it will go through the process and that he was only providing information. Mayor Dorough advised that the information will not apply to these appointments and this item can be discussed under Other Business.

ALCOHOL LICENSE ORDINANCES UPDATE

Mr. Davis noted the three proposed ordinances: process for denial hearings; notice of requirements; closing time for on-premises consumption (copy on file).

Mayor Pro Tem Howard asked whether the Marshal's Office or APD will notify all affected establishments of the changes; Mr. Davis explained that Marshal Norman will make all of them aware of the changes, adding that as soon as the ordinance is signed, it immediately becomes effective.

Commissioner Fuller asked if this means that by 2:55 a.m., businesses will close and everyone, including employees, will be out of the building. Mr. Davis explained that sales will cease at 2:45 a.m. and premises are to be clear by 3:15 a.m., including employees.

Commissioner Warbington advised that this issue was discussed many times and vetted by the Public Safety Committee.

Mayor Dorough expressed concerns and mentioned the 'hours of 8 a.m.', adding that state law prohibits the sale of alcoholic beverages before 12:00 p.m. (noon); Mr. Davis agreed. Mayor Dorough stated that this [as presented] would be inconsistent with State law. He also expressed concerns that 30 minutes does not seem to provide sufficient time to clean and clear the premises and asked to see what the hours were previously. His third issue is that before taking a vote next week, those who own/operate nightclubs should be afforded an opportunity to speak to this; he recommended a public hearing and to hold off voting on the issue until one has been held.

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Mr. Davis briefly discussed the next ordinance regarding new procedures for hearings of alcohol license applications that have been denied, which is part of due process (1- notice; 2- opportunity to be heard).

Commissioner Warbington advised that as a body, Commissioners will always have to provide a written statement explaining their reasons for the denial and asked how it would be handled: 1) whenever someone votes 'no' to state the reason why or will the Mayor, as the Chairman summarize what he feels would be the reason. He stated that it does not necessarily have to be in the ordinance; however, anytime the Commission votes to deny it must come away from the vote with the reason so that within five days, Mr. Davis, as the City attorney, can provide a reason for denial.

Mayor Dorough stated that an applicant has a right to an explanation, but each Commissioner may have a different reason for denying the application; the City Attorney will need to weigh-in on this, adding that a Commissioner who always votes against alcohol licenses, that is his/her position, while the others may have a variety of reason for voting to deny (impact of a particular location on near-by residences; too many alcohol establishments in that area; etc.) Mr. Davis referenced a memo he sent (and will resend), in which he suggested that Commissioners state their reason for denial into the record, as well as having Marshal Norman's report and the presentation made by that office to rely on.

Commissioner Warbington noted that if there are four votes to deny, each Commissioner state their reason; if there are seven votes to deny, there could be some Commissioners having the same reason and only those that differ would have to state their reason; there must be a reason stated for the public record.

Mayor Dorough suggested that within 48 hours of the meeting, the City Attorney send an email to members of the Commission listing reasons that were identified, as well as ascertaining if there were any other reasons and make any corrections before providing the reason to the applicant.

Commissioner Young mentioned that while the Task Force wanted to achieve a method of due process for the applicant, at the same time he is always concerned that the rights of the community are also taken into consideration. Additionally, the Task Force wants a commitment of having the alcohol licenses placed on the agenda at a consistent time, i.e., the second work session of each month before the vote, giving the community consistency when these matters are discussed. He stated that the signs were not only a good idea, but necessary.

Discussing the third ordinance, Mr. Davis explained that notice has always been required, but the notice can no longer be posted in the classified ad section. Additionally, a neighborhood sign, as required with rezoning applications, must also be posted in the affected neighborhood.

Mayor Dorough reiterated the need of a public hearing regarding the change in hours of operation and asked the will of the Commission. The consensus was to hold a public hearing, with Commissioner Warbington suggesting sending all three ordinances to establishments selling on-premise alcohol. Mayor Dorough asked that this matter not be on the regular meeting agenda for

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a vote until a public hearing is held (suggesting a day outside a work session) before the vote is taken. Ms. Subadan advised that a mass-mailing will be sent to those with an alcohol license.

2021 MUNICIPAL ELECTIONS

Mr. Hicks advised that qualifying fees for those running for office, must be voted on in order to be published by February 1.

In reply to Mayor Pro Tem Howard, Mr. Davis stated that it is 3% of a Commissioner's salary, but he does not have that information with him.

CONVENTION AND VISITORS BUREAU UPDATE

Rashelle Beasley, TMP CVB Director, noted 2020 as an extremely difficult year with adjustments made to keep momentum going as they continued to promote Albany. Using a PowerPoint (copy on file) she reviewed *2020 Year in Review*. The report showed the economic impact of the COVID-19 pandemic and the innovative ways used by the CVB to counteract its devastating effects; compared Albany's hotels, which did not have to suspend service, to those in other Georgia cities and the US; total economic impact COVID-19 had on annual events (\$6.0 million); using social/digital marketing to promote Albany; forming new local partnerships and working with established ones to help fill voids caused by the pandemic; last typical tourism year: 2016, with natural disasters (tornadoes, hurricane) and the pandemic impacting the industry since then; Wayfinding signage/vehicle directional signage; Snicker's marathon postponed until April 17, depending on the pandemic. To increase hotel/motel tax and economic growth by drawing visitors, a positive, grassroots campaign, I LOVE ABY, is geared to combat the negativity the pandemic has had on this community. She encouraged Commissioners to help promote I LOVE ABY as well as observing a mini-community day in each of their wards.

In reply to Mayor Pro Tem Howard, Ms. Beasley stated that typically, ASU's homecoming generates \$3.0 million in revenue.

Commissioner Warbington referred to REVPAR and questioned the drastic difference with our partners in the State. Ms. Beasley explained that it was due to the influx of traveling nurses coming to Albany.

COMMISSION TASK FORCE UPDATE

Augustus Tutu, Interim Code Enforcement Director, mentioned the fall Commission retreat, which resulted in the creation of a Task Force for six areas of concern. Using PowerPoint, he discussed the information (copy on file) and advised that Commissioners will have the option to continue the Task Force or turn them off if no longer applicable.

Commissioner Young mentioned the claims on social media that the Commission Task Force(s) were 'secret' asking to dispel this rumor and letting the public know the facts.

Mayor Dorough recommended continuing with the Task Force(s) beyond the January 20 deadline; the consensus was to continue with them. Commissioner Young stated that he thought each Task Force was to accomplish a specific task before moving on, asking to maintain that format. Mayor Dorough stated that the only Task Force suggested to remain in place permanently was the Public Safety Task Force.

PUBLIC FUNCTION MATTERS

UPDATE OF SIGN ORDINANCE

Mr. Forgey recalled the Commission's request to update the sign ordinance and advised that the update is necessary due to: increasing the number of multi-message signs allowed within the city (currently capped at 100 and being at 95 now); addition of a variance procedure allowing a review of sign requests because of not meeting regulations due to unique and specific conditions; and request for the City Commission to transmit the sign ordinance to the Planning Commission for consideration of revisions.

In reply to Mayor Pro Tem Howard, Mr. Forgey explained that these are the LED signs that change the text. Mayor Pro Tem Howard asked for a list and their location. A brief discussion followed regarding election signs/right-of-way/easements and campaign signs allowed year-round on private property.

Mayor Dorough stated that stakeholders need to be involved, adding that we must do what it takes to support our brick-and-mortar businesses. He mentioned banners and asked if they are authorized under the sign ordinance; Mr. Forgey replied affirmatively and explained the permitting process and the time allowance. Mayor Dorough reiterated supporting local businesses and if that is the most efficient, cost-effective way to advertise, we must take that into consideration. He asked that the business community is made aware of the changes and for stakeholders to have an opportunity to be heard, adding that whatever amendments are enacted, the City is willing and able to enforce them.

Commissioner Warbington asked if the variance section deals with the latest zoning of property to erect a sign, i.e., we would give a variance to a property owner to have such signs. Mr. Forgey agreed and explained his initial recommendation to the Planning Commission to change the ordinance by including 'x' number of feet, however, he advised that either way, a variance is needed and, it might be cleaner if there is a standard and explained that a request for a variance would be judged on how close it is to a residential area.

In reply to Mayor Dorough, Ms. Subadan stated that there are marketing ways to get the message out and at the proper time public hearings can be held. Mayor Dorough interjected that the business community should be involved from the start and including the Chamber of Commerce may be the most effective method.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES

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

1. Sunbelt Ford-Lincoln; Albany, GA
Total expenditure \$546,981.00

Mayor Dorough referred to the funding source, asking for an explanation of the Capital Improvement Fund Budget. Ms. Subadan advised that the General Fund has Capital Improvement funds set aside for equipment, building upgrades, etc., for over a certain dollar amount, adding that this is a budgeted item.

ACCEPT GRANT FOR DOWNTOWN CONNECTOR TRAIL

Mr. Forgey discussed information (copy on file) and advised that this is for construction of amenities on the Connector Trail.

Mayor Dorough commended staff for obtaining the grant, adding that the signage will work in concert with Ms. Beasley's presentation.

CDBG-DR MITIGATION FOR INFRASTRUCTURE

Mr. Forgey discussed information (copy on file) and discussed the applications submitted to the Georgia Department of Community Affairs (DCA) for Community Development Block Grant, Disaster Recovery (CDBG-DR) program funds and another would address the separation of the storm and sewer systems in the 8th Avenue Basin (copy on file). He briefly discussed a joint City\County Planning project which will be a comprehensive inventory of all property in the county and the condition of the property (vacant or structured). The grant can used for mitigating the damages to properties affected by the 2017 tornadoes or for making the community more resilient in the future and discussed other departments that will benefit from the database.

Addressing Ms. Subadan, Mayor Dorough stated that he thought it was \$35.0 million. Ms. Subadan stated that some of the funds must be used for housing. Mr. Forgey agreed and explained that there are several CDBG-DR grants available; one is for unmet needs (housing exclusively) with the County administering that program and one is for mitigation. Ms. Subadan advised that she asked the County to update the City next month regarding the unmet needs portion of the grant.

ENERGY CONSERVATION LOAN PROGRAM

Mary Singleton, Business Development Manager, offered Commissioners on the Quality of Life Committee an opportunity to speak first, if they desire.

Commissioner Warbington stated that it is obvious help is needed with housing stock in Albany, based on conditions, energy efficiency and complaints regarding utilities, primarily for rental

properties needing to be brought up to standards. It is unacceptable for anyone's utility bills to be higher than their rent.

Commissioner Young asked if the loan program will be tied to the actual energy rate of the occupant (someone with an excessive energy rate) or for any property owner who applies.

Commissioner Warbington stated that it is solely for property owners (homeowner or landlord who owns the rental property), adding that the intent is to create an environment where there is pressure on the owner to bring the property up to standards. A program has been discussed for renters to call to get the history of utilities to decide whether to rent property.

Commissioner Young asked that the information is captured i.e. energy savings after switching to energy efficient appliances.

Ms. Singleton discussed the loan program (copy on file). Ken Stock, Asst. City Manager, stated that in answer to Commissioner Young, the program will be monitored/tracked to be certain of the effectiveness of energy efficient appliances, adding that if there are no results for the work being done, the types of items approved for the loan program will be reevaluated.

Commissioner Warbington asked when the program will be kicked off and applications accepted. Mr. Stock advised that they plan to kick it off as soon as possible.

Mayor Dorough stated that this is a move in the right direction since the existing program was available only to property owners and by including landlords, it shows that the City is trying to address an issue which has an inordinate impact on those living at/below the poverty level.

CITY MANAGER UPDATE

Ms. Subadan stated that she will be sending out the report. She recalled sharing with the Commission last week that the City is transitioning back to virtual for functions which can be conducted virtually and that individuals will be working remotely as there is an increase of quarantined/infected employees. She discussed a new feature for utility customers to look up account information when paying bills at the drive-thru.

Mayor Pro Tem Howard asked if a PSA has provided information to employees and the public that certain City departments will be working from home. Ms. Subadan advised of notification on the City's Facebook page, as well as being posted on Channel 16.

Mayor Dorough asked Mr. Davis to provide information on proposed legislation and how will it affect the appointment process for municipal governments. To summarize, Mr. Davis stated that to meet requirements, the mandate is 'the Board of Commission shall use its best efforts to represent as many groups of minority persons as possible', with each group defined (Asian American, Native American, etc.). For enforcement purposes, a provision at the end requires each authority designate an individual to retain applications as part of the process (page 3, lines 50-52).

Mayor Pro Tem Howard asked if this has already gone into effect; Mr. Davis advised that currently it has only been proposed, adding that the key point is will it meet the crossover date and be voted upon. He suggested contacting our local delegations to get updates.

ITEMS FOR FUTURE AGENDA

Mayor Pro Tem Howard mentioned Mr. Wright's presentation and another round of stimulus packages, asking if our Federal lobbyist can keep the Commission updated on things the City needs to be aware of. Ms. Subadan stated that she will make contact.

Commissioner Young mentioned an email he sent Commissioners yesterday regarding the comments and activity of Commissioner BJ Fletcher.

Commissioner Warbington called for a point of order, advising that Robert's Rules of Order states that we should avoid comments about each other as members, from a personality standpoint and this particular item is new business.

Commissioner Young countered that this has nothing to do with personalities, it has to do with actions/comments of a sitting City Commissioner.

Commissioner Warbington stated that this Commission is not a judicial body, but rather a policy-making body. Meetings are not designed to have conversations about each other and make accusations.

Commissioner Young stated that everything in the email was factual, common knowledge, and is not anything that arises to what Commissioner Warbington is talking about.

Mayor Dorough asked if it could be put on the next agenda; Commissioner Young stated that he prefers to deal with it now. In the email he asked to have it put on the agenda; however, it was not considered and, he was instructed to bring it up as a new item.

Commissioner Fletcher asked that this discussion be recorded. She asked Mr. Davis if it is appropriate for Commissioners to use this public platform to facilitate a political smear campaign against a colleague, especially when the colleague was acting in their own capacity as an individual citizen and not in any capacity as an elected official.

Mayor Dorough clarified that the issue pertains to comments Commissioner Fletcher made about the presidential election. Commissioner Young added that it is also about her actions. Mayor Dorough asked Mr. Davis if it is an appropriate issue. Mr. Davis agreed with Commissioner Warbington regarding Robert's Rules Order requiring a certain level of decorum and suggested not discussing it at this meeting, as notice was lacking. He also suggested that anyone discussing their colleague should provide that person advance notice of what may come up.

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Mayor Dorough asked Commissioner Young if this can be put on a future agenda; Commissioner Young agreed, adding that we are at a critical time in this transition and as elected officials, we should be held accountable for things we say and actions we take publicly. Issues tend to get swept under the rug, when they are not taken when happening. People play fast and loose with the truth and that is what needs to be called out. As stated in his email, there are uncomfortable conversations that must be had and if someone is not comfortable showing leadership, they should not be in leadership.

Commissioner Warbington called for a point of order. Additional discussion followed on putting the item on a future agenda and to avoid attacking/insinuating wrongdoing of each other, etc.

Commissioner Young stated that it is not an issue of law, but rather one of conduct and truth, adding that he wants it on a future agenda.

Commissioner Warbington asked what his agenda item is. Commissioner Young stated that the agenda item would be the conduct of Commissioner Fletcher.

A brief exchange between Commissioners Warbington and Young continued with Mayor Dorough asking Mr. Davis to provide what the charter states about this issue; Mr. Davis agreed, adding that he sees no formal censure provision in the charter.

Commissioner Young stated that when something endangers public safety, we see that the comments of elected officials, especially from the highest office in the land, can cause an incident as the one in DC, and, we need to speak to that.

Commissioner Fletcher stated that it appears she is being accused of lying about something; if Commissioner Warbington is right, it will be hard for her to believe that we can take the people's forum and make it a personal smear campaign. She stated that any allegations against her must be proven to be the truth and not a lie.

Mayor Dorough asked for an update on the Broad Avenue sidewalks and what, if any, correspondence or communication there has been about those who put the gates along the trail. He asked to have more information on Mr. Wright's presentation, adding that if we can access funds to help struggling, disadvantaged businesses we owe it to our citizens. If the terms of the loan are as favorable as they seem, we should aggressively pursue them.

There being no further business, the meeting adjourned at 12:18 p.m.

SISSY KELLY
ASST. CITY CLERK