

JANUARY 26, 2021

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF ALBANY,
GEORGIA
GOVT. CENTER – RM. 100 (and virtual meeting)

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

Mayor Dorough called the meeting (including those virtually) to order at 6:04 p.m.

Admin. Pastor Patrick Williams, Ebenezer Christian Center, gave the invocation, which was followed by the Pledge of Allegiance.

Mayor Dorough confirmed the attendance of those on the virtual conference call with Commissioners Matt Fuller, BJ Fletcher, Bob Langstaff and Demetris Young present.

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

RECOGNITION

Ms. Subadan briefly discussed the article in Georgia Trend Magazine which recognized Mayor Dorough and asked that he be congratulated for his special recognition.

APPOINTMENTS

1. Municipal Court appoints: Public Defender, City Solicitor and Asst. Solicitor to fill unexpired term ending January 2022

Mayor Dorough discussed the history of the 2020 interim appointments that were made, and a brief discussion followed.

Commissioner Warbington moved to reappoint those who are currently serving (Public Defender/Shantay Hightower, City Solicitor/Nathan Davis and Asst. to Solicitor/Gary Lamar, seconded by Mayor Pro Tem Howard, and following a roll call vote, the motion unanimously carried.

2. Two appointments to Aviation Commission for one-year term ending January 2022

Commissioner Langstaff agreed to continue serving as the Commission appointee and Mayor Dorough reappointed Dr. Anthony Parker. Mayor Dorough moved to approve the noted appointees, seconded by Commissioner Warbington and, following a roll call vote, the motion unanimously carried

3. One Commission member to the Pension Board for two-year term ending January 2003

Mayor Pro Tem Howard agreed to continuing serving. Commissioner Fuller moved to re-appointment Mayor Pro Tem Howard, seconded by Commissioner Warbington and, following a roll call vote, the motion unanimously carried.

4. Three appointments to the SWGA Regional Commission to fill one-year term ending January 2022

The Clerk advised that Mayor Pro Tem Howard is up for reappointment and that Freddie Grimsley and Casawn-Lhuiller Yheyeis requested to be reappointed, adding that Tammy McCrary requested to be considered for appointment. Following a brief discussion, Mayor Pro Tem Howard moved to approve his reappointment. Commissioner Fuller nominated Tammy McCrary, Commissioner Warbington nominated Vincent Smart (f/k/a/ Casawn-Lhuiller Yheyeis for the joint position, and, Commissioner Young nominated Sherrell Byrd. Following a roll call vote, the motion to reappoint Mayor Pro Tem Howard carried 6-1 with Commissioner Young voting no. Following a roll call, the motion to appoint Ms. McCrary carried 5-2 with Mayor Pro Tem Howard and Commissioner Young voting no. Following roll call, Mr. Smart/Yheyeis was unanimously reappointed.

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5. Two appointments to the Tree Board to fill unexpired term ending August 2022, Mayor's appointment and Ward II appointment)

The Clerk advised that no names were received for the Mayor's appointment and that the advertisement will continue to run. Commissioner Fuller stated that he is appointing Jennifer Davis.

6. Mayor's appointment to fill an unexpired term ending October 2022 to the Joint Board of Adjustments and Appeals

The Clerk advised that no names were received, and that the advertisement will continue to run.

7. Three appointments to ADICA for two-year term ending January 2023

Commissioner Fuller nominated Cal McMillian, Commissioner Fletcher nominated Tammy Jones, Commissioner Warbington nominated William Myles, Commissioner Langstaff nominated Marion Fedrick and Commissioner Young nominated Dontravious Simmons.

Following roll call, the nomination to reappoint Cal McMillian carried 6-1 with Commissioner Young voting no.

Following roll call, the nomination to approve the reappointment of Tammy Jones, carried 6-1 with Commissioner Young voting no.

Following roll call, the nomination to approve the reappointment of William Myles, carried 5-2 with Commissioners Fuller and Langstaff voting no.

8. Community Development Council appointments to fill unexpired term ending June 2021

Commissioner Fletcher nominated Tammy McCrary, Commissioner Warbington nominated Marion Fedrick. Mayor Dorough moved to closed nominations on said names, seconded by Mayor Pro Tem Howard. Following a roll call vote, the nomination of Tammy McCrary unanimously carried. Hearing no further comments, the nomination of Marion Fedrick of unanimously carried.

9. Keep Albany/Dougherty Beautiful Board – four appointments for three-year term ending January 2024.

Mayor Pro Tem Howard moved to reappoint the following: Rachel Lawrence, Frances Brown, John McBride and Dorea Hardy, seconded by Commissioner Warbington and, following a roll call vote, the motion unanimously carried.

10. Three appointments to the Planning Commission for three-year term ending January 2024 and one to fill unexpired term ending January 2022

Commissioner Warbington nominated Health Fountain, Commissioner Young nominated Helen Young to be reappointed and Mayor Pro Tem Howard nominated Aaron Johnson to be reappointed. Following a roll call vote, the nomination to appoint Mr. Fountain to fill the unexpired term carried 5-2 with Mayor Pro Tem Howard and Commissioner Young voting no. Following roll call, the nomination to reappoint Helen Young unanimously carried. Following roll call, the nomination to reappoint Aaron Johnson unanimously carried.

11. Two appointments to Albany Utility Board for two-year term ending January 2023

Commissioner Langstaff nominated Stan Logue for reappointment and Commissioner Fuller nominated Jim Deal for reappointment. Following a roll call vote, the nomination to reappoint Stan Logue carried 6-0-1 with Mayor Dorough abstaining. Following a roll call vote, the nomination to reappoint Jim Deal unanimously carried.

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12. Following a brief discussion, Commissioner Fuller was recognized as the 2021 Mayor Pro Tem.

Commissioner Howard asked to consider filling the Asst. City Attorney vacancy in the upcoming budget to help with the overload in that department.

ORDINANCES

Planning Director Paul Forgey stated he is available for questions regarding the zoning matters:

Mayor Pro Tem Fuller introduced

AN ORDINANCE NO. 21-100

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 200 N. Mock Rd from C-6 to C-2

Mayor Pro Tem Fuller then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded Commissioner Howard and, following a roll call vote, the motion unanimously carried.

Commissioner Howard introduced

AN ORDINANCE NO. 21-101

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 2500 Nottingham Way from C-R to C-1

Commissioner 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; following a roll call vote, the motion unanimously carried.

Commissioner Howard introduced

AN ORDINANCE NO.21-102

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 1300 n. Slappey Blvd. from C-1 to C-2 (**conditional**)

Commissioner 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 roll call vote, the motion unanimously carried.

Mr. Forgey stated that Commissioner Warbington questioned property zoned C-R. located approximately one block to the northeast, which was rezoned C-R immediately after Zoning was implemented (1970) with the property rezoned to R-M (Multi-Family) in 1971. He advised that subsequently, Planning changed the names of the districts and R-M became C-R (also Multi-family), adding that nothing was built on the lot, zoned for multi-family, but is only .37 of an acre and could not support very many units should it ever be developed; however, it is multi-family residential.

Commissioner Howard stated that he visited the area last week and cannot see a convenience store being feasible and suggested that it would not benefit the neighborhood with such factors as two demolished houses, being on the corner, ingress/egress traffic, and gas tanks in a residential area; it is not a good fit there.

Commissioner Warbington agreed with Commissioner Howard that adjacent property would suffer. He asked if it would be appropriate for the City to rezone the C-R lot to C-2 to be consistent. Mr. Forgey agreed that it would make sense for the City to take that action and he would recommend that it should be part of a comprehensive zoning (many lots rezoned at once). Commissioner

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Warbington mentioned challenges to deny requests in the future to rezone adjacent properties to C-R to help prevent potential misuse of what the City may want for that area.

Commissioner Young reported that residents do not support placing this business in the neighborhood.

Mayor Dorough asked if the applicant operates a convenience store a few blocks from this site; Mr. Forgey replied affirmatively. Mayor Dorough mentioned the owner of the property being unwilling to renovate/update the convenience store the applicant currently operates, adding that he hopes there is a way the City can work with him to help improve the current location.

Commissioner Warbington noted that comments of residents were of code violations, adding that the City has the ability to issue code violations to get the landlord's attention to make repairs.

Commissioner Warbington moved to deny the following Ordinance, seconded by Commissioner Howard and, following a roll call vote, the motion unanimously carried.

AN ORDINANCE NO.

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 1701 & 1703 W. Gordon Ave. from R-2 to C-2

RESOLUTIONS

Mr. Maples advised that Engineering was contacted by Molson-Coors which has interest/concerns regarding the intersection/roadway. He explained that several suppliers use the intersection at Turner Field Rd., to access Clark Ave., then go east to Cordele Rd., (SR 300) to the main gate to deliver products to Molson-Coors.

Commissioner Howard clarified that the owners of Love's Truck Stop were not willing to share the cost; Mr. Maples deferred to Mr. Davis, who reported that he had received emails from them, adding that it is his understanding that Love's is sticking with the deal that they proposed. Mr. Davis advised that they are willing to share the cost 50/50. Ms. Subadan interjected that if the City did share the cost, funding would be through TSPLOST. Commissioner Howard recommended that Love's bear the entire cost of the road-widening expense.

In reply to Commissioner Warbington, Mr. Maples explained that should the City not approve, the decision will be presented to Love's Truck Stop to review options. Commissioner Warbington asked if the City can make this a requirement; Mr. Maples agreed, adding that they have been advised that it is required (based on Love's traffic study) and that they were informed that a right-turn lane would be in the best interest of the property and other businesses utilizing Turner Field Road at the intersection. Commissioner Warbington noted that the reason for the lane is to benefit their project, which Love's should have factored into their plans.

No motion was made on the following, which died on the floor.

A RESOLUTION NO.

Authorizing execution of Cost Sharing Agreement with Love's Travel Stop; Authorizing the use of TSPLOST Funds for roadway widening

Commissioner Warbington offered the following resolution and asked for its adoption, seconded by Commissioner Howard.

A RESOLUTION NO. 21-R100

Fixing and publishing 2021 Qualifying Fees in the City of Albany

In response to Commissioner Howard, the Clerk advised that fees stayed the same (based on salaries of Commissioners), adding that the dates to qualify have not yet been released.

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Hearing no additional comments and, following a roll call vote, the motion unanimously carried.

Commissioner Howard offered the following resolution and asked for its adoption, seconded by Commissioner Warbington, and following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. 21-R101

Accepting Grant Award from the Georgia Department of Natural Resources; Authorizing the use of TSPLOST funds for construction of amenities re: Downtown Connector Trail

Commissioner Howard asked if the grant is awarded will it be split among Glenn, Camden and Dougherty Counties. Mr. Forgey agreed, adding that half of the available funds must go to those three counties, with the money benefitting low-moderate income individuals. He explained that one grant is for infrastructure and one for planning purposes, neither one is for housing. A brief discussion regarding the 8th Ave. Basin followed regarding it being completely rebuilt to separate stormwater and sanitary sewer and the cost for two components being approximately \$7.0 million, with no match required.

Commissioner Warbington offered the following resolution and asked for its adoption, seconded Commissioner Howard, and following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. 21-R102

Authorizing the City Manager to make application to the Georgia Department of Community Affairs for Community Development Block Grants for Disaster Recovery

In reply to Commissioner Howard, Mary Singleton, Utilities Business Development Manager, advised that this will be a new program, in addition to the current one the City is funding; if approved, the new program will start at \$250,000. She explained that it is a loan program; the old program with the current one, is similar to a grant program for seniors 62 and older and must be repaid within five years.

Commissioner Warbington commended the diligent, unified work of all involved developing this program and its culmination today.

Commissioner Warbington offered the following resolution and asked for its adoption, seconded by Commissioner Howard and, following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. 21-R103

Adopting the Energy Conservation Loan Program for Residential Customers

Commissioner Warbington offered the following resolution and asked for its adoption, seconded by Dorough and, following a roll call vote, the motion unanimously carried

A RESOLUTION NO. 21-R104

Requesting the Albany Dougherty Planning Commission Review and recommend to the City Commission revision to the City's Sign Ordinance

Commissioner Warbington mentioned the current cap of 100 [LED multi-message signs in the city], asking if Mr. Forgey is recommending eliminating the cap. Mr. Forgey advised that the discussion will be guided by the Planning Commission and the public to ascertain their wishes; however, his professional input will be included, adding that he does not feel that the cap should be raised considerably.

Mayor Dorough cautioned that a significant cap on these signs might result in new businesses coming to town and being denied having one.

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Consent Agenda

Commissioner Howard moved the consent agenda, seconded by Commissioner Warbington and, following a roll call vote, the motion unanimously carried.

1. Special Approval Case #20-048; Latronna Bush/Owner/Applicant request to operate a Group Day Care Facility for property located at 1812 Gillionville R\d. for up to 18 children in the R-2 District

2. 2021 Hybrid Ford Pursuit Utility Interceptors; Sunbelt Ford Lincoln
Total expenditure \$546,981.00

OTHER BUSINESS

Commissioner Howard mentioned the spike in COVID-19 and asked for an update within 48 hours of the closure/partial closure of City departments. Ms. Subadan stated it will be resent.

Commissioner Fletcher asked to review the fireworks ordinance due to the recent increase of residents celebrating with them on days that are not a recognized holiday. Ms. Subadan stated that she will work with the City Attorney on this.

Commissioner Warbington mentioned significant fireworks occurrences in his ward last night with APD being called many times. He advised that he intends to have it as a discussion at the next Public Safety Task Force meeting.

There being no further business, the meeting adjourned at 8:18 p.m.

MAYOR

ATTEST

CITY CLERK