

FEBRUARY 22, 2010

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA

PRESENT: Mayor Willie Adams, Jr.
Mayor Pro Tem Christopher Pike
City Commissioners: Jon Howard, Dorothy Hubbard, Roger Marietta,
Bob Langstaff, Jr., and Tommie Postell
City Manager: Alfred D. Lott
City Attorney: C. Nathan Davis

Mayor Adams called the meeting to order at 8:00 pm.

Brother Jesse Jackson, US 19 Church of Christ, gave the invocation and the pledge of allegiance was recited.

Mayor Adams announced that former Mayor Larry Bays passed away last night and asked that a moment of silence be observed for him.

Commissioner Postell moved to approve the minutes of the previous meeting, seconded by Commissioner Howard; the motion unanimously carried.

RESOLUTION RECOGNIZING JUDY BOUCHER

Mayor Adams stated that the following resolution honors an exemplary citizen of our community. He said he has followed her story in the news and that she is a 'doer' rather than someone who merely 'talks'.

The Asst. Clerk read

RESOLUTION NO. 10-R112
ENTITLED
A RESOLUTION OF THE CITY OF ALBANY,
GEORGIA RECOGNIZING JUDY BOUCHER

WHEREAS, Judy Boucher, donning her walking apparel, walked her neighborhood removing that which destroyed the beauty of her community; and

WHEREAS, Judy Boucher, affectionately known as "The Patron Saint of Yard Trash and Lost Dogs" because of her dedication to improve her environment, has anonymously cleaned up what others carelessly left behind; and

WHEREAS, Judy Boucher is a self-admitted, litter pick-up "addict" solely for a sense of personal accomplishment and community improvement; and

WHEREAS, Even though Judy Boucher prefers her acts of kindness to be anonymous, her endeavors have made a measurable impact on the clean-up efforts in her neighborhood. And although she may be relocating to another city, she will be leaving a legacy of care and commitment that will be sorely missed, but never forgotten in the goal of keeping Albany-Dougherty Beautiful.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Albany, Georgia, and it is hereby resolved by authority of same that this Commission does hereby extend official recognition and appreciation to Judy Boucher for her dedication and service to the City of Albany. The Commission further urges fellow citizens of Albany to continue the legacy of Judy Boucher by keeping their neighborhoods clean and trash free.

Let this Resolution be spread upon the minutes of the meeting and copies of this Resolution be furnished to Judy Boucher.

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Commissioner Langstaff offered the resolution and asked for its adoption, seconded by Commissioner Postell; the motion unanimously carried.

Mayor Adams presented the resolution and again thanked Mrs. Boucher for her commitment to this community.

Dr. Charles Gillespie, President of the Doublegate Neighborhood Watch, presented Mrs. Boucher with a plaque in recognition of her years of selfless service to the Doublegate neighborhood.

PRESENTATION OF BUDGET AWARD

Mr. Lott presented the budget award to Larry Johnson and Victoria Bowman, in recognition of the Finance Department's adherence to the Government Finance Officers Association program standards. He added that this is the 18th consecutive year the Finance Department has received this award.

Mayor Adams stated that the public hearing regarding the FY 2006/2007/2008 Action Plans Substantial Amendment was cancelled. Mr. Lott added that a called meeting will be held on March 2, 2010 for consideration of this matter.

REPORT OF COMMITTEE OF THE WHOLE

Following the recommendation of the Committee of the Whole, Commissioner Postell moved to approve the following Alcohol License Transfer, seconded by Commissioner Hubbard; the motion carried 6-1 with Commissioner Howard voting no.

1. Parshavnath, Inc., d/b/a R&M Grocery, 707 W. Highland Ave., transfer beer package from R. Rogers to M. Shah

Following the recommendation of the Committee of the Whole, Commissioner Postell moved to approve the following Alcohol License Application, seconded by Commissioner Hubbard; the motion carried 6-1 with Commissioner Howard voting no.

1. Another Place, 1502 E. Broad Ave., J.B. Pelham, III, Agent; consumption

Following the recommendation of the Committee of the Whole, Commissioner Hubbard moved to approve the following Alcohol License Application, seconded by Commissioner Postell; the motion carried 6-1 with Commissioner Howard voting no.

2. T&T Variety Store, 1209 E. Residence; T. L. Whitehead, Agent; Beer Package

The Asst. Clerk stated that in the early briefing it was decided that the conditional agenda item regarding Brick House Productions will be discussed in a special called meeting on February 26, 2010 at 9:00 a.m.

ORDINANCES

Commissioner Langstaff introduced

AN ORDINANCE NO. 10-108

Authorizing extension of Sanitary Sewer along Westover Blvd., to serve properties known as 402, 404, 406, 408, 410 and 412 Westover Blvd.

Commissioner Langstaff then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Postell; the motion unanimously carried.

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RESOLUTIONS

Following the recommendation of the Committee of the Whole, Commissioner Postell moved to adopt the following, seconded by Mayor Pro Tem Pike; the motion carried 6-1 with Commissioner Howard voting no.

A RESOLUTION NO. 10-R113

Exempting Mr. Omar Salaam, d/b/a Downtown Market & Entertainment's Island Splash Event from the requirements of Sect. 4-13(b)(1) and Sect. 17-42 of the City Code

Following the recommendation of the Committee of the Whole, Commissioner Hubbard moved to adopt the following, seconded by Commissioner Postell; the motion carried 5-1-1 with Mayor Pro Tem Pike abstaining and Commissioner Howard voting no.

A RESOLUTION NO. 10-R114

Exempting the Downtown Merchants Assn., March 6, 2010 Mardi Gras Street Festival Event from the requirements of Sect. 4-13(b) (1) of the City Code

Following the recommendation of the Committee of the Whole, Commissioner Langstaff moved to adopt the following, seconded by Mayor Pro Tem Pike; the motion carried 6-1 with Commissioner Howard voting no.

A RESOLUTION NO. 10-R115

Exempting Albany Harley Davidson's St. Patty's Day Event from the requirements of Section 4-13(b)(1) and Sect. 17-42 of the City

Following the recommendation of the Committee of the Whole, Commissioner Postell moved to adopt the following, seconded by Mayor Pro Tem Pike; the motion unanimously carried.

A RESOLUTION NO. 10-R116

Authorizing the Albany Police Dept., to establish a Cash Incentive Program for newly hired sworn employees

Following the recommendation of the Committee of the Whole, Mayor Pro Tem Pike moved to adopt the following, seconded by Commissioner Hubbard.

A RESOLUTION NO. 10-R117

Affirming the Determination of the Albany/Dougherty Historic Preservation Commission; Authorizing Planning & Development Services to issue a Certificate of Appropriateness for 413 Flint Ave.

Commissioner Howard commented that a lot of the items being approved for the Historic Preservation Commission are in disarray and asked if there is a timeframe to bring the property up to code once approved. Mr. Davis replied in the affirmative, adding that this property is on the abatement court's calendar for Wednesday. At that time, the court will set a date and they will not be able to stall because they will have received the Certificate of Appropriateness approval, so it should actually speed up the process.

Hearing no further discussion, the motion unanimously carried.

Following the recommendation of the Committee of the Whole, Mayor Pro Tem Pike moved to adopt the following, seconded by Commissioner Hubbard; the motion unanimously carried.

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A RESOLUTION NO. 10-R118

Affirming the Determination of the Albany/Dougherty Historic Preservation Commission; authorizing Planning & Development Services to issue a Certificate of Appropriateness for 307 Whitney Ave.

Following the recommendation of the Committee of the Whole, Commissioner Hubbard moved to adopt the following, seconded by Commissioner Postell; the motion carried 6-0-1 with Mayor Pro Tem Pike abstaining.

A RESOLUTION NO. 10-R119

Affirming the Determination of the Albany/Dougherty Historic Preservation Commission; authorizing Planning & Development Services to issue a Certificate of Appropriateness for 114 N. Jackson St.

Following the recommendation of the Committee of the Whole, Commissioner Hubbard moved to adopt the following, seconded by Mayor Pro Tem Pike; the motion unanimously carried.

A RESOLUTION NO. 10-R120

Affirming the Determination of the Albany/Dougherty Historic Preservation Commission; authorizing Planning & Development Services to issue a Certificate of Appropriateness for 521 2nd Ave.

Following the recommendation of the Committee of the Whole, Commissioner Postell moved to adopt the following, seconded by Commissioner Howard; the motion unanimously carried

A RESOLUTION NO. 10-R121

Acceptance of grant of funds from the Federal Aviation Administration to fully fund the Design and Engineering of the Terminal Complex Improvements (re: SWGA Regional Airport)

Following the recommendation of the Committee of the Whole, Mayor Pro Tem Pike moved to adopt the following, seconded by Commissioner Howard.

A RESOLUTION NO. 10-R122

Authorizing the Finance Director to transfer \$1 Million of Long Term Financial Planning Committee funds to the City's Water, Gas and Light Commission (re: MEAG Trust)

Commissioner Langstaff stated that it is a mistake to invade the corpus of the MEAG account. He said he hopes that it will grow to \$30.0 million and that it should be preserved for long-term economic development opportunities that might present themselves. He stated that he understands why they need the money for repairs at WG&L, but when comparing rates of WG&L to rates of other MEAG cities, Albany is very near the bottom on the rates scale. He suggested that slightly increasing rates would allow WG&L to budget capital improvements, repairs, etc. He expressed concern about eating away at the money and one future day regretting that the Commission did not adhere to its original intent. He stated that for that reason he will vote against it.

Commissioner Marietta stated that he can understand the argument about emergency funds, but expressed concern about the two trucks. He added that the City was not including its police cars and cannot see WG&L's trucks being an emergency, especially in light of being able to finance such things through GMC.

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Commissioner Hubbard stated that she was against dipping into the funds, especially without guidelines being set beforehand. She said she was disappointed that there was no discussion about other options to fund these items. However, she stated that she would not feel comfortable allowing this to fall on the ratepayers, which is what would happen because it has to be done. Referring to Mayor Adams' comment in the pre-briefing regarding itemized expenditures, she asked how the funds would be disbursed, e.g., would it be through a draw-down or will they receive the \$1.0 million in a lump sum. Mr. Lott replied that based on the resolution, the \$1.0 million would be transferred to WG&L for their reserve funds. He stated that he could request the General Manager to provide a list of how the funds will be spent.

Commissioner Postell added that ratepayers are the main issue/concern and that citizens should not be responsible for this expense if money is being held in a reserve fund to take care of this necessity, which is repairs at the Water, Gas, & Light site. Referring to Commissioner Marietta's comments, he stated that WG&L has trucks that are worn out and present a hazard to the operators. Should a truck fail and an operator is injured or killed, the City will be facing a major lawsuit. He stated that he is not one to just hand out money for the sake of it, but he must support the safety of employees or citizens. He agreed with the intent of saving the money, but WG&L's reserves are low and the City must help look out for that department.

Mayor Adams concurred with Commissioner Hubbard's idea to institute a process for releasing funds, i.e., the LTFP Committee can determine whether it is through a draw-down or line-of-credit. Commissioner Hubbard mentioned that if they do not need \$1.0 million there is nothing in place for it to be returned. Mayor Adams explained that once the repairs were done, the intent was to put the balance into their reserves.

Mayor Pro Tem Pike recommended the reimbursable method used by CDBG; if WG&L spends \$700,000 on the roof, they would send an invoice to the Committee, which would reimburse WG&L. That way \$300,000 would not be deposited into their reserves, but would remain in the long-term planning account. Mr. Lott stated that this is a great idea; however, WG&L needs the additional funds in their reserves to function. He stated that about three weeks ago, their reserves dropped below \$1.0 million and in the event of a major rain/storm event, the reserves are quickly used up. Regarding the trucks, he explained that some vehicles are over 15 years old, causing them to be unreliable. He agreed that Mayor Pro Tem Pike's recommendation works great for the trucks, but that the issue is their reserves. Mayor Pro Tem Pike stated that it is his understanding that WG&L's refund from MEAG money is not going into their reserve account; they have another account for those monies. Mr. Lott interjected that it goes into their general operating budget.

Commissioner Marietta stated that a different figure is stated every time this is brought up. The February 15th minutes of the LTFP Committee states 'Mr. Vansant interjected that Water, Gas, & Light has reserves of \$3.0 million, with an independent organization recommending reserves of \$16.0 million,' which he understands. He said he spoke with Laurie Farkas today and she assured him that someone from WG&L would be present tonight, but he does not see anyone from WG&L, which concerns him. Commissioner Howard interjected that someone was here earlier. Commissioner Marietta replied that is of no help at this point; the debate about the \$1.0 million centers on line items and yet no one is present to answer questions. In response to Commissioner Postell, he stated that the Mayor is not a staff person capable of going over details. He stated that it would be helpful to have someone on WG&L's staff on hand to answer these questions; Commissioner Postell stated that in the future, someone will be present.

Hearing no further discussion the motion carried 5-2 with Commissioners Marietta and Langstaff voting no.

Commissioner Howard moved to approve the following consent agenda, seconded by Commissioner Marietta; the motion unanimously carried.

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CONSENT AGENDA

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

1. Van Purchase, Getaway Marketing, Bradenton, FL

Total expenditure \$42,918.00

2. Infill Houses:

JVS Assoc., Inc., Albany, GA Lump sum expenditure \$123,600.00

James Unlimited, Albany, GA; Lump sum expenditure \$92,000.00

OTHER BUSINESS

Mayor Pro Tem Pike asked to add the Heritage House to the work session so that the Commission will know if the developer is going to come through on this project. Mr. Lott stated that it will be on the March 16th agenda.

There being no further business, Mayor Adams adjourned the meeting at 8:27 p.m.

MAYOR

ATTEST:

ASST. CITY CLERK