

JUNE 1, 2010

COMMITTEE OF THE WHOLE

Present Mayor Pro Tem Christopher Pike  
City Commissioners: Jon Howard, Roger Marietta, Bob Langstaff, Jr.,  
and Tommie Postell  
City Manager: Alfred Lott  
City Attorney: Nathan Davis

Mayor Pro Tem Pike called the meeting to order at 8:30 a.m.

MONTHLY UPDATES (APD, DRUG UNIT AND CODE ENFORCEMENT)

1. Chief Proctor reported crime statistics for the month of April and May (copy on file), in which there has been significant burglary and larceny activity in Wards III and IV. He stated that an aggressive startup of neighborhood watch groups proved to be very fruitful in helping APD especially regarding burglaries and advised that crimes against persons have declined city-wide over the past few months. He discussed vacancies, with 17 being supervisory positions, which have been scaled back leaving four positions open. He stated that community function activities included graduation from the Citizen's Police Academy, Stash the Trash, March of Dimes fundraiser, Stop the Violence Basketball game and the hosting of the Firearms training with civilians.

Commissioner Marietta asked if there is a way to have more officers in the ADDU because so many crimes seem to be drug related. Chief Proctor stated that he is working toward this goal and that he has met with Major Berry in which he promised to fill those positions, but due to other issues it has been difficult to fill positions. He added that he has employees at various levels of training, but they will be shifted once they complete training.

Commissioner Postell asked if the SWAT Team went into Lee County recently and what are the guidelines for this practice. Chief Proctor advised that it is a metro SWAT Team serving 15 counties and that it is governed by a seven member board operating through a Memorandum of Understanding. He mentioned that there are issues they are working on. Commissioner Postell asked if each entity supplies an individual(s) to work with the task force; Chief Proctor replied in the negative. Commissioner Postell asked the financial burden if there is an incident, i.e., a killing and subsequent lawsuit. Chief Proctor stated that all members who have signed onto the agreement share in the burden and that they are looking at the agreement to see what can be changed. He added that the process was in place when he arrived in Albany.

Commissioner Howard expressed concern about basketball being played at C. W. Heath Park during the early morning hours even though there is a 'sunset to dawn' sign posting the hours of operation. He said his other concern is semi-trucks dropping their trailers at the Roses Shopping Center, which he considers an eyesore. Chief Proctor stated that they will look at these issues.

JUNE 1, 2010

## COMMITTEE OF THE WHOLE

Mayor Pro Tem Pike mentioned attending the movie in the park this weekend and commended APD's presence and thanked them for their efforts.

2. Major Berry explained that monthly stats are compiled on the first of the month; therefore, he said he does not have that information; however, it was a good month. He commented that Albany recently received national recognition on a segment of 'The Dumbest Crook News' due to a drug dealer being arrested twice in the same day on drug charges. He briefly discussed Zema, the new drug dog, and the retirement of Ross, a six-year veteran police dog. He stated that several major cases have been made in conjunction with the DEA and GBI and that they worked with Lee County on one last week. He advised that proactive efforts were taken with the Probation office, the Gang Task Force and Marshal Services in a round-up, which was successful in disrupting the drug issues.

Commissioner Postell expressed concern about drug/prostitution on Highland/Slappey/Davis streets. Major Berry stated that undercover cops are working in these areas and that they will continue to monitor.

Commissioner Howard referred to Mimosa Trailer Park, stating that drugs and solicitation has flared back up in this area due to a change in management/owners. Major Berry stated that he will add this back to his list of places to check on.

Commissioner Marietta commented that the neighborhood watch meeting they attend on Thursdays has been doing well and they will meet again on June 10. He asked if the Drug Unit coordinates with the Gang Task Force. Major Berry replied in the affirmative and briefly discussed recent incidents adding that the two units work closely together.

3. Mike Tilson, Code Enforcement Director, reviewed the demolition report (copy on file) and discussed funding, tax levy notices, warrants, and coordination with the Finance Department regarding businesses which have not renewed occupational tax certificates. At the beginning of May, he stated that there were 2400 non-renewals, which was reduced to 300 by the end of month. He stated that this week, Enforcement officers will visit the 300 addresses and issue citations to those still in business that have not renewed.

In reply to Commissioner Postell, Mr. Tilson explained the 2400 as listed in the occupational tax certificate renewals. Commissioner Postell asked if this was compared to the tax base. Mr. Tilson said he does not know, but will get this information. Commissioner Postell asked that he receive the amount of revenue produced from March 15 through today in occupancy tax. Kris Newton, Finance Director, stated that they will provide this information.

Commissioner Howard referred to the demolition list noting a typo error that placed two separate locations in his ward, but are not. He expressed concern that property owners are still being given 180 days or more to demolish property. Mr. Davis explained that

JUNE 1, 2010

COMMITTEE OF THE WHOLE

due to economic times, the judge is allowing more time and is objective matter the court has taken into consideration with no opposition from his office.

CITIZEN APPEARANCE

Linda Williams was not present

HERITAGE HOUSE STAFF STUDY

James Taylor, Asst. City Manager, discussed information as noted on page five pertaining to staff's study of the Heritage House. He stated that currently there is no funding for acquisition/demolition of the abandoned sites and that tax records indicate that there are five properties/sites included in the Heritage House collection. He advised that at least one site has hazardous materials with the possibility of all being contaminated and posing public safety concerns. If it goes to court and demolition is ordered, the City will be required to demolish the property as a matter of public interest. He said the City is willing to use its resources to remediate the hazardous material, demolish the structures, clear the material, and prepare the site to protect the soil from erosion in order to keep the community safe. The cost is likely to be near the estimated value of the property and since the property is in a high-traffic area it has significant redevelopment value.

Mayor Pro Tem Pike asked the recommendation. Mr. Taylor replied that he has no recommendation since cost is an issue and there is no money in the budget.

Commissioner Marietta commented on Green Briar Holdings having liability insurance to cover the cost of remediation/demolition and suggested option 1 as a starting point in the process. Mr. Taylor deferred to Mr. Davis, who explained that this is a larger version of what is being done currently with demolitions. If the property owner fails to comply with the court order, the Code requires the City to complete the demolition no later than 270 days afterward. He concurred with Commissioner Marietta that option 1 is the preferable method. Mr. Lott stated that this is a complicated situation, which is why a staff study was conducted to include a course of action, the history, facts, etc. He explained that situations were looked at and presented to the Commission for consideration and to give direction to staff. He said either option or a combination of the two can be executed.

Commissioner Langstaff referred to page seven with the five options and asked if option 1 would turn into option 2 if it is not demolished. Mr. Taylor and Mr. Davis concurred. Mr. Taylor stated with the owner's permission, the City could demolish without going to court. Mr. Davis added that options 1-2 go together and are not mutually exclusive. Commissioner Langstaff noted option 3 - acquisition through eminent domain, with the problem being site control. He asked the savings to acquire the property to do a drainage pond. Mr. Taylor advised that Engineering is still looking into whether or not this site is adequate. Bruce Maples, Engineering Director, stated that the study was done 14 years ago, but they are still looking at this option. He said it may not be the best site for a

JUNE 1, 2010

COMMITTEE OF THE WHOLE

holding pond to reduce the size of the Holloway outfall pipe. Commissioner Langstaff asked the potential savings. Mr. Maples stated that in 1996-1997 it was approximately \$14.0 million as opposed to the \$50.0 million the City is looking at for Holloway in 2010 dollars for a 12x12 box culvert. Commissioner Langstaff asked if he is saying the cost of the Holloway project would go down from \$50.0 million to \$14.0 million. Mr. Maples explained that this is what they looked at as a preliminary engineering study that was done about 15 years ago; however, it was not a finalized study. Commissioner Langstaff interjected that a decision could not be made without that information since there is a potential \$36.0 million in savings if the property is acquired and used. Mr. Maples stressed that this may not be the best sit and discussed issues, i.e., elevation affecting the site and is what they are trying to finalize. Commissioner Langstaff asked about a timeframe for answers; Mr. Maples replied that the staff person will be back in the office tomorrow and will start work on this. Commissioner Langstaff mentioned being under the impression that acquiring property through eminent domain and demolition was bad because it severely limited what could be done with the property. Since this property has commercial value and is in a high traffic area, he asked for the additional information. Regarding option 4, he asked the open market purchase. Mr. Taylor advised that he does not have confirmed information at this time. An appraisal was requested but it was not done in time for this meeting. Commissioner Langstaff stated that the site could be worth several hundred thousand dollars once the property is demolished, etc. He asked if donation of the property was discussed for a tax reduction. Mr. Taylor said that since there are liens on the property, it is probably unlikely, but a formal request has not been made. Commissioner Langstaff commented that options four and five seem unlikely and asked Mr. Davis about filing a nuisance action against them and whether there is anything the City can do against them out of the ordinary to acquire control. Mr. Davis replied in the negative, and explained that the standard action of filing is an abatement action which follows the state's abatement statute. He agreed with Commissioner Langstaff that this amounts to a lien against the property for the demolition cost. Commissioner Langstaff asked if a money judgment can be acquired against the owner. Mr. Davis replied in the negative. Commissioner Langstaff again asked for the savings for Holloway. Mr. Taylor added that even though it is 'a site' it may not be the correct site. Mr. Lott stated that elevation issues and having to pump the water to hold it there could really affect using the site. Commissioner Langstaff asked if another property was looked at as a holding pond for the Holloway Basin project. Mr. Maples stated that there are several low areas that have been looked at and added that in the late 1990's two ponds were identified to get the cost of Holloway down.

Commissioner Howard asked Mr. Taylor about the dilapidated housing in the area. Mr. Taylor discussed property east and to the rear of the Heritage property that houses three-four brick structures and a property adjacent going west with a house on it, an open lot, etc., with a total of four-five pieces behind Heritage House that the holding company also owns as part of their redevelopment effort, which is in the information as noted. Commissioner Howard asked the figure if the City demolishes the property. Mr. Lott stated that if the property belonged to the City, it will cost approximately \$1.2 million to demolish and includes mitigation costs. Mr. Davis mentioned asbestos abatement; Mr.

JUNE 1, 2010

## COMMITTEE OF THE WHOLE

Lott agreed adding that having debris hauled off, cleaning the site and getting it up to EPD standards must be considered. In reply to Commissioner Howard, Mr. Lott reiterated that it is a policy decision for the Commission to make. He mentioned liens on the property, which also makes it problematic. Commissioner Howard commented that with Oglethorpe being a high traffic area, he would hate to use a prime piece of property for a holding pond, but that he would be in favor of taking quick action. He said he would not want to go into reserves, but quick action is needed to remove this eyesore.

Commissioner Marietta asked if the City could remediate the asbestos, which could cost approximately \$300,000 and then move on to the next step. Mr. Taylor agreed that all hazards would have to be remediated. Commissioner Marietta asked if the City remediates the hazards would the owners be willing to take over. Mr. Lott stated that the owners have no money and that they need someone else's money to do anything, which is a problem.

Commissioner Postell stated that he estimates it will be \$1.6 million to clear the property of asbestos, etc., and asked the ball park figure for rebuilding. Mr. Taylor stated that the redevelopment proposal used the site as collateral and they were asking for governmental involvement/participation to develop it. He added that they were asking for a substantial amount of funding assistance from a couple of sources. Commissioner Postell stated that he agrees with option 1 to get with the owners to litigate to remove blight and slum. He said that he does not agree with Commissioner Langstaff on putting a pond in that area as a pond would be better situated on the edge of town, not in the center. He suggested that the property owners should make some concessions with the City as he does not want the City to buy the property, therefore, he said the only concession he sees is Option 1. He stated that if they agree to demolish, that is their business and if the court orders demolition, they will have to comply. He commented on the Ford Company property, suggesting that it be added to remove slum and blight. Based on the funding amount to address all property needing addressed, he suggested tabling.

Mr. Lott suggested that since this appears to be a continuing discussion, staff can go back and bring additional information to the Commission based on questions asked today. He said that this can be put on the next work session to continue discussion.

Commissioner Langstaff agreed with Commissioner Howard to get the ball rolling and suggested option 1. He asked Mr. Davis if the City proceeds with option 1 and it was determined that enough savings on Holloway could be realized and eminent domain action was taken, could they drop the abatement action and proceed with eminent domain; Mr. Davis agreed. Commissioner Langstaff moved to approve option 1, seconded by Commissioner Postell.

Mayor Pro Tem Pike stated that something must be done, but said he is unsure if litigation is the best option. Even if it was court-ordered for demolition, they do not have the funding and the City would have to undertake that and put a lien on it for it to sit there. He suggested that Mr. Taylor negotiate with the current owners instead of putting

JUNE 1, 2010

## COMMITTEE OF THE WHOLE

another lien on it. Mr. Lott stated that they can do both. Mayor Pro Tem Pike suggested allowing the property to remain and keeping it on the tax roll and selling to another developer. He added that he is also not in favor of putting a holding pond in the area.

Hearing no further discussion, the motion unanimously carried.

## MEMO OF UNDERSTANDING RE: SAVE PROGRAM

Mr. Davis discussed information as noted on page 13 regarding the Systematic Alien Verification for Entitlements Program, and advised that the City is required by Georgia law and federal statutes to participate. He referred to page 15 which has the section of Georgia law instructing the City to participate.

Commissioner Langstaff moved to approve, seconded by Commissioner Postell.

In reply to Mayor Pro Tem Pike, Mr. Davis stated that the City has 30 days to opt out of the program. Mayor Pro Tem Pike asked how this might negatively affect those of different nationalities; Mr. Davis referenced page 25, which lists entitlement programs. (Addendum to the Memorandum of Agreement pertaining to identification). He said his office prepared an affidavit for the Finance/Treasury Department to use on purchases of occupation tax certificates, alcohol licenses, etc. If an applicant does not have identification, their affidavit cannot be accepted. Mayor Pro Tem Pike noted that the memorandum requires additional documentation for those perceived to be of different nationalities; Mr. Davis concurred. Mayor Pro Tem Pike asked the implications for the perceived abuse of the law regarding those of other nationalities accusing the City of discrimination, etc. Mr. Davis explained that there is not much discretion on the City's part - we are complying with state/federal law.

Commissioner Marietta stated that this will apply to everyone. Discussion followed on having a green card, etc., with Mr. Davis referencing the option in the agreement.

Hearing no further discussion, the motion unanimously carried.

## PARKS AT CHEHAW UPDATE

Doug Porter, Chehaw Director, presented a power point presentation (copy on file). He stated that they are constantly looking for ways to increase the viability of the park and generate revenue and become more self-sufficient. The Park's mission is to provide a recreational and educational resource for the community

Commissioner Postell expressed satisfaction with Mr. Porter and the Chehaw Board's operations and actions to make Chehaw independent in the last few years.

Mr. Lott stated that the saw mill idea is outstanding. Mr. Porter stated that if they cannot use it they may be able to sell the lumber and generate revenue.

JUNE 1, 2010

COMMITTEE OF THE WHOLE

STRIVE2THRIVE INITIATIVE

Cynthia George and John Culbreath distributed information (copy on file) and discussed the initiative pertaining to generational poverty within Albany/Dougherty County. She reported that the Chamber, along with the national organization of Move the Mountain are assisting one family at a time to be taught simple basics such as who to call, where to go, etc., to get information to help them with their daily living. She said they are currently working with ten families for seventeen weeks to complete the program and after this; they will form a group called Circles to work with the families for two years. She explained that the weekly meetings teach ways to find better housing, improve education and find a better job, which results in income level increasing. She explained that these programs will wipe out poverty within the City of Albany and advised that they are working with churches and that they have met with Mr. Lott, who has been to several programs. Mr. Lott commented that the Move the Mountain Program has been successful in Mississippi and briefly explained the concept of the program. He added that the City can provide support to the organization and that he will provide \$5,000 in the upcoming budget. Ms. George asked the Commissioners to become personally involved in the initiative.

Commissioner Postell stated that at the NLC meeting in Washington, DC this year, he reviewed brochures, etc., from Mississippi on the program. Mr. Lott stated that the City Attorney is working up an agreement to assist with the program.

Ms. George noted the budget that was distributed. Mr. Culbreath mentioned that in 1964, he received a \$200 loan to attend Albany State, which helped him further his education and make advancements in his life. He stated that at the time, he needed a Notary Public and did not know what this meant and/or where to go/what to do. He said the program assists with giving pertinent information to families to assist them, adding that they are not giving handouts, but are giving those in need the tools to make a change in their lives. Mr. Lott discussed the need to educate those in the circle of poverty about programs to help them break out of that cycle. Ms. George stated that families are given \$25 per week to assist with transportation to and from the meeting.

Mayor Pro Tem Pike stated that since poverty is one of the Commission's priorities and is an investment in the future of Albany, he suggested that more of an investment be looked at if it is the will of the Commission for staff to bring back additional information. Mr. Lott stated that he can double the funding. Commissioner Postell moved to give \$10,000 to the initiative, seconded by Commissioner Langstaff; the motion unanimously carried.

MOTION TO RECONSIDER RE: SMALL BUSINESS PROGRAM

Commissioner Postell stated that this is a restructuring of the discussion regarding the Small Business Program as listed on page 28.

JUNE 1, 2010

## COMMITTEE OF THE WHOLE

Commissioner Howard stated that there was a 5-2 vote to not move forward with the Small Business Program, adding that he feels the program is needed. He said his concern with the program was housing it within the Community Development department because they receive federal funding. He suggested looking at another department to house the program and discussed the benefits of having the program in place, i.e., bidding process, etc.

Commissioner Postell stated that we have something similar with the Airport. Mr. Lott mentioned the DBE Program due to federal monies at the Airport adding that we are working with a citywide DBE program, which complies with the current federal administration. Commissioner Postell asked about option 1, as noted on page 30. Latoya Cutts, Community and Economic Development Director, explained that the program is not exclusive to minorities, but includes all small businesses. In reply to Mr. Lott, Ms. Cutts listed the benefits, i.e., 5% preference on City of Albany contracts, 3% preference on joint venues and 2% for contractors. She discussed other benefits, with Mr. Lott noting that if black businesses become certified they will be able to participate with no court decision against the program. In reply to Commissioner Postell, Commissioner Howard stated that he would be satisfied with option 1.

Mayor Pro Tem Pike stated that the original program consisted of a consortium and asked the rationale of separating from it. Commissioner Postell stated that funding and disagreement with the way the County operated is why it was approved to separate. Mr. Lott added that the SDBU was a good organization; however, it was dominated by the City with little participation from other entities. He said contractors had to deal with each entity and the City felt one organization was not in the best interest.

Commissioner Marietta stated that he voted for this and was in favor. Mr. Lott added that there are large amounts of projects below \$50,000 and there is a lot of work that small businesses qualify for if they are part of the system.

Commissioner Howard asked Mr. Davis if set-asides can be challenged. Mr. Davis stated that it is a sheltered program and would create a category from which the contract will go. Mr. Lott added that no one is excluded. Mr. Davis added that Community Development is willing to offer the training.

Commissioner Postell stated that they are trying to improve and move forward with the program. He commented on qualifications and suggested moving along with option 1.

Mayor Pro Tem Pike asked Ms. Cutts the cons pertaining to bidding goods and services, etc. Ms. Cutts stated that a higher cost may be incurred due to narrowing competition.

Commissioner Howard moved to approve option 1, seconded by Commissioner Postell.

Commissioner Howard again asked about putting the program in a different department. Mr. Lott stated that if it is approved, he will assign it to another department – possibly the

JUNE 1, 2010

## COMMITTEE OF THE WHOLE

Planning Department. Commissioner Howard asked if the program will be up and implemented within 90 days. Mr. Lott agreed.

Hearing no further discussion, the motion carried 4-1 with Commissioner Langstaff voting no.

### INITIATE LEGAL ACTION AGAINST CUTLIFF GROVE FAMILY RESOURCE CENTER TO RECOUP \$374,000

Commissioner Marietta asked Mr. Davis how much time he needs to research. Mr. Davis replied at least 60 days. Commissioner Marietta moved to table for 60 days, seconded by Commissioner Postell; the motion unanimously carried.

### ITEMS FOR FUTURE AGENDA

Mayor Pro Tem Pike asked Mr. Davis to look at a charter change regarding the position of the Asst. City Attorney to make it an appointed position such as the Asst. City Clerk. He also asked for a process of filing a grievance on appointed officials. Mr. Lott stated that this is a legal matter. Mayor Pro Tem Pike asked for an appeals process for an employee who is terminated by an appointed official and the jurisdiction of employees in the department of appointed officials.

Commissioner Marietta asked if there will be executive session to discuss pending litigation. Mr. Davis replied that one follows this meeting.

## **PUBLIC SAFETY MATTERS**

### 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Commissioner Langstaff moved to approve, seconded by Commissioner Howard; the motion unanimously carried.

## **PUBLIC WORKS MATTERS**

### SEDIMENTATION AND POLLUTION CONTROL ORDINANCE REVISION

Mr. Maples explained information as noted on page 32 (copy on file). Commissioner Langstaff moved to approve, seconded by Commissioner Howard; the motion unanimously carried.

JUNE 1, 2010

COMMITTEE OF THE WHOLE

## **COMMUNITY & ECONOMIC DEVELOPMENT MATTERS**

### PROPOSED HOUSING DEVELOPMENT LOAN PROGRAM

Shelena Hawkins, Deputy Director, stated that the three agenda items pertain to proposed programs and/or policies and discussed information as noted. Commissioner Langstaff referenced page 59 – eligibility criteria (1) and asked if the word ‘or’ should be listed. Ms. Cutts advised that this change will be made.

Commissioner Marietta expressed concern about the \$25,000 on the housing units and giving money to developers prior to closing. Ms. Hawkins explained the process, including the guidelines. Commissioner Marietta asked if this is a choice as he feels the money should not be given until the house is closed on. Ms. Cutts stated that funding is based on cost and can be done on a reimbursement basis. Commissioner Marietta again expressed concern about giving the money up front, suggesting amending the process for funding after the house sells.

Commissioner Postell asked if a background check is run on the loan applicants. Ms. Cutts stated that a credit check is conducted. Commissioner Postell suggested a background check and asked Mr. Davis if this can be added. Mr. Davis agreed.

Commissioner Howard asked if property is being advertised as some properties are too small to be built on. Ms. Hawkins stated that advertisements are being done and explained the process and requirements as it pertains to FEMA properties. Commissioner Howard asked for a list of the vacant properties, lot size and price. Ms. Hawkins stated that it is in the Planning Department. Commissioner Howard asked for a list of the properties.

Commissioner Marietta asked if Habitat for Humanity is eligible for the program. Ms. Hawkins stated that they are. Commissioner Marietta moved to approve, pending the addition of ‘or’, background checks and his amendment that \$25,000 is payable at closing, seconded by Commissioner Postell; the motion unanimously carried.

Ms. Hawkins stated that the next two items were also covered under this topic.

### REVISED AFFORDABLE HOMEOWNERSHIP PROGRAM POLICY

### DCED DISPOSITION POLICY

JUNE 1, 2010

COMMITTEE OF THE WHOLE

## **PUBLIC ADMINISTRATION AND FINANCE MATTERS**

### WELLNESS PLAN FOR CITY EMPLOYEES

Ms. Newton introduced Scott Hankins – ShawHankins, Inc., and discussed information as noted on page 122. Mr. Hankins introduced other representatives and discussed information that was distributed (copy on file) regarding the health plan update.

Commissioner Marietta asked that fiscal year numbers be reflected instead of calendar year. Ms. Newton stated that the health plan is on the calendar year due to open enrollment, etc., but that she can provide the information. Commissioner Marietta noted the \$2.0 million drop in medical claims. Ms. Newton stated that it is spread out over two fiscal years. Commissioner Marietta asked the reason for savings. Mr. Lott stated that Mr. Hankins got the best deal for City employees. Mr. Hankins concurred, adding that Blue Cross networks are more lucrative and commented on the differences in claims between the City and County.

Ms. Newton stated that the plan was adjusted to save money and suggested that other ways to keep cost down is to reduce claims by creating a healthy work force. She discussed a wellness program and ways that it can be implemented as noted. She referenced page 126, adding that the cost does not include a building and advised that staff's recommendation is option 1.

Commissioner Langstaff commented on the annual management fees. Ms. Newton stated that this includes \$23 per employee per month to operate the clinic, including operating fees for employees on staff. She added that the medical staff is not City employees - local people are recruited. Commissioner Langstaff asked the staffing levels. Robert Holt of CareHere discussed the staffing which included what kind of doctor, nursing, etc. He advised that the clinic will be open 5 days per week for 8 hours with the potential to open on the weekends and explained the process that typically includes seeing 3 patients per hour, etc. In reply to Commissioner Langstaff on the management fee, Mr. Holt explained what this covers, i.e., coaches, doctors, programs, etc. Commissioner Langstaff asked if the number increases. Mr. Holt stated that the management fee remains the same at \$23.00 per employee and changes only with the population of the employees.

Commissioner Postell asked if the program pertains to employees *not* using the emergency room. Ms. Newton agreed. Commissioner Postell asked what will be put in place for employees to encourage use of the wellness clinic. Ms. Newton stated that employees cannot be forced to use the clinic, but they will have open houses, educational training, monitoring sessions, etc., and if they elect not to participate they will be required to pay an additional fee. She clarified that employees and spouses will be required to come to one screening per year. Mr. Lott discussed educating employees on the program to include the co-pay savings. Commissioner Postell agreed that employees should be

JUNE 1, 2010

COMMITTEE OF THE WHOLE

educated on the use of the clinic. Mr. Holt agreed, adding that he sees a problem of having to staff up.

In reply to Commissioner Marietta on whether there is space at WG&L to house the clinic; Mr. Lott advised that they are looking at various locations.

Commissioner Langstaff moved to approve, seconded by Commissioner Howard, the motion unanimously carried.

At 11:11 a.m., Commissioner Postell moved to enter into execution to discuss pending litigation, seconded by Commissioner Marietta, the motion carried unanimously as follows:

|          |                         |
|----------|-------------------------|
| Ward I   | stepped out of the room |
| Ward II  | absent                  |
| Ward III | yes                     |
| Ward IV  | yes                     |
| Ward V   | yes                     |
| Ward VI  | yes                     |
| Mayor    | absent                  |

At 11:34 a.m., Commissioner Postell moved to exit executive session, seconded by Commissioner Marietta, the motion unanimously carried as follows:

|          |        |
|----------|--------|
| Ward I   | yes    |
| Ward II  | absent |
| Ward III | yes    |
| Ward IV  | yes    |
| Ward V   | yes    |
| Ward VI  | yes    |
| Mayor    | absent |

There being no further discussion, the meeting adjourned at 11:35 a.m.

---

SONJA TOLBERT  
CITY CLERK