

JUNE 15, 2010

COMMITTEE OF THE WHOLE

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 Lott
City Attorney: Nathan Davis

Mayor Adams called the meeting to order at 8:30 a.m.

APPOINTMENTS

1. Four members to the Chehaw Park Authority for two year terms expiring July 2012

Mayor Adams asked if anyone from Lee County serves on the Board, Commissioner Postell stated that there is one person, but he is not up for reappointment. He added that the Board met last night and discussed the three members up for reappointment. He advised that one member will be replaced and Ms. Tolbert should be receiving a resume and a letter regarding those up for reappointment. In reply to Mayor Adams, Commissioner Postell stated that at this time there are nine members on the board. He explained that the decision was made to not appoint more individuals from Lee County because Lee County Commissioners would not appropriate funds to help with Chehaw. He then moved to reappoint Ravi Malik, Andrea Schrujjer and Brad Hall, seconded by Commissioner Langstaff; the motion unanimously carried.

2. Appointments to Community & Economic Development Council for one year term expiring June, 2011

The Clerk advised that Ola Smith, Chad Schwartz, Wylene Jones, Ivy Hines, Louise Primrose, Eloise Moore, Johnnie P. Hammond, Martha Corhen and Leon Modeste returned letters indicting their desire to continue serving and that Benny Williams is no longer interested in remaining on the Council.

Commissioner Hubbard asked if there are certain areas that must be represented from the county. Ms. Tolbert replied in the affirmative and noted the areas represented in east Albany. In reply to Commissioner Hubbard, Ms. Tolbert and Ms. Cutts explained the process, with Ms. Cutts adding that the Board currently has 21 members. In reply to Commissioner Postell, Ms. Cutts stated that she will have to get the name of the person from Ward VI. She advised that representation is not based on ward and explained that it is based on organized neighborhood groups. She noted the areas of representatives that include business representation, representatives from special populations, Citizen Advisory Council representative, social services and public housing. She stated that persons can come from various parts as long as they are in a target area of the city.

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

PUBLIC SAFETY MATTERS

APD ELECTRONIC TICKETING/CITATIONS

Steve Butler, Planning and Resource Manager, discussed information as noted on page 25 pertaining to Electronic Ticketing/Citations.

In reply to Mayor Adams and Commissioner Hubbard, APD Chief Proctor explained that there are two components to the grant; one portion is funded by the State with APD picking up the remainder with existing funds, either via a grant or leftover year end dollars. Mayor Adams asked if the split is 20/80 or 90/10. Chief Proctor explained that the State will take care of approximately \$40,000 with the City funding \$25,000, which is the connectivity portion. Commissioner Hubbard asked if this will decrease the number of tickets that goes to municipal court. Chief Proctor stated that it is his hope that more citations will be issued and that there will be an increase in efficiency. Commissioner Hubbard again asked if the tickets will end up in Municipal Court or State Court. Chief Proctor explained that this is just one process and officers will continue to issue hand-written citations, but there should not be any noticeable difference. Commissioner Hubbard asked if these tickets that are written will go to State Court; Chief Proctor replied that that is the way it appears right now, but it will be monitored and he will be able to provide details once the information is reviewed. In reply to Mayor Adams, he stated that the process will be streamlined and tickets will be easier to read and processed quicker.

Mayor Pro Tem Pike expressed concern about not knowing the impact this will have on the City regarding ticketing. He asked if there is a way to analyze this before it is approved. Chief Proctor said he does not have the answer, but will go back, look at it and try to provide information.

Commissioner Langstaff asked if tickets go to State Court, the City does not get revenue. Chief Proctor agreed.

Commissioner Postell asked if this will have an impact on accidents or if it is through regular traffic stops. Chief Proctor stated that it comes from regular traffic stops. He said they are exploring other processes to enforce traffic and curb accidents in frequent accident locations.

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Mayor Adams asked if the monies are available; Chief Proctor replied in the affirmative. Mayor Adams asked about a deadline. Mr. Butler stated that the program begins in July, adding that there are a series of cities involved.

Commissioner Marietta moved to approve, seconded by Commissioner Postell; the motion carried 4-3 with Mayor Pro Tem Pike and Commissioners Hubbard and Langstaff voting no. Mr. Lott asked Chief Proctor to provide statistical information before the night meeting.

2010-11 HUMANE SOCIETY CONTRACT

Mr. Butler discussed information as noted on page 49 pertaining to the contract for the Humane Society in the amount of \$245,230.

Commissioner Howard expressed concern about animals being hit and discussed a recent incident whereby someone called 911 about a dead deer in the road, and was not directed to the property department to handle. He asked how this can be addressed, adding that this is worse on the weekends. He said he has called about dead dogs and was instructed to take the dog to a dumpster. Sherman Capers, Animal Control Officer, stated that Animal Control does not deal with dead animals, and deer fall under DNR's jurisdiction. Commissioner Howard asked if this applies even if the deer is in his yard or is on a city street. Mr. Capers stated that if it is on a weekend, it would be Monday before the animal could be picked up by Solid Waste. Chief Proctor stated that it is a DNR issue; however, they will check with Public Works to see if they can have someone on call to remove the animal.

Commissioner Marietta noted two changes in the agreement because of customer service complaints to the Humane Society refusing animals. He asked to include a clause that the Humane Society cannot refuse animals as well and that citizens are not charged for taking animals that do not belong to them, but have been dropped off on their property.

Following discussion with concerns expressed by Commissioner Marietta, Mayor Adams and Commissioner Postell, Donna Strickland, Humane Society Executive Director, stated that a driver's license is required when someone brings in animal and if they do not have a driver's license, tags numbers are checked; therefore, the numbers on the chart have been verified and are City of Albany numbers. She said they take in approximately 6,000 animals, which are not billed to the City. She added that animals are not refused; if someone from Mitchell County calls in they are referred to Mitchell County, but if they are at the door, they are not refused and are educated in the process. These are not counted in with Albany's numbers they are identified as surrenders from another county. In reply to Mayor Adams regarding the cost per dog, she advised that the dollar amount has not been exceeded.

In reply to Commissioner Langstaff, Ms. Strickland explained that contract fees were not raised last year, so there was a 3% increase this year. She stated that the difference in

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disposal is based on Water, Gas & Light's figures for the previous 12 months. She added that the City of Albany brought in only 70%, for which they were billed 70% of the disposal fees. Commissioner Langstaff asked Chief Proctor for the actual numbers. Chief Proctor replied that on the combined numbers there was an increase of approximately \$10-12,000. .

Mayor Adams mentioned the method for euthanizing. Ms. Strickland advised that they use lethal injections.

Commissioner Hubbard asked for the recent financial statement as well as one for last year.

Commissioner Postell moved to approve, seconded by Mayor Pro Tem Pike; the motion unanimously carried.

ALCOHOL LICENSE APPLICATION – TRANSFERS

Mayor Pro Tem Pike moved to approve the following, seconded by Commissioner Hubbard.

1. El Dos De Oro Sports Bar, 2203 W. Broad Ave., R. Carlos/Agent; transfer beer consumption license from M. DeJoval

Commissioner Howard stated that the location is on E. Broad. Ms. Tolbert stated that this will be corrected.

Commissioner Postell asked about the transfer of agents and who is the recipient. Mike Tilson, Code Enforcement Director replied it is Roberto Carlos. He said the owner is moving out of town. Commissioner Postell asked if Mr. Carlos is a relative or an employee of the owner; Mr. Tilson replied that he does not have this information. He said Mr. Carlos bought the business and needs the license transferred to his name. Commissioner Postell asked if there is a cost to transfer, Mr. Tilson replied that he does not know if he paid money to the other owner. Commissioner Postell mentioned transferring licenses and revenue being lost. Mayor Adams asked the system in place to check for renewals. Mr. Tilson explained that the sale was for \$5,000. He added that his department works with the Treasury Department on renewals, with citations being issued. He reported that his department is aware when a transfer occurs. In reply to Mayor Adams, Mr. Tilson stated that the transfer fee is \$100.00; Commissioner Postell stated that the City is \$400.00 short now. Mr. Lott clarified that if the license is required outright, the person pays \$500.00, but because of the transfer the new party pays only \$100.00. Commissioner Postell expressed concern about the process and the City losing revenue. He asked that this be reviewed.

Commissioner Hubbard asked if there are residential requirements regarding obtaining alcohol licenses. Mr. Tilson replied that the agent must live here, but the owner does not

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have to; he explained the process. Mr. Lott interjected that Mr. Tilson should ensure that current laws are being adhered to rather than policy and procedures.

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

Commissioner Postell moved to approve the following, seconded by Commissioner Hubbard.

2. The House of Jazz, LLC, 730 W. Highland Ave., A. Noble/Agent, transfer consumption license from W. Noble

Commissioner Postell reiterated his concern about fees with this fee being \$-0- and no funds were involved in the transfer. He asked if all licenses will expire July 15; Mr. Tilson replied that they expire December 31st; it is on a calendar year basis. In response to Commissioner Postell, Mr. Tilson stated that the fee was \$50.00. Mayor Adams asked to whom this was transferred subsequent to Mr. Noble's death; Mr. Tilson stated it went to his wife and daughter. Mayor Adams said this should have been stated.

Hearing no further discussion, the motion carried 6-1 with Commissioner Howard voting no.

ONE DAY ALCOHOL LICENSE APPLICATIONS:

Commissioner Marietta moved to approve the following, seconded by Commissioner Postell, the motion carried 6-1 with Commissioner Howard voting no.

1. Home Builders Assn. of Albany & SWGA, J. Oliver/Agent; \$10,000 Cash Raffle, Hasan Temple, 1822 Palmyra Rd., July 16, 2010 – 6:30 p.m. – 11:59 p.m.

Commissioner Marietta moved to approve the following, seconded by Commissioner Postell; the motion carried 6-1 with Commissioner Howard voting no.

2. Lily Pad, Inc., Karen Kemp/Applicant; Fundraiser, Ordinary Coyote, 2807 Meredyth Dr., July 15, 2010 5:30 p.m. – 11:59 p.m.

ITEMS FOR FUTURE AGENDA

Mayor Pro Tem Pike asked that APX Alarms be looked into as he has been getting calls from elderly constituents regarding high pressure representatives going to their homes with one gentleman calling the police to have the person removed. He mentioned the ordinance allowing solicitation and suggested that they are abusing the privilege to solicit; he asked that this be reviewed. Mr. Lott asked Mr. Davis if he is working on this.

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Mr. Davis stated that he has been in discussion with Mr. Tilson and Mayor Pro Tem Pike and will render a written opinion.

Commissioner Postell asked that all alarm systems be looked into and not singling out one. Mr. Davis stated that he will look at solicitation. Mr. Lott advised that Mr. Tilson and Mr. Davis are working on a legal opinion based on the concerns and complaints. Commissioner Postell expressed concern about naming a company. He recommended being more cordial when bringing changes to the table involving companies and not naming names.

Commissioner Hubbard suggested having a discussion regarding the solicitation process to ensure citizens are protected.

Commissioner Marietta asked that the hours of solicitation be specifically looked at, stating that 9:00 at night is too late to allow solicitors to be knocking on doors. Mr. Lott stated that the issue can be put on the agenda to show present policy and the Commission can make recommendations and make changes.

Mayor Pro Tem Pike clarified that he mentioned this company because they are harassing people and is totally different than mentioning all solicitation.

Kris Newton, Finance Director, introduced Deputy Director Ken Dyer and Geneva Fields, Budget Analyst, new employees in her department.

PUBLIC WORKS MATTERS

SPLOST V REMAINING FUNDS AS OF 6-1-10

Engineering Director Bruce Maples referred to information in the Commission package regarding the current SPLOST V.

Commissioner Langstaff referenced the spreadsheet on page 68 and page 71 with the total SPLOST V being \$65.873 million and with the bond it is \$81.8 million. He asked how much has been collected thus far. Mr. Maples replied that the monthly SPLOST report indicates \$56,039,609 million has been collected. Commissioner Langstaff asked when the collection of SPLOST V ends; Mr. Maples stated it ends March 2011. In reply to Commissioner Langstaff, Ms. Newton stated that the projection is approximately \$2.0 million short of the original projection. Mr. Maples explained that the original projections were based on the assumption of receiving approximately \$925,000/month, last month the City collected \$822/823,000. Commissioner Langstaff stated that the total

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of all SPLOST V projects was \$65.8 million, but with the bond expenses of \$16.0 million and a collection of \$63.0 million, he asked if the City is short more than \$2.0 million. Ms. Newton stated that this was included in the cost of the projects. She explained that if the City had collected \$65.0 million, it would not have been able to spend \$65.0 million. Commissioner Langstaff asked for clarification on the SPLOST and bond total of \$81.8 million; Mr. Maples explained that it includes revenue projection and the bond. Commissioner Langstaff asked if the City is using revenues to pay off the bond. Ms. Newton replied in the affirmative. Mr. Maples explained that the bond was originally taken to expedite some ATI projects and was part of the \$65.0 million. Commissioner Langstaff referred to bond expenses of \$16.0 million and construction cost for that item only has \$6.0 million and asked if only \$6.0 million of the bond has been used? Mr. Lott interjected that the bond has been spent. Commissioner Langstaff asked if this means \$6.0 million of the bond has been paid back and the remaining balance is \$9.8; Mr. Maples replied in the affirmative.

Commissioner Marietta asked if the City will continue to pay on the bond past March 11 when the SPLOST runs out. Ms. Newton replied in the negative, explaining that bond payments have to be completed by the time the collection period is over. Commissioner Marietta asked how being \$2.0 million short affects projects. Mr. Lott stated that the City would do one less project, mentioning the Chehaw connector and the Holloway Basin. He said that the City has a \$12.0 million cushion; it has been programmed that by the end of next year, the City will have the bond paid off. Mr. Maples explained that there is a separate account for the bond; \$81.0 million does not have to be collected to cover the bond and all the sales tax projects.

Commissioner Langstaff asked which projects are getting done and which are partially being done. Mr. Lott explained that they update SPLOST monthly, but two years ago they were meeting every two weeks and looking at projections monthly. He said Holloway Basin at \$8.2 million and the Chehaw Connector at \$1.6 million have not been started; all projects are subject to the availability of funds. Commissioner Langstaff asked, assuming the City collects \$63.0 million, how much of SPLOST V will be in the bank and where will it be allocated. He commented on other Chehaw projects with Mr. Lott clarifying that it is projected as something different. Discussion followed with John Hudgens, Sr. Engineer, explaining that \$2.0 million was allocated in SPLOST V for all their projects. He said he just moved \$750,000 from the water park to infrastructure. Commissioner Langstaff asked if they know they have a \$1.2 million balance; Mr. Lott replied in the affirmative. He added that their projects are in the PMO tool and they have been kept informed; they have been slow at the development of the project management. Commissioner Langstaff asked when they moved the money to infrastructure, was it for sewers or something else. Mr. Hudgens explained that it was not to do major connecting to city sewer; it is for other park projects. Commissioner Langstaff asked if there is anything else that will be unfunded in SPLOST V that would be a carryover to SPLOST VI; Mr. Lott replied that he does not think so. He stated that the Commission made the Holloway Basin a priority in federal requests given to the lobbyist in looking for an additional \$15-25.0 million. He said the Chehaw Connection was not an infrastructure

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issue, not a priority, and was the last to be funded. Regarding SPLOST V's GIS engineering, Commissioner Langstaff asked about the \$1.0 million balance, noting the GIS request in SPLOST VI; Mr. Maples stated that it is a continuation and update of GIS mapping.

Stating that we are in the 5th year of SPLOST V, Commissioner Marietta asked why the bond expenses are low compared to the remaining balance. He mentioned higher interest when paying expenses upfront and asked why is so much left over, is there a balloon in the finance. Ms. Newton stated that it was evenly spread out and regular payments are made. Mr. Maples stated that there are set times to make bond payments. Mr. Lott stated that a breakdown of bond payments will be presented for clarification.

Commissioner Hubbard asked what happens to the funds if there is a remaining balance after projects are complete. Mr. Lott replied that they are reallocated and used on other projects as needed. Using Thronateeska as an example, Commissioner Hubbard asked if entities are aware that they have a remaining balance of additional funds. Mr. Lott replied that in his opinion, that money is not theirs once their project has been completed. The money reverts back to the City and is reallocated to another project on the list. Commissioner Hubbard asked if projects that may not have enough funding, such as Chehaw, are carried over to the next SPLOST. Mr. Lott replied in the negative, adding that it was never stated that any of Chehaw projects will be funded; those projects will be funded based on current cash projections. Commissioner Hubbard asked if infrastructure has to be done for some projects to move forward. Mr. Lott explained that there would have to be some architectural/engineering/utility work done before the projects can move forward. Commissioner Hubbard asked if the City is responsible for paying for pre-work to move forward. Mr. Lott stated yes, as long as it is a valid expense.

Commissioner Howard asked if there will be a carry-over to SPLOST VI on Holloway Basin since there is not enough funding in SPLOST V. Mr. Lott explained that what we collect over time is what we will have. He added that he does not think it has been mentioned in SPLOST VI; however, SPLOST VI is fluid and can change before the end of the month. Commissioner Howard commented on the original SPLOSTs and the intergovernmental agreement with the County and asked if data can be pulled from SPLOST I-IV to see if there are any projects that are incomplete and, if so, are there interest and who collects it. Mr. Lott said they can pull the information and advised that any interest would belong to the County.

Commissioner Postell commented that the primary concern of the Chehaw Board is to connect to City sewer, the connector is secondary. He asked how which projects and the amounts that were not completed and still exist in SPLOST IV. Mr. Lott stated that the City contributes \$1.2 million/year to Chehaw; therefore, all their projects are in tact. Additionally, the Holloway Basin is a major infrastructure issue for the City, but the City hopes to receive federal funding for this project. Commissioner Postell discussed SPLOST funds, roll over, etc.

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Mayor Adams mentioned Holloway Basin not being on the present list, but the possibility exists for it to be on the final list. He referred to Commissioner Langstaff's request for information on the impact the Heritage House would have on the Holloway Basin regarding any savings. Mr. Maples stated that they are analyzing this information because there is a lot of information about the drainage basin. Mayor Adams stated that they need this information prior to the SPLOST final discussion. Mr. Maples advised that they will have the information. Mr. Lott stated that Mr. Maples and the Finance Director will clarify the figures, etc., and asked that Ms. Newton provide a breakdown of bond payments.

Referring to infrastructure, Commissioner Hubbard asked when will the City will start work on it for Chehaw Mr. Lott stated that the projects are being managed by Chehaw and explained the process, advising that the burden is on Chehaw and not on the City. Mayor Adams added that Chehaw is an authority and therefore is self-governing.

PUBLIC FUNCTION MATTERS

MATTERS FOR PUBLIC HEARING AND CONSIDERATION ON TUESDAY, JUNE 22, 2010 8:00 P.M., ROOM 100; GOVERNMENT CENTER BUILDING, 222 PINE AVE.

1. Special Approval Case #10-050 – Nanette S. Almond/Owner; Vision Ministries/Applicant, request property located at 110 Baldwin Drive to be used as a church in the C-3 Commercial District (PC Approved 6-0) WARD 4
2. Zoning Case #10-062 – Darrel Rye/Owner; William A. Hancock/Applicant, request to rezone property located at 2017 N. Slappey Blvd., from C-1 to C-2 (PC Approved 6-0) WARD 3

HISTORIC PRESERVATION COMMISSION APPLICATIONS

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

1. Certificate of Appropriateness Case #10-158 – Kevin & Robert Barkley/Owners & Applicants; request to build property located at 500 W. Oglethorpe Blvd., (HPC Approved 5-0) WARD 3

Commissioner Postell moved to approve the following, seconded by Mayor Pro Tem Pike; the motion unanimously carried.

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2. Certificate of Appropriateness Case #10-059 – W.J. & Johnnie Sizemore/Owners & Applicants; request to replace roof on property located at 713 N. Washington St. (HPC Approved 5-0) WARD 2

Mayor Pro Tem Pike moved to approve the following, seconded by Commissioner Postell; the motion unanimously.

3. Certificate of Appropriateness Case #10-060 – Jake Barrow, Owner/Applicant request to construct a building with attached sign on property located at 413 Flint Ave. (HPC Approved 5-0) WARD 3

Mayor Pro Tem Pike moved to approve the following, seconded by Commissioner Hubbard; the motion unanimously carried.

4. Certificate of Appropriateness Case #10-061 – Sterling Medical Corp; Owner/Applicant request to install windows to property located at 516 W. Broad Ave. (HPC Approved 5-0) WARD 3

Mayor Pro Tem Pike moved to approve the following, seconded by Commissioner Hubbard; the motion unanimously carried.

5. Certificate of Appropriateness Case #10-063 – Lone Star Equities, Inc./Owner; Frances Krack/Applicant; request to modify property located at 337 W. Broad Ave. (HPC Approved 5-0) WARD 3

Mayor Pro Tem Pike moved to approve the following, seconded by Commissioner Howard; the motion unanimously carried.

6. Certificate of Appropriateness Case #10-064 – Bob Brooks/Owner; Rick & Elaine Barrett/Applicant; request to add hanging sign to property located at 313 N. Washington St. (HPC Approved 5-0) WARD 3

Mayor Pro Tem Pike moved to approve the following, seconded by Commissioner Hubbard.

7. Certificate of Appropriateness Case #10-070 – Jack R. Williams/Owner; Steve's Roofing/Applicant; request to replace the roof of property located at 316 Whitney Ave. (HPC Approved 4-1) WARD 3

In reply to Commissioner Postell, Mr. Brown advised that replacement of the roof is to bring the property up to code.

Hearing no further discussion; the motion unanimously carried.

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PROPOSED ZONING ORDINANCE AMENDMENT

Mr. Brown discussed information as noted on page 156 pertaining to proposed zoning amendments. Commissioner Langstaff asked if the City Commission should see what is sent to the Planning Commission before it is sent; otherwise they will think that the City has approved whatever has been sent over. Mr. Brown explained that ordinances have been adopted and that they are asking to amend certain portions of the zoning ordinance. Commissioner Langstaff asked to see the proposed modifications. Mr. Brown stated that they can work with the City Attorney to draft an ordinance. Mayor Adams clarified that public input comes before the ordinance is drafted; Mr. Brown agreed. Commissioner Langstaff suggested not drafting an ordinance, but to give the Commission more detail on the modifications and the reasoning. Mr. Lott asked Mr. Brown to explain each of the modifications before the night meeting.

Commissioner Howard read from the information ‘planned unit development where there is a combination of housing, recreation, commercial and industrial park’ and asked if there is one in close proximity in the city. Mr. Brown replied that there is one that is closed that is commercial; he explained that an individual came to his office regarding a residential planned unit development that he wants to build in the Doublegate Country Club area but there is no ordinance that fits that type development. Planning is trying to work through that to have an ordinance that allows him to move forward with the project as there is not an existing one which is what #2 is about.

Commissioner Marietta asked Mr. Taylor if the additions/fine tuning of the zoning ordinance will promote downtown Albany. Mr. Taylor said that it would.

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

PUBLIC ADMINISTRATION & FINANCE MATTERS

FY 2010 – BUDGET AMENDMENT II

Larry Johnson, Budget Manager, discussed information as noted on page 160 (copy on file) pertaining to the second budget amendment, which included an amendment to FY 10 general fund of \$166,130 – decreasing the general fund from \$53,453,343 to \$53,287,213 with the most important reason being the reallocation of cost for operating, maintaining, and building a reserve for the risk management fund. The total adjustment is an increase of \$1,158,300, which increases the budget from \$103,119,955 to \$104,778,255.

Ms. Newton discussed information pertaining to Risk Management allocation as noted. She referred to the information distributed during the break and discussed.

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Mayor Adams clarified that this is needed due to the recommendations that came out of a recent audit. Ms. Newton stated that the general fund was covering the costs, with the recommendation being for each department to pay their respective costs. She advised that this is done as an allocation to each department. She explained what happened to the fund balance for Risk to go into the negative, adding that the auditors agreed to leave it alone and not have a finding on it as long as the City allocated the cost and bring it up to a zero fund balance. These funds are not expected to make a profit, but they are expected to break even. Mayor Adams commented on the balance in Risk Management in excess of \$3 million. Ms. Newton explained the difference in cash, which still has approximately \$3-4.0 million, but due to several large claims this year the general fund was owned \$1.2 million. Mr. Lott stated that the auditors would not give a favorable report unless the general fund was corrected and credited with monies owed to it. Mayor Adams asked if the City is at the point, with the corrections and modifications in place, that we should take another look at being self-insured or should consultants be brought in to set up the program. Mr. Lott replied that the auditors have given direction and guidance and we are on track now. He said being self-insured is something the Commission will have to look at. Mayor Adams asked if staff feels comfortable remaining self-insured. Veronica Wright, Risk Manager Director, stated that she looked at the history of payouts; the deductible was always set at \$100,000 and everything under \$100,000 was paid by the City. She discussed her review of the 11-year claim history and her finding five claims exceeding \$100,000, which basically resulted in \$3.0 million in premiums going to GIRMA. She discussed deductibles and being self-insured, adding that since the City has been self-funded it has had one claim that exceeded \$100,000 and two that have exceeded \$200,000. Mayor Adams asked Ms. Wright if she felt we are safe being self insured; Ms. Wright replied that as long as the City has an allocation process for funds, it is safe to be self-insured/funded. Mayor Adams asked about purchasing excess insurance in the event of a major lawsuit. Ms. Wright stated that the City has no excess insurance for liability; the City covers excess insurance for Worker's Compensation claims. In reply to Mayor Adams, she agreed that it would be wise to purchase excess insurance and said she can bring this information back. She added that the allocation process is a common practice in most other municipalities.

Mayor Pro Tem Pike asked if each department will have a line item in their budget based on the number of employees in that department; Ms. Newton replied that it is based on their actual insurance assets.

Commissioner Hubbard asked if the number of incidents is included. Ms. Wright replied in the affirmative. Commissioner Hubbard commented on counseling departments to decrease risk; Ms. Wright agreed.

Commissioner Howard noted page 161 regarding a decrease in appropriations within the police department. Ms. Newton explained that at the end of the year, APD had a large amount that they did not anticipate spending, so being in the general fund, it was reallocated to cover other expenses including the self-funding option so as to avoid

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digging into the fund balance. Mr. Lott added that the money will not be spent in this fiscal year and it will be redeployed.

Mayor Adams asked if this will impact Chief Proctor's ability to recruit; Mr. Lott replied in the negative, adding that their 2011 budget is the same and just as strong.

Commissioner Marietta mentioned the \$200,000 taken from the MEAG Trust fund for the Gang Unit because of the assumption that APD did not have enough money. He asked if there are plans for funds to be put back into the trust fund. Ms. Newton replied in the negative. Commissioner Marietta asked if the \$200,000 has been spent; Ms. Newton replied in the negative, adding that it's on their July 1 budget because they didn't need it this year. Mr. Lott interjected that it's on next year's budget. Commissioner Marietta clarified that that it was taken out of the MEAG Trust Fund for next year; Mr. Lott replied in the affirmative.

Mayor Pro Tem Pike asked if the \$140,000 could have been rolled over. Ms. Newton replied in the negative and explained that government finance does not roll over, it's 'use it or lose it'. At the end of the fiscal year it is gone and any savings are not added to the next year. Mayor Pro Tem Pike asked if money left at the end of the fiscal year goes back into the general fund and is reallocated in the next fiscal year; Ms. Newton replied in the affirmative. She explained that it all goes down to the fund balance and is what is getting used in 2011. Mayor Pro Tem Pike commented that if funds were not reallocated to the risk fund at the end of the year the gang task force would have had \$140,000. Mr. Lott said no and explained that by law, money not spent by June 30 goes back into the general fund. He explained managing the budget and balancing the books, which is the need for the budget amendment.

Commissioner Marietta referred to page 170 regarding a credit from independent agencies in the amount of \$190,000 and asked for clarification. Ms. Newton stated that funding was set aside in the event that the City needed to cover the McGregor debt; but it was not needed so it is being reallocated.

Commissioner Postell moved to accept the budget amendment, seconded by Commissioner Marietta; the motion carried 6-1 with Commissioner Langstaff voting no.

CURRENT BIDS

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

1. HTE Software Maintenance for 911 – Sungard HTE, Inc., Lake Mary, FL
Annual expenditure \$51,360.40

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APPOINTED OFFICIALS SALARY

Commissioner Marietta discussed an amendment to next year's budget to give the City Clerk and Asst. Clerk raises since their salaries have not kept up with industry standards. He mentioned that appointed officials were not part of the pay study. He then moved to amend the budget by \$12,000 to cover increases for the City Clerk and Asst. Clerk salary and mentioned adjusting their salary as a measure to keep qualified people. Seconded by Mayor Pro Tem Pike

Commissioner Postell stated that he and Commissioner Hubbard are on the committee for this situation and suggested that Commissioner Marietta should have talked with them since this issue was deliberately tabled in order to receive further information. He explained that they were in the process of fine tuning the method of raising the Clerk, Asst. Clerk and City Attorney. He said he is not in agreement with Commissioner Marietta's method since Commissioner Hubbard is the chairperson and she was not consulted. He suggested that Commissioner Marietta should have followed proper channels. He added that the method has not been prepared. Mayor Adams asked for a time table. Commissioner Postell stated that they will be ready at the end of July; although it is a budgetary item, the budget does not have to be amended because a salary would be built into the funds from the general funds. He commented on issues being publicized and the intent is not to deny the Clerk, Asst. Clerk, and Attorney a raise, but they want to fine tune the process so that the Commission can defend. He mentioned the economic conditions with no one getting raises along with the fact that he and Commissioner Hubbard were not being consulted, making it awkward for them being caught off-guard and is why he contests this situation. He asked that the motion be defeated to let the motion go through proper channels.

Mayor Adams asked if the Commission will have a report by the end of July. Commissioner Postell agreed. Mayor Adams stated that as the Chair, he is asking that names be kept out of the issue.

Commissioner Hubbard stated that she asked Mr. Lott to take it off of the agenda and not do an agenda item because of other issues and to not discuss it at this time. Mayor Adams agreed adding that he had called one of the Commissioners and asked that it be removed, which was done. He agreed that Commissioner Marietta should have called the Commissioners or that the Commissioners could have called Commissioner Marietta. Commissioner Hubbard stated that the recommendation to give raises is part of the process in evaluating appointed officials. Mr. Lott stated that he was asked to take it off, which he did, but Commissioner Marietta asked to put it back on.

Commissioner Marietta stated that he will withdraw his motion with the understanding that it will be discussed in a month. He apologized for not communicating because he was not aware that it had been removed. Mayor Adams agreed that this will be brought back in July.

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ITEMS FOR FUTURE AGENDA

Commissioner Postell suggested that when a Commissioner instructs the Clerk to put items on the agenda that the other Commissioners should be given a heads-up and made aware of what has been put on the agenda. He said he would be less inclined to be inflammatory if he knows what to expect. Mayor Adams asked that courtesy be given to other Commissioners via email or some type communication when items are added to the agenda.

SPLOST VI DISCUSSION

Mr. Lott stated that this is for SPLOST VI discussion. James Taylor, Asst. City Manager, discussed information as noted beginning on page 175, explaining that method II is recommended for a 64-36 split of funding distribution. He briefly reviewed funding amounts of proposed City projects and advised that the County has asked that the City pass a resolution if it is in agreement with the 64-36 split. He mentioned a tentative joint meeting on Wednesday 6/30 with Dougherty County and if necessary another meeting will be held July 19. An intergovernmental agreement will have to be passed once the City and County come together on projects. Mayor Adams asked if he is requesting that the Commission approve the split; Mr. Lott replied in the affirmative. Commissioner Postell moved to approve the split, seconded by Commissioner Hubbard.

Mayor Adams mentioned the \$1.2 million each Commissioner and the Mayor have at their discretion to use. He asked that each Commissioner consider allocating \$100,000 of their \$1.2 million towards the senior citizen center as he is allocating the entire amount to this project.

Commissioner Howard asked Mr. Taylor about the Broad Avenue Bridge. Mr. Lott stated that it is up to \$11.0 million because through the course of the stakeholders meetings they wanted more than what was initially planned. Commissioner Howard mentioned the \$1.5 million for the Heritage House demolition, asking if it has to be listed as a SPLOST project. Mr. Lott discussed cost to fund this with the aim to not burden the general fund, and, it was decided that it be on SPLOST as an option. Commissioner Howard expressed concern about how long we have to wait before the building is destroyed. Mr. Lott stated that staff is not giving the property owner anymore time based on the direction he was given by the Commission. Mayor Adams interjected that this was addressed and a timetable was established. Commissioner Howard asked about a drawdown from the sales tax. Mr. Lott advised that we could look at the bond issue or borrow money from the general fund.

Commissioner Langstaff noted page 175 and asked about the split. Mr. Lott stated that the funding will go into street maintenance and infrastructure. He said there is an additional \$1.9 million due to the split.

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Commissioner Postell stated that he is in favor of the Heritage House being demolished; however, there are other similar situations which are equally as bad. He asked Mr. Lott if it is legal to put the Heritage House on the list when there are other demolitions. Mr. Lott stated that as long as it is designated and on the referendum. He suggested listing building demolitions in the amount of \$2.0 million on the referendum. Mr. Davis agreed that this can be done. Commissioner Postell suggested that this be added. Mayor Adams agreed and suggested making it general demolition instead of denoting Heritage House.

Commissioner Marietta said he will allocate \$100,000 to the senior center and asked if some of the Commissioners will fund higher education institutions. He mentioned the bus replacement and regular funding from the federal government, local match, etc., with the figure being lowered to \$80,000. He suggested that if there is an extra \$2.0 million it should go to the 911 center upgrade and APD technology. Mr. Lott said he can bring this up at the next meeting. Commissioner Marietta stated that in the original list 911 and APD technology were a number one priority; he suggested additional revenue go to this. Chief Carswell stated that the 911 project was \$2.8 million. In reply to Mr. Lott, Mr. Taylor advised that APD's mobile data cost was \$2.5 million. Commissioner Marietta asked Chief Proctor if this can be partially funded with \$1.9 million to address concerns. Chief Proctor stated that the entire amount is \$2.6 million, but that they can utilize the \$1.9 million. Mayor Adams interjected that this puts Chief Proctor in an untenable position and he suggested that Chief Proctor go through his list and to come back through the City Manager because they need to be in concert. Commissioner Marietta countered that ultimately the allocation of sales tax is decided by the Commission. Mayor Adams stated that this is the wish of Commissioner Marietta and suggested that staff look at the entire allocation, etc.

Commissioner Postell stated there is a serious problem with flooding, drainage and sewage issue, which are part of the infrastructure. He suggested looking at infrastructure instead of other projects since there is not \$4.0 million, but the \$1.9 can improve sewage and drainage and get water off of streets. He discussed areas where water stands and the cheap shot of trying to put in sewage through improper drainage, ponds, etc., naming various areas throughout Albany with flooding problems. He commented that he will earmark his money for alleys. He stated that as far as the senior center, if he can afford it he can give \$100,000, but if the Mayor allocates his money to them, maybe some other entities will contribute toward that project since it is a southwest Georgia project, not just a project for Albany. He said he prefers letting funding for storm water and sewage remain intact.

Commissioner Langstaff commented that when SPLOST V ends April 2011, there will be a projected \$8.0 million allocated to Holloway Basin, which is not enough to complete the project. He suggested that the funding amount can be greatly reduced if another location is found to put a retention pond. He added that it doesn't have to be at the Heritage House location and suggested not voting on SPLOST VI until this critical information is received. Mayor Adams stated that the information will be brought back. Mr. Lott clarified that the vote is only for the percentage split and not projects.

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Hearing no further discussion regarding the 64-36 percentage split, the motion unanimously carried.

There being no further discussion, the meeting adjourned at 11:10 a.m.

SONJA TOLBERT
CITY CLERK