

AUGUST 3, 2010

COMMITTEE OF THE WHOLE

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

MONTHLY UPDATES

APD - Chief John Proctor discussed crime statistics reporting that significant arrests have been made. He commented on high profile robberies whereby individuals were severely beaten, adding that arrests were made. Regarding staffing, he said there are still vacancies that they are working to fill but that there are 21 applicants, which should fill all entry level positions. He commented on community activities in which APD participated, including events in which he personally attended and/or participated. He said the next citizen's police academy is scheduled for September and that they are working on a date for the next gun safety class.

Commissioner Howard asked why big screen TV's are such hot items for people to steal. Chief Proctor stated that it can be a status issue and/or that it can be easily sold. He mentioned that in one burglary arrest there were five big screen TVs in every room.

ENFORCEMENT – Director Mike Tilson discussed the status of demolitions, warrant clearings (81% success rate) and advised that the total outstanding bonds/fines for the 26 wanted persons netted \$8,900. Displaying the new noise meters, he gave a progress update on implementing the new noise ordinance and briefly discussed training for staff in order to enforce new standards with the equipment. He concluded the update with a brief discussion of the Heritage House including upcoming abatement action, adding that there has been no significant effort to comply with his office's Notice of Violation; however, staff is in contact with the owner and his representative.

Commissioner Postell asked if there is something in place to contact citizens for cutting overgrown grass. Mr. Tilson explained the process, which includes posting a notice; if there is no response within seven days a contractor is sent to cut the grass. For vacant lots, the notice is sent with a requested returned receipt, which is a longer process. Commissioner Postell asked the timeframe of the process. Mr. Tilson replied that the with regular mail there is no more than two days, but they never know when the post office will return the receipt; however, the average is three-four weeks if it is unclaimed; claimed ones are returned much sooner.

Commissioner Hubbard stated that she is looking at several properties in Ward 2 whereby a legal process was started with a court date in 2009 and nothing else happening since. Mr. Tilson stated that he will address specific concerns after the meeting.

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APPOINTMENT:

1. Citizen appointment to TAD Advisory Committee

James Taylor, Asst. City Manager, stated that upon the request of the Commission, he contacted former Senator Michael Myer Von Bremen, who has agreed to participate if the Commission chooses to appoint him. Commissioner Marietta moved to approve the appointment, seconded by Commissioner Howard; the motion unanimously carried.

APPOINTED OFFICIALS SALARY

Commissioner Marietta stated that he had asked that this be put back on the agenda, adding that Commissioner Postell asked to look at all appointed officials. He commented that the County has a smaller operation, but its Clerk has a higher pay and he would like to get the Clerk and Asst. Clerk up to the County's level; he moved to approve raises as discussed, seconded by Commissioner Howard.

Commissioner Postell stated that the committee that formulated this consists of himself and Commissioners Hubbard and Marietta and that the City Clerk's staff and the City Attorney were considered. In order to be fair, he asked that consideration be given to Municipal Court as well because the judges are also appointed. He mentioned that this will be retroactive to July when the vote is taken as discussed by the committee. He said the City Clerk will be given approximately \$4,528, the Asst. Clerk approximately \$2,106 with the City Attorney being approximately \$4,160, but there was nothing established for the judges. He said he sees no reason to rush this item because it will be retroactive and needs to be fair for all involved.

Mayor Pro Tem Pike asked the salaries of the Municipal Judges. Mr. Davis stated that he does not know.

Commissioner Hubbard asked if information can be brought back by the next night meeting.

Commissioner Langstaff asked to see the comparison data and asked Mr. Davis to look at the salaries of the Judge and Asst. Judge. He suggested tabling this for discussion until the next work session.

Regarding the original motion, Commissioner Marietta stated that they have enough information on the Clerk, Asst. Clerk and Attorney and suggested to move forward rather than waiting.

Commissioner Postell made a substitute motion to consider all personnel under the umbrella of the Commission's authority at the next work session, seconded by Commissioner Hubbard.

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In response to Commissioner Langstaff, Mayor Pro Tem Pike stated that there was no second to Commissioner Postell's motion to table; Commissioner Langstaff seconded the motion commenting that there is no need to make a substitute motion. Hearing no further discussion, the motion tied 3-3 with Commissioners Howard, Marietta and Mayor Pro Tem Pike voting no.

Regarding the substitute motion, Commissioner Hubbard asked if it makes a difference since it will be discussed at the next meeting. Commissioner Marietta stated that there were specifics about the City Attorney, Clerk and Asst. Clerk and suggested that after that is done they could move on the Municipal Court Judges. Additional discussion ensued on whether to hold up the process with the substitute motion carrying 4-2 with Commissioners Howard and Marietta voting no.

## ITEMS FOR FUTURE AGENDA

Commissioner Postell asked Mr. Davis about a city-wide dress code, specifically no pants below a person's derriere. Mr. Davis stated that he has tried to find something, but so far has not found any information. Commissioner Postell asked if there is something in the code book about public indecency. Mr. Davis replied in the affirmative, but explained that there must be objective standards and it is difficult to come up with something on paper that looks objective. Commissioner Langstaff suggested doing a search on what other cities have done and whether or not there were challenges.

Mayor Pro Tem Pike stated that he and Mr. Davis discussed the need to look at the curfew ordinance as it relates to young people with the possibility to change the curfew to an earlier time to get young folks off of the streets. He asked if it would be possible to cite businesses hosting events that would cause underage people to be out past curfew. Mr. Davis replied that an ordinance could be passed that required that they canvass their patrons and ensure that they are out (before curfew).

Commissioner Howard asked Mr. Davis to look at the truancy curfew so that it is enforced by the school or APD.

## **PUBLIC ADMINISTRATION & FINANCE MATTERS**

### CURRENT BIDS:

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

1. Grease & Oil Contract; Crawford & Sons Oil Co., Albany, GA

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Estimated expenditure        \$81,119.46

Dale Henry, Senior Buyer, discussed the following:

2.        Management Contract; MV Transportation, Inc., Fairfield, CA

Estimated expenditure        \$175,484.00

Commenting on contracts with private companies, Commissioner Marietta asked Mr. Lott if the transportation director's salary is paid through this contract. Mr. Lott replied in the affirmative, adding that the new director is Mr. Cosby, who is permanent; Lee Burner was interim director and has moved on.

Commissioner Hubbard asked if this recommendation is an increase over the last contract. Mr. Henry said it is not, and is in fact, a \$4,000 decrease from last year. Commissioner Hubbard asked if the City decides to keep them, will it increase the multi-year contract renewal option. Mr. Henry explained that there will be some increase, but not a large increase.

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

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

3.        Precast Manholes; Oldcastle Precast, Pembroke, GA

Estimated expenditure        \$42,515.00

In response to Commissioner Postell, Phil Roberson explained that precast manholes are constructed of concrete.

Hearing no further discussion, the motion unanimously carried.

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

4.        Ready Mix Concrete; Concrete Enterprises, Albany, GA

Estimated expenditure        \$242,000.00

STATE LOBBYIST CONTRACT RENEWAL

Wes Smith, Asst. City Manager, discussed information pertaining to the renewal of the contract for the state lobbyist, Cornerstone Communications. He stated that Rufus

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Montgomery, who has been the City's lobbyist for the past few years, has performed very successfully for the City and that the proposed contract is in the amount of \$60,000 plus \$1,000 in expenses. He added that it was discussed and budgeted with Mr. Davis opining that the contract is acceptable. The recommendation is to continue the contract for another year.

Commissioner Postell moved to approve, seconded by Commissioner Langstaff.

In reply to Commissioner Marietta, Mr. Smith stated that it is a one-year contract running from July 1, 2010 through June 30, 2011; he discussed the prior contract amounts.

Referring to page 15, Commissioner Howard asked about the \$14.0 million on US 300 and 19 and if it is for turn signals. Mr. Smith replied that it is median cuts and runs from Mitchell County to Lee County and includes turn lanes, lights, improvements, etc. He said he will get with Mr. Maples to get the full scope of the work. Commissioner Howard asked the figures for the Broad Street Bridge. Mr. Lott stated that initially it was \$2.0 million, but since then Mr. Montgomery has facilitated meetings with GDOT; however, the final numbers have not been presented. He added that apparently the community wants more than a \$7.0 million bridge, but the local match should remain at the current amount.

Commissioner Hubbard added that she attended the stakeholders meetings and that the one they are looking at will cost more than the initial one. Mr. Lott stated that as long as the local match is under \$3.0 million the City will be fine.

Hearing no further discussion, the motion unanimously carried.

KEEP ALBANY/DOUGHERTY BEAUTIFUL

Commissioner Howard asked how much money the City could provide to KADB. Mr. Lott replied that HB 489 only requires in-kind services. He said that the revenue the County's landfill generates is fashioned to fund KADB's general operations; anything the City contributes would be above and beyond HB 489's agreement.

Mayor Pro Tem Pike expressed concern about where this could lead since based on the County's five year projection; they will be in a tight for the next three-four years. If they know they can 'un-fund' something with the City picking up the tab, they may do this for the next few years. The County would not be doing this on purpose, but they will continue to do so if it is in their best interest. He cautioned about opening up a Pandora's Box because of the potential of being in the same situation next year as this one.

Commissioner Hubbard asked when the contract will be renegotiated. Mr. Lott replied that every five years the City and County update and this year is the year to work through it. He said the contracts are locked in stone and changes will need to be justifiable. Commissioner Hubbard expressed concern about no amount being listed in the contract

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and asked Mr. Davis if this is a problem. She asked if the contract requires the County to fund KADB at a certain level. Mr. Davis referred to page 26, last paragraph, which denotes that the money comes from the County's Solid Waste Enterprise Fund. He stated that it is implied, because of having a separate fund, with the funding source being identified; he agreed that the wording can be added to the next contract. Commissioner Hubbard asked if the County is fulfilling the legal obligations of the contract as written. Mr. Davis said that, as written, they are because they have treated KADB as a department and that they went to the department head with the intent to cut the budget of KADB. He added that it might violate the 'spirit', but not the actual language of the contract. Commissioner Hubbard stated that when the contract is renegotiated, it should contain specifics so that issues of this nature do not continue to happen.

Commissioner Postell commented on comments from Judy Bowles, KADB Director, as denoted on page 21 and questioned whether Ms. Bowles knew there was a contract with the County. One issue he said he has with KADB is the gateways, which are no longer being discussed, with the blame being placed on DOT. He mentioned cuts Ms. Bowles has agreed to, i.e., the trip she will not take, etc., things that are not known, adding that she does not want to lose the temporary employee. Commissioner Howard stated that the person in question will have their hours reduced from 40 hours to 25 beginning in January. In reply to Commissioner Postell, he stated that he does not know the salary of the person. Commissioner Postell asked the supplemental amount being requested by Ms. Bowles. Mr. Smith reported that Ms. Bowles did not make a specific funding request; she plans to work within her existing budget. Commissioner Marietta stated that initially, Ms. Bowles was prepared for a 4% budget cut, but it ended up being 8%, with that equating to \$6300.00. He mentioned that the Commission could lead a private effort to raise the \$6300.00 in order for the employee to be retained as full-time.

In reply to Commissioner Howard, Mr. Smith stated that Ms. Bowles is not requesting any funding. Commissioner Marietta suggested a private fundraising effort to assist with KADB since they are \$6,300 short of what they need.

Commissioner Postell noted discrepancies with KADB since the city is not beautiful even though Ms. Bowles has done a great job. He mentioned Ms. Bowles' salary. Mr. Lott explained that she is carried as a City employee with Dougherty County reimbursing her salary and that she is on the City's Pension. Commissioner Postell discussed the affect SPLOST has on the County's finances. Mr. Lott explained the importance of sticking to the contract once it has been entered into and advised that it is the County's job to fund this particular organization. He discussed \$12.0 million in savings the City has realized over the last two years. He mentioned committing \$1.0 million to the gang force from MEAG funding and said that the City does lean spending and controls the spending of departments.

Commissioner Hubbard stated that she supports KADB; however, the question is - has the obligation of the contract been fulfilled. Mr. Lott and Mr. Davis replied in the affirmative, with Mr. Lott detailing his response. Commissioner Hubbard asked if the

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wording should be changed when the contract comes up in 2011. Mr. Lott agreed adding that the County does not have to agree to it. Commissioner Hubbard spoke of having the office run efficiently and that she would not want the office unable to run effectively and does not want to reduce funding for staffing.

Commissioner Howard commented that KADB is short \$6,300; he discussed the positive things KADB does in preserving/enhancing the City as well as being an educational component. He offered using some of his travel expense if necessary to help fund this department if the City Attorney says that it is legal.

Commissioner Postell stated that the County is pushing the City to carry their load and suggested finding out additional information from the County. He asked that the County provide a reason for cutting their budget. He commented on the political aspect of funding for the Riverquarium.

Commissioner Marietta stated that he agrees with assisting the county one time in the amount of \$6,300 or he suggested raising the money privately. Mr. Lott stated that the City can provide a venue, i.e., the Civic Center or the Auditorium to support raising funds for KADB. Commissioner Postell agreed to support this, adding that the County can join in. Commissioner Marietta stated that the Commission has a positive view of KADB and wants to help.

There being no further discussion, the meeting adjourned at 9:35 a.m.

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SONJA TOLBERT  
CITY CLERK