

FEBRUARY 27, 2018

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF  
ALBANY, GEORGIA  
401 PINE AVE. – UTILITY BOARD ROOM

PRESENT: Mayor Dorothy Hubbard  
Mayor Pro Tem Bob Langstaff, Jr.  
City Commissioners: Jon Howard, Matt Fuller, BJ Fletcher and Roger Marietta  
City Manager: Sharon D. Subadan  
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 7:54 a.m., and called for a moment of silence, which was followed by the Pledge of Allegiance. She then proceeded to instruct the audience on the policy to address the Commission, whether through Citizen's Comments or Speaker's Appearance Forms.

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

Commissioner Howard moved to excuse the absence of Commissioner Postell, seconded by Commissioner Marietta; the motion unanimously carried.

PUBLIC HEARINGS

1. Zoning Case #18-001 - Hospital Authority of Albany/Dougherty County, GA/Owner; Brad Hallford/Applicant; request to rezone property located at 417 W. Third Ave. (NW Quadrant of W. Second Ave. and N. Jefferson St.,) from C-5 to C-2

Using a power point presentation, Paul Forgey, Planning Director, reviewed the zoning application and advised that the request to rezone would allow an internally illuminated sign at the intersection of N. Jefferson and 2<sup>nd</sup> Ave. He also showed a map of the location, which is in the corner of the parking lot of Phoebe Putney Hospital, gave the zoning history, discussed planning considerations, showed a map of surrounding land uses, aerial view, and street view and, discussed the future land use map. He advised that the Planning Commission recommends approval.

There was no one desiring to speak on this matter.

2. Special Approval Case #18-002 - Tommie F. Terrell, Jr. & Tiffany M. Terrell/Owner/Applicant; request for Special Approval for property located at 422 Odom Ave; to establish a Child Caring Institution for six residents in the R-3 District.

Using a power point presentation, Mr. Forgey advised that the request is to allow a child care institution for six residents, which requires special approval by the City Commission. He showed a map of the surrounding zoning and discussed planning considerations, which included the site plan and future land use map information. He advised that the Planning Commission recommends approval.

Mr. and Mrs. Terrell signed-up to speak, but had no comments.

Commissioner Howard asked Mr. Terrell if the area is fenced in, with Mr. Terrell stating that there is an existing fence.

There were no further comments on this matter.

3. Zoning Case #18-003 - C. Herschel Darsey Estate/Owner; Shreyeshkumar K. Patel/Applicant; requests to rezone property located at 401 Johnny W. Williams Rd. from R-3 to C-1

Using a power point presentation, Mr. Forgey reviewed the application and advised that the request is to rezone to allow for a package store. He showed a map of the surrounding zoning, land use map and discussed planning considerations, which included adverse effects. He also

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discussed the Future Land Use Map and the Comprehensive Plan and advised that the Planning Commission recommends denial of this application.

Commissioner Fuller questioned the retail/lounge located in the area, with Mr. Forgey advising that it is no longer in use as it is out of business; however, it had previously been a lounge.

S. K. Patel, Applicant, spoke in favor of the application and said that he owns the convenience store that is across the street. He suggested that approving the application will be good for the community.

In reply to Commissioner Howard on whether or not alcohol is sold at the convenience store, Mr. Patel replied in the affirmative and said approval of the application will create job opportunities and is good for the community.

There was no one else desiring to speak on this matter. Mayor Hubbard then closed the public hearing portion of the meeting.

#### REPORT OF THE COMMITTEE OF THE WHOLE

Commissioner Howard moved to approve the special approval case, seconded by Mayor Pro Tem Langstaff; the motion unanimously carried:

1. Special Approval Case #18-002 - Tommie F. Terrell, Jr. & Tiffany M. Terrell/Owner/Applicant; request for Special Approval for property located at 422 Odom Ave; to establish a Child Caring Institution for six residents in the R-3 District

Commissioner Marietta moved to approve the following Alcohol License Applications – Transfer of Ownerships, seconded by Mayor Pro Tem Langstaff; the motion carried 5-1 with Commissioner Howard voting no.

1. Shraddha 2317 Inc, d/b/a R & M Grocery #2; 2401 Martin Luther King Jr. Dr.; L. Davis/Agent; Beer Package; Transfer of Ownership from M. Shah; WARD 6
2. RAO'S Exxon LLC, d/b/a RAO'S Exxon; 1701 E. Oglethorpe Blvd.; N. Mobeen/Agent; Beer Package; Transfer of Ownership from M. Shafi; WARD 1
3. Rite Aid #11854 - 300 S. Slappey Blvd., (Ward 3), Rite Aid #11855 – 2425 N. Slappey Blvd. (Ward 3), Rite Aid #11856 – 2400 Sylvester Road (Ward 1); Rite Aid #11857 – 2400 Dawson Road (Ward 5); J. Davis/ Agent; Beer and Wine Package; Transfer of Ownership to Walgreen Company

#### APPOINTMENTS

1. One appointment to Albany Housing Authority for one-year term expiring Nov. 2018 (Mayor's appointment)

Mayor Hubbard advised that she is appointing Sondra Aikens.

2. Two appointments to Citizens Advisory Committee to fill an unexpired term ending Jan. 2020 (Ward II & V)

Commissioner Fuller advised that he is reappointing Sallie Odom and Mayor Pro Tem Langstaff said he is appointing Jay Sharpe.

3. One appointment to Community Development Council to fill an unexpired term ending June 2018

Commissioner Marietta moved to appoint Timothy Wooten, seconded by Commissioner Fletcher; the motion unanimously carried.

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ORDINANCES

Commissioner Fletcher introduced

AN ORDINANCE NO. 18-101

Amending the Zoning Ordinance of the City of Albany to change the status of property located at 417 W. Third Ave. (NW Quadrant of W. Second Ave. and N. Jefferson St.,) from C-5 to C-2

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

Mayor Pro Tem Langstaff stated that the next Zoning Ordinance is in Ward 6 and Commissioner Postell is not present; he then moved to table until the next meeting, seconded by Commissioner Fletcher; the motion unanimously carried.

AN ORDINANCE

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 401 Johnny W. Williams Rd. from R-3 to C-1

RESOLUTIONS

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

A RESOLUTION NO. 18-R111

Approving Protective Covenants re: 302 Wells Avenue, 310 Barton Avenue, 300, 302, 304 and 306 Gowan Avenue

In reply to Commissioner Howard, Mr. Davis clarified that the covenants are not transferrable with the main intent to keep structures off of the properties. Commissioner Howard asked about an adjacent property owner wanting to plant a garden. Mr. Davis replied that a garden is not a structure and it might be possible.

Commissioner Howard moved to adopt the following resolution, seconded by Commissioner Marietta; the motion carried 4-0-1 with Mayor Pro Tem Langstaff abstaining.

A RESOLUTION NO. 18-R112

Approving Phase 1 of the Street Resurfacing Program (re: SPLOST VII)

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

A RESOLUTION NO. 18-R113

Authorizing two additional Stop Signs at the Intersection of Pheasant Dr., and Partridge Dr.

OTHER BUSINESS

Ms. Subadan asked for an update on the power outages that caused the meeting to be moved from 222 Pine Ave., Room 100 to the conference room at 401 Pine Ave. (Utility Dept.).

Phil Roberson, Asst. City Manager, advised that the outage occurred near the Riverside Cemetery and all crews are out looking for the fault with approximately 300 homes without power, in addition to portions of the downtown area.

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In reply to Commissioner Fuller on whether or not use of Smart Meters would be helpful, Mr. Roberson stated that it would help with knowing exactly where outages are and that citizens could know in real time what is going on using their smartphones.

Commissioner Marietta commended Ms. Subadan and staff for their rapid response to the challenges that happened this evening.

There being no further business, the meeting adjourned at 8:19 p.m.

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MAYOR

ATTEST

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CITY CLERK