The Regular Commission meeting of the Macon-Bibb County Commission was held on May 5, 2015 at 6:00 P.M. in the Commission Chamber at Government Center.

**Commission Members Present:**

Mayor Robert A.B. Reichert
Mayor Pro Tem Bert Bivins, III
Commissioner Gary Bechtel
Commissioner Larry Schlesinger
Commissioner Elaine Lucas

Commissioner Mallory Jones
Commissioner Ed DeFore
Commissioner Scotty Shepherd
Commissioner Virgil Watkins, Jr.
Commissioner Al Tillman

**Staff Present:**

Dale Walker – County Manager
Judd Drake – County Attorney
Crystal Jones – Sr. Asst. County Attorney
Opie Bowen – Asst. County Attorney
Reggie McClendon – Asst. County Attorney
Ben Hubbard – Human Resources Director

Steve Layson – Asst. Co. Mgr – Infrastructure
Charles Coney – Asst. Co. Mgr. – Operations
Julie Moore – Asst. to County Manager
Jean S. Howard – Clerk of Commission
Janice Ross – Assist. Clerk of the Commission
Chris Floore – Asst. to County Mgr. Public Affair

**Guests in Attendance**

Pastor Arthur Hubbard of
*Stubbs Chapel Baptist Church*
Bud Fletcher
Leroy Thomas
Capt. J. W. Glover – Fire Department
Mrs. Joanne Walker

**News Media Present**

Phillip Ramati – The Telegraph
Anita Oh – 13 WMAZ
Noelle Saunders – 41 WMGT

**CALLED TO ORDER**

The meeting was called to order by Mayor Robert A. B. Reichert.

**PRAYER**

The prayer was rendered by Rev. Christopher Cabiness of New Hope Missionary Baptist Church.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Robert A. B. Reichert
APPROVAL OF MINUTES

A. Pre-Commission Meeting on April 21, 2015
B. Regular Commission Meeting on April 21, 2015

ACTION:

On motion of Commissioner Ed DeFore, seconded by Commissioner Larry Schlesinger, and carried unanimously, the minutes of the Pre-Commission and Regular Commission meetings held on April 21, 2015 were approved as presented.


INVITED GUESTS

Reverend Christopher Cabiness of New Hope Missionary Baptist Church was invited to render the Prayer at tonight’s meeting.

PUBLIC COMMENTS ON AGENDA ITEMS

Mr. William (Bill) Fickling, III spoke on the Animal Welfare Task Force RFP. He stated the answer to the problem of pet overpopulation is to provide low cost spay and neutering services, and to improve the adoption process by using volunteers. He encouraged the Commissioners to approve the RFP for rescue group services which will include operation of the adoption portion of the Animal Welfare Center and provide spay and neuter services.

Mr. Robert Curry, spoke on Log Cabin Drive Roadway Enhancements Project. He encouraged the Commissioners to complete the improvements needed to improve public safety in the Hollingsworth Road and Log Cabin Drive area.

Mr. Rufus Holmes, a Bibb County retiree representing the retirees in the pension plan, spoke in support of the Mayor’s veto of the Resolution requesting Procurement officials to issue an RFP for an Investment Consultant for the Bibb County Pension Plan. Mr. Holmes stated the retirees have been satisfied with the performance of Independent Portfolio Consultants employees are pleased with the returns that IPC have brought to the plan.
REPORTS FROM COMMITTEES AND DEPARTMENTS

Operations and Finance Committee

Committee Chair Gary Bechtel reported that the Operations and Finance Committee met on April 28, 2015 and took the following action:

- The Committee approved the following agreements:
  - An agreement with Francar’s to operate the snack bar at Bowden Golf Course
  - An agreement with American Safety & Fire Hose for the Purchase of 12 Open-Circuit Self-Contained Breathing Apparatus (SCBA), 12 Self-Contained Breathing Apparatus with Two face masks per cylinder and 18 additional face masks for the Fire Department in the amount of $67,500 from budget funds
  - Approved transferring $500,000 in 2013A and 2013B Urban Development Authority proceeds from the Lake Tobesofkee Projects to the Sears Building renovation project
  - An agreement for $56,650 with Thyssenkrupp Elevator Americas for the Sears Building
  - Approved issuing a Request for Proposal (RFP) for rescue group services which will include operation of the adoption portion of the Animal Welfare Center and provide spay and neuter services
  - Approved accepting the Outdoor Film Screening Grant in the amount of $15,000 awarded from Knight Foundation to the Macon-Bibb County Recreation Department
  - Adopted the Economic and Community Development Department CDBG, Home and ESG Proposed Budget For Fiscal Year 2015 Budget with the following changes:
    - $2,000 was moved from the Depaul USA Agency to the Mentors project
    - $1,500 was moved from Depaul USA to Family Advancement Ministries. This will reduce the amount Depaul receives to $16,500

Economic and Community Development Committee

Committee Chairman Larry Schlesinger reported that the Economic and Community Development Committee met on April 28, 2015 and considered and/or approved the following:

- Approved the reappointment of Andrew Galloway to the River Edge Behavioral Health Community Service Board for a three (3) year term to run from July 1, 2015 until June 30, 2018
- Approved the appointment of Tim Jones to the Macon-Bibb County Planning and Zoning Commission
Approved Tindall Partners I, L.P. application for Low Income Housing Tax Credits to develop the Tindall Seniors Towers Property located at 985 Plant Street

Public Safety Committee

No Report – The Committee did not meet.

Facilities and Engineering Committee

Committee Chairman Mallory Jones reported the Facilities and Engineering Committee met on April 28, 2015 and considered and/or approved the following:

- Approved transferring three parcels of property located at 239 Schell Avenue, 275 Clinton Street and 323 Dewitt Street to the Macon-Bibb County Urban Development Authority

- Approved the Right-of-Way plans required for location and construction of the Little Richard Penniman Connector. The Committee further approved and accepted the relocation, closure and abandonment of certain portions of municipal streets and alleys required for the location and construction of the Little Richard Penniman Connector

- Approved the Right-of-Way plans required for location and construction of Log Cabin Drive Roadway Enhancements from Alton Avenue to the rear entrance of Green Meadows Apartments

CONSENT AGENDA

A. A New Alcoholic Beverage License for Bourbon Bar Located at 370 Cherry Street, Macon, GA 31201

ACTION:

*On motion of Commissioner Gary Bechtel, seconded by Commissioner Larry Schlesinger, and carried unanimously, the Alcoholic Beverage License for the Bourbon Bar was approved as presented.*


B. A New Alcoholic Beverage License for AA Stores LLC d/b/a Ammar’s Food Mart located at 3495 Williamson Road, Macon, GA 31206

ACTION:

*On motion of Commissioner Ed DeFore, seconded by Commissioner Larry Schlesinger, and carried unanimously, the Alcoholic Beverage License for the AA Stores LLC d/b/a Ammar’s Food Mart was approved as presented.*

C. A New Alcoholic Beverage License for Old Clinton LLC d/b/a AK Express located at 1091 Old Clinton Road, Macon, Ga.

**ACTION:**

On motion of Commissioner Ed DeFore, seconded by Commissioner Larry Schlesinger, and carried unanimously, the Alcoholic Beverage License for Old Clinton LLC d/b/a AK Express was approved as presented.


**OLD BUSINESS**

A. Consideration of Mayor’s Veto on April 23, 2015 of Resolution requesting Procurement Officials to issue a Request for Proposals for an Investment Consultant for the Bibb County Pension Plan of 1968 approved and adopted at the April 21, 2015 Regular Commission Meeting.

- Clerk read by caption: Consideration of Mayor’s Veto on April 23, 2015 of the Resolution requesting Procurement Officials to issue a Request for Proposals for an Investment Consultant for the Bibb County Pension Plan of 1968 approved and adopted at the April 21, 2015 Regular Commission Meeting and for other lawful purposes.

**ACTION:**

- Commissioner Gary Bechtel motioned, and was seconded by Commissioner Larry Schlesinger, to override the Mayor’s veto of the Resolution to issue an RFP for an Investment Consultant for the Bibb County Pension Plan of 1968.

**Discussion:**

Commissioner Bechtel stated he had opposed the process of the consultant selection from the beginning. He stated he believed that all companies who put in an acceptable bid should have been presented to the Commission in order to compare all of the companies. He also stated he was disturbed by the process which seemed to favor one company, IPC. He also stated it had been previously stated that all three pension funds should not be represented by the same company, and presently IPC represents all three pension funds.

Commissioner Watkins stated he had been informed that it could cost the County approximately two to ten million dollars to rebid. Mayor Reichert stated the cost could come from the fact that once you move the funds, the funds would sit dormant while the
new company chooses where to invest the funds. During that time period, the funds would be earning no money and that there would also be a transfer fee.

Commissioner Watkins stated he understood that there is a 30 day termination clause, County Attorney, Judd Drake, answered by stating that when the original contract was signed, the length of the contract was three to five years and that this was later changed to include the 30 day termination clause.

Judd Drake, County Attorney, stated he would like to clarify the veto procedures by stating six votes were needed to override the Mayor’s veto, and stated a Commissioner who voted Yes was voting to override the Mayor’s veto, and a Commissioner who voted No was voting to not override the Mayor’s veto.

Mayor Reichert stated he did not take the veto lightly, and stated there were four primary reasons he vetoed the Resolution as stated in his letter to Commissioners:

1. This cuts the employees and retirees of the plan out of the decision-making process.

2. There is no sufficient reason to go back through the RFP process with the associated commitment of time and associated expense. Additionally, the performance of the current investment consultant is exceptional.

3. The negative impression created by reissuing this RFP so soon after the last RFP, and without sufficient justification, sends the wrong signal, not only to our current financial consultant, but to the financial market in general.

4. The Mayor deemed it necessary to support the County Manager and he finds that he took no inappropriate action during the selection process. Reissuing the RFP implies that he did take inappropriate action, and he found that to be an unacceptable and an unfair innuendo.

Commissioner Schlesinger stated he was also concerned about the process used to select IPC, and did not believe the process was impartial. He also stated he believed the process was flawed and the more he learns, the more concerned he is about how IPC was chosen. He stated he would like to see a more transparent process which is what he promised his constituents. Commissioner Schlesinger further stated that by overriding the Mayor’s veto, this would send a message that the Commission insists on transparency.

Commissioner Tillman stated he was in favor of the Mayor’s veto due to the County Attorney, Judd Drake, stating there was no wrong doing by the County Manager in the selection process. He further stated that the eleven million dollars brought in by IPC was good evidence of the job they were doing.

Commissioner Jones stated he did not think the process was flawed and stated he had sought the opinion of his brother, a former Wall Street executive for 30 years and who teaches at Georgia Tech, to examine IPC’s work. He stated his brother was very impressed by IPC’s work and felt it would be foolish not continue with them as our advisors.

Commissioner Lucas stated she initially had similar concerns that some on the Commissioners had expressed. She stated she elected to vote to sustain the veto
based on the retirees’ desire to continue with IPC and the significant gains to the pension fund by IPC.

**ACTION:**

The motion to override the Mayor’s veto failed by a vote of 5-4. The five (5) votes to sustain the Mayor’s veto were cast by Commissioners Elaine Lucas, Mallory Jones, III, Scotty Shepherd, Ed DeFore, and Al Tillman. The four (4) votes to override the Mayor’s veto were cast by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, and Virgil Watkins, Jr.

B. (2nd Reading) An Ordinance to amend the Macon-Bibb County Fire and Police Employees’ Retirement System, (1969 GA. Laws, Page 2801) to provide for a Limited Early Retirement Incentive.

- **Clerk read by caption:** An Ordinance of the Macon-Bibb County Commission to amend the Macon-Bibb County Fire and Police Employees’ Retirement System, (1969 GA. Laws, Page 2801), to provide for a Limited Early Retirement Incentive; and for other purposes.

**ACTION:**


C. (2nd Reading) An Ordinance to amend the Macon-Bibb County Pension and Retirement Systems, Division A (1972 GA. Laws, Page 3152, to provide for a Limited Early Retirement Incentive

- **Clerk read by caption:** An Ordinance of the Macon-Bibb County Commission to amend the Macon-Bibb County Pension and Retirement Systems, Division A, (1972 GA. Laws, Page 3152), to provide for a Limited Early Retirement Incentive; and for other purposes.

**ACTION:**


D. A Resolution authorizing the Mayor to execute an agreement with Francar’s, Inc. for the lease of space at 3111 Millerfield Road, a/k/a Bowden Golf Course Snack Bar

- **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission authorizing the Mayor to execute an agreement with Francar’s, Inc. for the lease of space at 3111 Millerfield Road, a/k/a Bowden Golf Course Snack Bar; in substantially the same form as Exhibit “A” attached hereto.
ACTION:


E. A Resolution authorizing the Mayor to execute an agreement with American Safety and Fire Hose for the purchase of 12 open-circuit Self-Contained Breathing Apparatus (SCBA), 12 Self-Contained Breathing Apparatus with two face masks per cylinder (small and medium) and 18 face masks for the Macon-Bibb County Fire Department in the amount of $67,500 from Budget Funds

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the Mayor to execute an agreement with American Safety and Fire Hose for the purchase of twelve (12) Open-Circuit Self-Contained Breathing Apparatus (SCBA), twelve Self-Contained Breathing Apparatus with two face masks per cylinder (small and medium) and eighteen (18) additional face masks for the Macon-Bibb County Fire Department in the amount of $67,500 from Budget Funds; and for other purposes.

ACTION:


F. A Resolution to authorize and approve the transfer of $500,000 of the Series 2013A and Series 2013B Urban Development Authority bond proceeds from the Lake Tobesofkee Project to the Sears Roebuck Store Renovation Project

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission to authorize and approve the transfer of the $500,000 of the Series 2013A and Series 2013B Urban Development Authority bond proceeds from the Lake Tobesofkee Project to the Sears Roebuck Store Renovation Project; and for other purposes.

ACTION:


G. A Resolution authorizing the Mayor to execute an agreement with Thyssenkrupp Elevator Americas in the amount of $56,650 to repair and renovate the elevator located in the former Sears Building at 111 Third Street.

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the Mayor to execute an agreement with Thyssenkrupp Elevator Americas in the amount of $56,650.00 to repair and renovate the elevator located in the former Sears Building at 111 Third Street; and for other purposes.
purposes.

ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

H. A Resolution authorizing the Mayor issue a Request for Proposals (RFP) for rescue group services which will include operation of the adoption portion of the Animal Welfare Center and providing spay and neuter services.

- **Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the Mayor issue a Request for Proposals (RFP) for rescue group services which will include operation of the adoption portion of the Animal Welfare Center and providing spay and neuter services; and for other lawful purposes.**

ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

I. A Resolution authorizing the acceptance of the Outdoor Film Screenings Grant in the amount of $15,000 awarded from the Knight Foundation to the Parks and Recreation Department

- **Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the acceptance of the Outdoor Film Screenings Grant in the amount of $15,000 awarded from the Knight Foundation to the Parks and Recreation Department; and for other purposes.**

ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

J. An Ordinance to adopt the Economic and Community Development Department CDBG, Home and ESG proposed budget for Fiscal Year 2015

- **Mayor Reichert stated this item was removed from the agenda during the Pre-Commission Meeting and was referred back to the Committee of the Whole for action on May 12, 2015.**

K. A Resolution reappointing Andrew L. Galloway to the River Edge Behavioral Health Community Service Board for a 3-year term to run from July 1, 2015 until June 30, 2018
• **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission reappointing Andrew L. Galloway to the River Edge Behavioral Health Community Service Board for a three (3) year term to run from July 1, 2015 until June 30, 2018; and for other purposes.

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Élaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

L. A Resolution appointing Tim Jones to the Macon-Bibb County Planning and Zoning Commission

• **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission appointing Tim Jones to the Macon-Bibb County Planning and Zoning Commission; and for other purposes.

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Élaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

M. A Resolution to support Tindall Partners I, L.P. and its application for Low Income Tax Credits to develop the Tindall Seniors Towers property located at 985 Plant Street

• **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission to support Tindall Partners I, L.P. and its application for Low Income Tax Credits to develop the Tindall Seniors Towers property located at 985 Plant Street; and for other lawful purposes.

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Élaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

N. A Resolution authorizing the Mayor to execute an agreement with the Macon-Bibb County Urban Development Authority to transfer three parcels of property located at 239 Schell Avenue, 275 Clinton Street, and 323 Dewitt Street

• **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission authorizing the Mayor to execute an agreement with the Macon-Bibb County Urban Development Authority to transfer three parcels of property located at 239 Schell Avenue, 275 Clinton Street, and 323 Dewitt Street, in form to be approved by the County Attorney’s Office; and for other purposes.
ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

O. A Resolution approving the Right-of-Way plans required for location and construction of the Little Richard Penniman Connector; approving and accepting the relocation, closure, and abandonment of certain portions of municipal streets and alleys required for the location and construction of the Little Richard Penniman Connector

- Clerk read by caption: *A Resolution of the Macon-Bibb County Commission approving the Right-of-Way plans required for location and construction of the Little Richard Penniman Connector; approving and accepting the relocation, closure, and abandonment of certain portions of municipal streets and alleys required for the location and construction of the Little Richard Penniman Connector in accordance with Exhibit “A” attached hereto; and for other purposes.*

ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

P. A Resolution approving the Right-of-Way plans required for location and construction of Log Cabin Drive Roadway Enhancements from Alton Avenue to the rear entrance of Green Meadows Apartments

- Clerk read by caption: *A Resolution of the Macon-Bibb County Commission approving the Right-of-Way plans required for location and construction of Log Cabin Drive Roadway Enhancements from Alton Avenue to the rear entrance of Green Meadows Apartments; and for other purposes.*

ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

NEW BUSINESS

Mayor Reichert stated any other New Business items received after tonight’s meeting would be referred to the appropriate Committee for action.

A. A Resolution authorizing the Mayor to execute an agreement with Flint Equipment Company for the purchase of a 2015 John Deere 50G with 24” Bucket - Hydraulic Excavator for use by the Public Works Department in the amount of $56,464.70, to be
paid from General Funds in substantially the same form as the attached hereto as Exhibit "B"

**Referred to Operations and Finance Committee**

B. An Ordinance amending Article I Chapter 19 of the Code of Ordinances of Macon-Bibb County, Georgia to update the definition of "Local Vendor" and "Local Offeror" for procurement award purposes

**Referred to Operations and Finance Committee**

C. A Resolution to authorize the Mayor to execute an Intergovernmental Agreement between Macon-Bibb County and Office of the Georgia Secretary of State to provide fiber-optic connectivity to the local Secretary of State Office

**Referred to Operations and Finance Committee**

D. A Resolution authorizing the Macon-Bibb County Administrative Staff to review the feasibility and economic costs associated with incorporating the new Macon-Bibb County Senior Center at the site of the former A. L. Miller High School

**Referred to Economic and Community Development Committee**

**GENERAL PUBLIC COMMENTS**

**Mr. Johnny James** spoke on the Georgia Sports Youth Program and its accomplishments over the last four years. He asked for the Commissioners support to use the Ed DeFore Sports Complex for youth in the Middle Georgia area activities this summer.

**Pastor Arthur Hubbard** spoke on the proposed rezoning of Barnes Ferry Road. He cited health issues such as number of residents contracting cancer, including two of his sisters, in his community possibly caused by other chemical spillages occurring in his community in the 1980's that is still under review by EPD. An ethanol company has recently acquired 50 acres of land for 80 rail cars which will transport ethanol. This is a particular concern to the neighbors due to the dangers posed by ethanol.

**Ms. Kay Wood**, who lives in the Barnes Ferry Road neighborhood, is also concerned about the dangers of ethanol. Many of the neighbors have been diagnosed with cancer and she believes it is due to problems they have experienced in the past with a chemical leak. The EPD is still in the process of cleaning the area.

**Mr. Bob Moore**, another neighbor in the Barnes Ferry Road neighborhood, asked the Commissioners to step in and assist the neighbors in stopping the ethanol refueling station. He stated that although he has no problem with the area being zoned M1, he does not want the ethanol refueling station to be located in the neighborhood. He continued that there are no ramifications if there is a spill. He continued that the community at large is opposed to the ethanol refueling station because it causes health risks to both humans and animals.
POINT OF PERSONAL PRIVILEGE

Commissioner Elaine Lucas thanked everyone for their support of the Al Lucas Scholarship Program. She stated that she would be bringing the recipients of this year’s scholarships to a Commission meeting in the near future.

She also thanked the Blight Task Force and its members who attended and made a presentation at a recent Kings Park Neighborhood Association meeting. She stated residents in Kings Park now believe that something would finally be done to improve their neighborhood.

Mayor Reichert stated that he would like to see the Commissioners visit with their constituents and to determine what areas need blight relief.

ADJOURNMENT

There being no further business, and on motion duly made, seconded, and carried unanimously, the meeting was adjourned at 7:35 P.M.


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Jean S. Howard
Clerk of Commission