

**BOARD OF COMMISSIONERS  
CITY OF DOTHAN, ALABAMA  
REGULAR MEETING  
NOVEMBER 20, 2012**

The Board of Commissioners of the City of Dothan, Alabama, met in regular session in the Commission Chambers of the Roy Driggers Municipal Building at 10:00 A.M., Tuesday, November 20, 2012 with the following members present: Mayor Mike Schmitz, Associate Commissioners James H. Reading, Amos M. Newsome, Jr., Albert Kirkland, Critt Snellgrove and Hamp Baxley. Commissioner Barbaree was absent. Also present were City Manager Michael West, City Clerk Pam McCoy, Administrative Assistant Tammy Danner, who recorded the Minutes of the Meeting, and the local news media representatives.

Mayor Schmitz called the meeting to order. Dr. Mike Pearson, Greystone United Methodist Church, then led in prayer, after which Commissioner Baxley led in the Pledge of Allegiance to the Flag.

Commissioner Reading moved that the Minutes of the Meeting of November 6, 2012, be approved, motion seconded by Commissioner Baxley and unanimously approved.

Mayor Schmitz presented and read a proclamation, proclaiming December 1, 2012 as "World Aids Day" in the City of Dothan. Pam Holton, Medical Aids Outreach was present for the proclamation.

Commissioner Kirkland wished everyone a "Happy Thanksgiving".

Commissioner Snellgrove expressed appreciation to Charles Metzger and Jerry Corbin for an outstanding job of cleaning up after the National Peanut Festival Parade. He then welcomed Mike Manuel, Chief Financial Officer Dothan City Schools to the meeting. Commissioner Snellgrove also wished everyone a "Happy Thanksgiving".

Commissioner Baxley expressed appreciation to the community for their support and prayers since his mother had been diagnosed with terminal cancer.

Mayor Schmitz said the National Peanut Festival was the best ever and the parade was extraordinary and expressed appreciation to everyone who helped make it a great success!

Mayor Schmitz stated that the Farm/City Banquet held last week was also a great success! He said we cannot forget how important our farmers are to our community.

Mayor Schmitz announced that he will leave the commission meeting at 10:45 to fly to an Economic Development meeting.

City Manager West announced that the Police and Fire Departments will hold a community meeting for public discussion of issues tonight at Wiregrass Park beginning at 6:00 p.m.

In conjunction with the Solid Waste discussion on today's administrative agenda, Mr. West stated that there will be a Public Hearing held next Monday night at the Dothan Opera House beginning at 6:00 p.m. regarding this issue.

City Manager West announced the City's Annual Christmas Tree Lighting will be held November 27<sup>th</sup> in the Civic Center parking lot at 6:00 p.m. He also announced that the Annual Christmas Festival will be held December 1<sup>st</sup> on Foster Street and invited everyone to come out and enjoy the festivities.

City Manager West stated that the Therapeutic Talent Show will be held December 1<sup>st</sup> at Dothan High School Auditorium.

In observance of the Thanksgiving holidays, City Manager West announced that the City of Dothan will be closed this Thursday and Friday. Those residents who

normally have their garbage picked up on Thursday will have it picked up next Wednesday; Friday's garbage pickup will remain the same.

City Manager West wished everyone a "Happy Thanksgiving" and added that we have a lot to be thankful for in this community.

Mayor Schmitz introduced the application of Maria Coyt for a Restaurant Retail Liquor License for Hasienda Azul Mexican Grill and Bar, located at 2155 East Main Street, Suites 1 & 2. Commissioner Newsome moved for approval, motion seconded by Commissioner Kirkland and unanimously carried.

Mayor Schmitz introduced the application of Shaishavkumar Patel for a Retail Beer and Table Wine License for Raceway 758, located at 2585 Ross Clark Circle. Commissioner Kirkland moved for approval, motion seconded by Commissioner Baxley and unanimously carried.

Mayor Schmitz announced a Public Hearing regarding the abatement and removal of noxious or dangerous weeds. Mr. Paul Anderson was present to speak concerning 204 Halifax Drive. Mr. Anderson said after he received his notice he went out and cut the grass. He said he did not understand why fees were assessed to his property taxes. City Clerk Pam McCoy explained that even though Mr. Anderson may have cut the lot, there were still costs associated with advertising and posting a sign on the property that has to be paid by the owner. Mr. Anderson said he was not arguing with the statute, but did not agree with the application of it. Mayor Schmitz asked Mr. Anderson to get with the City Manager and his staff after the meeting to discuss the issue.

In regard to 1526 Headland Avenue, Ms. Lisa Renault asked the Commission to give her and her husband through this weekend to get the lot cut. City Manager West told Ms. Renault she will have seven days to cut the lot. He then asked Todd McDonald to have someone from his department to go out next Tuesday morning and verify that the lot has been cut. There being no one else wishing to speak, Mayor Schmitz declared the Public Hearing closed.

Mayor Schmitz introduced Ordinance No. 2012-307 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), rezoning property owned by Dewey Emfinger located at 700 Kent Drive from O-3 District to B-3 District. Commissioner Baxley moved for immediate consideration, motion seconded by Commissioner Kirkland and upon the motion being put to vote, those voting "yea," were Schmitz, Reading, Newsome, Kirkland, Snellgrove and Baxley; "nay:" none. The motion was carried by the majority of six "yeas" to no "nays."

Commissioner Snellgrove then moved for adoption of Ordinance No. 2012-307, motion seconded by Commissioner Reading. Commissioner Baxley stated that should the development plan presented for this property not come to fruition we will move to rezone this property back to O-3. There being no further discussion and upon the motion being put to vote, those voting "yea," were Schmitz, Reading, Newsome, Kirkland, Snellgrove and Baxley; "nay:" none. The motion was carried by the majority of six "yeas" to no "nays."

Mayor Schmitz introduced Resolution No. 2012-308 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), declaring certain properties which are overgrown with weeds, scrub, wild bushes, grass and other vegetable growth as injurious to the health, safety and welfare of the community as nuisances and ordering that the properties be abated. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Reading and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-309 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), assessing properties for the cost of demolition of substandard structures. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Reading and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-310 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), entering into an agreement with Waid Parrish & Associates for architectural services for the reroofing of the Dothan Civic Center at a cost of \$25,000.00. Commissioner Newsome moved for adoption, motion seconded by Commissioner Reading and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-311 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), awarding the bid, entering into a contract and issuing a Notice to Proceed to Blankenship Contracting for the South Saint Andrews Water Main Replacement at a cost of \$1,256,298.00 and appropriating funds for said project. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Reading. City Manager West said this is the first step in redoing South Saint Andrews. Commissioner Newsome asked what the starting date would be. Angie Jay, Water Operations Superintendant, said we will have to get their contract, proof of insurance and other contract information. They will have fifteen days from today to get us that information. At that point, we will issue a Notice to Proceed to begin construction. Ms. Jay said we hope to have a start date by the middle of December. Commissioner Newsome said once we get a start date we know they have so many days to get the job done and we want to follow that very closely. He said Saint Andrews is a very busy street and there are a lot of residents on that street. There being no further discussion the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-312 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), authorizing the Mayor to execute the Certification of Local Government Approval for Nonprofit Organizations and Jurisdiction Receiving Emergency Solutions Grant Funds. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Newsome. City Manager West stated that this is a grant that goes directly to the House of Ruth. The City does not receive the funds and is under no obligations or held accountable. This is something we have to do in order for them to receive the funds. There being no further discussion the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-313 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), accepting a grant award from the State of Alabama Mutual Aid System through the Houston County Emergency Management Agency in the amount of \$7,419.95 to be used to backfill on duty positions for regional exercises and cover travel expenses to and from the exercise site for the Hazardous Materials and Heavy Rescue Teams and appropriating funds for said grant award. Commissioner Snellgrove moved for adoption, motion seconded by Commissioner Kirkland and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-314 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), entering into a permit agreement with the Alabama Department of Transportation for the installation of water main, tee valve and fire hydrant to right-of-way of U.S. Highway 84 East. Commissioner Reading moved for adoption, motion seconded by Commissioner Kirkland. City Manager West said this will serve the new medical school. There being no further discussion the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-315 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), declaring certain property as obsolete and no longer needed for public or municipal purposes and authorizing the disposal of said property by whatever means is determined to be in the best interest of the City. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Baxley and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-316 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), reappointing Theodore Long as a member of the Board of Zoning Adjustment. Commissioner Newsome moved for adoption, motion seconded by Commissioner Kirkland and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-317 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), awarding the following bids and approving other purchases over \$15,000.00 by the City.

<u>ITEM</u>	<u>VENDOR</u>	<u>AMOUNT</u>
Underground Cables & Wire 00006	Gresco/Capstone	\$ .73 ft.
Underground Cables & Wire 00007	Dothan, AL	3.34 ft.
Underground Cables & Wire 00008		2.20 ft.
Underground Cables & Wire 00005		1.36 ft.

Bare Cables & Wires 00003 Underground Cables & Wire 00005	T&C Specialty Distributors Laurel, MS	\$ 457.00 mft. 2.39 ft.
Guy Wires 7 Cables 00001	Stuart Irby Pensacola, FL	\$ 298.20 per 1,000 ft.
(2) Backhoe Loaders (2) Option "1" full machine warranty	Flint Equipment Dothan, AL	\$ 74,680.00 ea. 4,342.00 ea.

**Other Purchases:**

Annual IBM Maintenance	Riley Group Dothan, AL	\$ 50,594.61
ARCGIS & ARCINFO Maintenance 10/13/2012 thru 10/12/2013	ERSI Inc. Redlands, CA	\$ 27,512.88
Air-cooled Helical Rotary Water Chiller Model No. RTAC140 including rental of a 100-ton A/C Chiller	Trane US Inc. Atlanta, GA	\$ 62,751.00
Annual Software Maintenance for Sungard Software Products for Accounting, Payroll, Utility Billing, Work Orders, Fixed Assets, Fleet Management, Business License, Purchasing & Inventory, Court and Others. Mobile applications for Police, Fire & Dothan Utilities	Sungard Public Sector Inc. Lake Mary, FL	\$ 324,963.47
Concessions Supplies FY 2013	Buffalo Rock Pepsi Dothan, AL	\$ 16,000.00

Commissioner Snellgrove then moved for adoption of Resolution No. 2012-317, motion seconded by Commissioner Kirkland. Commissioner Newsome asked for an explanation of "Option 1 for the backhoes". General Services Director Randy Morris explained that this is a full machine warranty for five years. Commissioner Newsome said, in looking at Flint Equipment and AGF, it appears we are going with Flint Equipment. He said AGF had the lowest bid. Mr. Morris said that "Option 1" is for one of the backhoes and we are purchasing two backhoes. He said you have to add the price of "Option 1" in there twice. Mr. Morris said once you do that, Flint Equipment is the lowest bid. Commissioner Newsome said he did not like the way this is on here. Mr. Morris said he would change it next time. There being no further discussion the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2012-318 (recorded in Ordinance Book No. \_\_\_\_\_ at Page \_\_\_\_\_), approving the following advance travel requests for City employees:

<b><u>NAME</u></b>	<b><u>CONFERENCE</u></b>	<b><u>AMOUNT</u></b>
Garry Shirah	Alabama Municipal Revenue Officers Conference Auburn, AL	\$ 513.00
Jason Adkins Tom Davis	2012 A.N.O.A. Winter Conference Montgomery, AL	\$ 455.74
Angie Williams Tina Boyd Christopher Boswell	ACJIC Certification Course Troy, AL	\$ 60.00
Carlton Ott	Promotional Assessment Phenix City, AL	\$ 40.00
Eddie Henderson	GPAC Meeting Forsyth, GA	\$ 178.39

Commissioner Kirkland then moved for adoption of Resolution No. 2012-318, motion seconded by Commissioner Snellgrove and unanimously carried.

Commissioner Reading moved for acceptance of an easement from CAT Properties, Ltd. needed for storm drainage improvements in Headland Avenue

Heights Subdivision, motion seconded by Commissioner Kirkland and unanimously carried.

There being no further business, Commissioner Newsome moved that the meeting be adjourned, motion seconded by Commissioner Reading and upon the unanimous vote of "yea," the meeting was duly adjourned.

/s/Pam McCoy, City Clerk

**Approved:**

/s/Mike Schmitz, Mayor

/s/James H. Reading, Associate Commissioner

Amos M. Newsome, Jr., Associate Commissioner

/s/Albert Kirkland, Associate Commissioner

/s/Critt Snellgrove, Associate Commissioner

/s/Taylor Barbaree, Associate Commissioner

/s/Hamp Baxley, Associate Commissioner

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