

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
AUGUST 28, 2007**

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, August 28, 2007 with the following members present: Mayor Pat Thomas, Associate Commissioners Larry Matthews, Amos M. Newsome, Jr., Paul Lee, Jason Rudd, Taylor Barbaree and Phillip Tidwell. Also present were City Manager Michael West, Secretary Tammy Danner, who recorded the Minutes of the Meeting, and the local news media representatives. City Clerk Pam McCoy was absent.

Mayor Thomas called the meeting to order. Pastor Les Lee, Clayhatchee Assembly, then led in prayer, after which Commissioner Matthews led in the Pledge of Allegiance to the Flag.

Commissioner Rudd moved that the Minutes of the Meeting of August 21, 2007, be approved, motion seconded by Commissioner Matthews and unanimously approved.

Mayor Thomas recognized and introduced members and coach of the 1957 Dixie Youth Baseball World Series Champions. He stated that he had presented them with Certificates of Recognition at a reception held in their honor last night. Senator Harri Anne Smith also presented them with a certificate from the State of Alabama commemorating their 50th anniversary of holding the title.

Commissioner Tidwell asked that the black shields around the traffic lights be repainted. He said many of them are oxidizing.

Mayor Thomas extended best wishes to Deborah Tuff, a reporter for WTVY-TV. Deborah will be moving to North Carolina.

City Manager West, along with Billy Mayes, Randy Morris and Roscell Stringer, Dothan Utilities, presented Wastewater Treatment Plant Awards to Buddy Sowell, Chief Operator at Cypress Creek Wastewater Treatment Plant, Certificate of Recognition Award; William Richardson, Chief Operator at Omussee Creek Wastewater Treatment Plant, Award of Excellence; and Frank Davis, Chief Operator at Little Choctawhatchee Wastewater Treatment Plant, Best Operated Plant Award.

City Manager West asked Todd McDonald and Maurice Head, Planning and Zoning to update the Commission on the Emergency Housing Repair Program. Mr. Head explained that the program is to provide emergency repairs to include roof and foundation repairs, etc. to homeowners to make their homes more enjoyable to live in. He said the homeowners are primarily low-income or elderly households on fixed income.

Commissioner Newsome said last year and the year before that we had \$25,000.00 for emergencies. He asked if there was a possibility of that amount being expanded? Mr. Head said \$25,000.00 had been allocated for 2007 and it is up to the Commission, in future years, to decide how much money they want to put into emergency repairs.

City Manager West asked how many applications had been received already? Mr. McDonald said we have received 14 applications. He said we have federal rules that limit us; if you go over \$5,000.00 on a contract, we get into lead-based paint issues. He said we made the decision, internally, to cap that at \$5,000.00 per household. Mr. McDonald said we took the first five applications and went through the process. One of the five dropped out so we have four now and we are spending a little over \$16,000.00 out of the \$25,000.00. He said that amount will roll forward next year so we will have \$25,000.00 plus the remaining balance. Mr. McDonald said as we get into the next program year, which will be October 1st, we

will send out notices to make the public aware that this money is available. We will start the process of taking applications and determine the needs in those homes.

City Manager West said one of the options that we have when we do the CDBG Annual Action Plan each year is that if the Commission desires to increase the funding, they can.

Commissioner Tidwell asked what the criterion is for someone to get this funding. Mr. Head said it is based on income. The household has to meet HUD income limits. They are set at 80% of low area medium income. Mr. McDonald said that we could not do cosmetic repairs (wallpaper, flooring, etc.), unless there is a problem with the substructure itself.

Commissioner Newsome said this is the first of the emergency home repairs. He said in the future we will see more people coming forward that have emergency repair needs such as holes in the floor and roof and the outside walls and other emergencies.

City Manager West reminded everyone that the City of Dothan is still under a Burn Ban. No open fires are allowed in the area.

City Manager West announced that four long awaited projects are in the process of being bid right now: Plum Road Paving Project, Murphy Mill Extension Project, Westgate Widening Project and the Beaver Creek Storm Drainage Project.

Mayor Thomas introduced Resolution No. 2007-307 (recorded in Ordinance Book No. _____ at Page _____), applying for and accepting a grant award from ADECA through the SAMC Highway Safety Office in the amount of \$45,000.00 for the U.S. Highway 431 Program; \$5,453.82 for the Click-It or Ticket Program; \$1,000.00 for the Selective Traffic Enforcement Program; and \$1,700.00 for DUI Enforcement for a total of \$53,153.82 to reimburse overtime costs including fringe benefits at 100% for officers working traffic enforcement. Commissioner Lee moved for adoption, motion seconded by Commissioner Tidwell and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-308 (recorded in Ordinance Book No. _____ at Page _____), approving the utilization of seizure funds for various training and equipment for the Police Department in the amount of \$6,298.00. Commissioner Tidwell moved for adoption, motion seconded by Commissioner Newsome and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-309 (recorded in Ordinance Book No. _____ at Page _____), entering into a contract with Barge, Waggoner, Sumner & Cannon, Inc. to provide engineering services for the construction of the sanitary sewer trunk line from the Beaver Creek Wastewater Treatment Plant to the Little Choctawhatchee Wastewater Treatment Plant and decommission the Beaver Creek Wastewater Treatment Plant at a cost not to exceed \$1,005,070.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Tidwell. Commissioner Lee asked how this resolution and the next one would be funded? Mr. West said the total project will be in the neighborhood of \$30 million or more. He said at this point in time the initial engineering contracts will be funded with state revolving loan fund money. Mr. West said before we get into early next year we are going to have to issue bonds and it will be up to all of us to work together to determine a source of funding, which the most likely source will be increasing the sewer rates to pay for it. Commissioner Lee said he understood about the \$30 million that we are going to be faced with. He asked if the \$3 million state revolving funds would cover us until that point. Mr. West said we have a little over \$700,000.00 that will take us through the first three months, but by the first of next year we are going to have to identify some revenue coming in and also we anticipate borrowing money January or February when the state revolving loan is funded again. He said if we can get those funds we can save considerably on the interest rate.

Commissioner Newsome said once we get the Choctawhatchee Treatment Plant in operation how long do we expect to be able to utilize it; how long will it provide services for the City of Dothan. Mr. West said we bought additional property out

there for expanding. He said we anticipate that this plant, if we properly maintain it and do the required upgrades, will last for years and years. Mr. West said normally the life span is around 20 years. He said the big problem we are going to have is that technology is going to change and probably environmental requirements are going to change. Mr. West said that is what forces most upgrades at wastewater treatment plants. He said one of the biggest problems right now at Beaver Creek is the nutrient limitations on the Beaver Creek itself. The environmental requirements are going to be at a much higher level because the flow in that stream is a lot less than the Little Choctawhatchee River. Mr. West said we should be good for 20 years or so, but again if environmental requirements change the process may have to be modified and that may cost money.

Mr. West said one of the neat things about the movement of this is that the flow off Fortner and the surrounding area flow to the Beaver Creek and the Little Choctawhatchee. It will put us down stream to be able to accommodate a lot of the growth out Brannon Stand and Fortner Street. Mr. West said it also eliminates 6 lift stations that currently, at times, cause problems. Mr. West said logistically shutting down Beaver Creek and moving to Little Choctawhatchee does not cost anymore than upgrading Beaver Creek and it solves a lot of long term growth problems that we are going to have. He said we have already purchased the land so we could actually duplicate the plant and put it well above 20 million gallons a day capacity to handle the future growth of this area, especially when the I-10 Connector comes with the interchange at Highway 84. We will be in position to handle that growth.

Commissioner Lee asked the age of Beaver Creek Wastewater Treatment Plant. Mr. West said it was built in 1959. He said the plant has served the City well. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-310 (recorded in Ordinance Book No. _____ at Page _____), entering into a contract with Polyengineering, Inc. to provide engineering services for the expansion and upgrade of the Little Choctawhatchee Wastewater Treatment Plant at a cost of \$1,904,075.00. Commissioner Tidwell moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-311 (recorded in Ordinance Book No. _____ at Page _____), applying for and accepting a grant from the Alabama Power Foundation and the Alabama Urban Forestry Association for an Urban and Community Tree Assistance Program Grant for Gussie McMillion Park in the amount of \$630.00. Commissioner Tidwell moved for adoption, motion seconded by Commissioner Barbaree and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-312 (recorded in Ordinance Book No. _____ at Page _____), awarding a bid and entering into a contract with H & L Construction, Inc. for the North Englewood Avenue and South Park Avenue Culvert Replacement Project in the amount of \$389,654.70. Commissioner Tidwell moved for adoption, motion seconded by Commissioner Barbaree. Commissioner Newsome said there was a variance of \$35,900.00 on one bid and \$40,634.00 on another bid and it seems like those were the same items. He asked for someone to explain what is being done on the double 10 ft. by 4 ft. cast in place RCBC. Commissioner Tidwell said it takes a lot of rebar and concrete to build these culverts. Commissioner Newsome said it takes the same for both. He said we have several other items with a lot of variance. Jerry Corbin, Public Works Director said it is hard to guess how a contractor puts his bid together. He said we do not ask for an explanation on how they break out their various items. Mr. Corbin said the way we intended to award this job is based on the low bid of the aggregate of both. He said he did not know why there is a difference.

Mayor Thomas said, as someone who bids all the time, he comes to his bid price and if someone wants it to add up to... jump through hoops, what does it matter, he would put those hoops down, he's doing the whole job and that would be his bid price. He said it appears, especially with H & L, that they did a lot of rounding. Mr. Corbin said both of these contractors are reputable. We have worked with both of them on many projects.

Commissioner Newsome said it would make a difference if it was just rounded off in the bid price because the Commission here is accepting everything on the page otherwise it would not be presented. He said when you have items that vary by \$11,000.00, \$7,000.00, \$10,000.00 some questions may be that if it takes one company \$72,000.00 to do something and the other company \$113,000.00 he wondered what difference are they using in that particular item. He said the reason it would make a difference is when we look at that item we expect to see \$113,000.00 worth of work put in that type item or \$72,000.00 worth of work put in there and if we look at it and it is not there then we have a problem. Commissioner Newsome said if it takes \$113,000.00 to do the double 8 ft. x 8 ft. casting then we have someone else over here doing a 10 ft. x 4 ft. cast, which is a variance in cast then we talking about \$35,000.00 and \$40,000.00 difference. He said to relocate a water line we have a \$12,800.00 difference in the cost for locating the same water line in the same location. Commissioner Newsome said when we bid we need to look at it. Mr. Corbin said the low bid on this project was within 5% of our final estimates done in-house. Commissioner Newsome said the final bid is only \$3,737.00 difference between the high bid and the low bid, but when you have one item \$35,000.00, you wonder about that and on the other hand you have an \$11,000.00 bid difference between the end bid price. Commissioner Newsome said that is reasonable when you look at the 17 items being considered, but the single items are what he had questions about. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-313 (recorded in Ordinance Book No. _____ at Page _____), awarding the following bids and approving other purchases over \$7,500.00 by the City. Commissioner Lee read each item in the meeting.

<u>ITEM</u>	<u>VENDOR</u>	<u>AMOUNT</u>
Water Meters with Remotes	Elster Ocala, FL	\$74,907.00
Security for Leisure Services Parks	DSI Security Services Dothan, AL	\$9.13-\$10.84 per hourly rate
2-4/0 & 1-2/0 Stranded Aluminum 600 Volt XLP Cable	H.D. Supply Dothan, AL	\$ 2.14 ft.

Other Purchases:

Remove two AC Units and Install Two 7.5 Ton American Standard AC Units with 15KW heat strips And driers at Fire Department Administration Building	Fails Heating & Cooling Dothan, AL	\$15,150.00
Sprinkler System for Miracle Field	Bell Supply Company Dothan, AL	\$28,097.59

Commissioner Lee then moved for adoption of Resolution No. 2007-313, motion seconded by Commissioner Tidwell. Commissioner Barbaree asked if the sprinkler system would cover the Dixie Fields also. Mr. West said yes, it is for all the fields.

In regard to the security services for Leisure Services, Commissioner Newsome said at some of the parks the hourly rates are \$10.84; at other parks it is \$9.13 per hour. He asked what is the difference? Anne Rumble, Leisure Services Director said there is a supervisor at Westgate and there is also a vehicle involved. She said there is no vehicle involved at Wiregrass and Walton Parks. Commissioner Newsome said what about Waterworld. Ms. Rumble said that person would not be assigned a vehicle. Commissioner Newsome said so the hourly rate would include a vehicle and personnel. He said that was not what was stipulated. Ms. Rumble said at Westgate, it was stipulated. Commissioner Newsome said so what we have is a walking security guard that will receive \$9.13; a riding security guard with a vehicle will receive \$10.84. Mr. West said that is what we pay DSI Security Company. Commissioner Lee said the individual may only get \$7.50 or \$8.00. He is covering his overhead for the vehicle.

Commissioner Rudd asked who furnished the vehicle. Ms. Rumble said DSI. He then asked what type of communication they have to emergency personnel. Ms. Rumble said a radio. She said we have radios to our department and they have cell phones to DSI. Commissioner Rudd said he assumed that for the hours they work someone is on the other end of the radio. Ms. Rumble said yes. Commissioner Rudd asked if it was overnight work. Ms. Rumble said no, it is until 2:00 a.m. Commissioner Rudd asked if someone was on the other end of the radio until 2:00 a.m. from Leisure Services. Ms. Rumble said they have links to Dothan Police Department dispatch.

Commissioner Newsome asked what their hours were. Ms. Rumble said from 5:00 p.m. to 2:00 a.m.

Commissioner Matthews asked if they stayed at Walton Park and Wiregrass Park from 5:00 p.m. to 2:00 a.m. Ms. Rumble said yes.

Commissioner Newsome said in the past we have had vandalism in particularly at Wiregrass Park. He asked if anyone has determined what time of morning or night the vandalism took place. Mr. West said it was narrowed down, last time it occurred, when there were people at the park. Ms. Rumble said a lot of the time it takes place while we are still there. She said it is young children. Ms. Rumble said we are just starting at Wiregrass. It has been occurring around midnight to 1:00. Mr. West said it had gotten to the point at Wiregrass that we needed to go ahead and put security there also. Commissioner Newsome said if the vandalism is taking place after 2:00 a.m. then it may be necessary to adjust the hours, but if it is taking place prior to 2:00 a.m. then we have a security guard on duty while vandalism is taking place. Ms. Rumble said it has worked well for us so far. She said if we continue to have problems after 2:00 a.m. then we will adjust accordingly. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-314 (recorded in Ordinance Book No. _____ at Page _____), approving the following advance travel requests for City employees:

<u>NAME</u>	<u>CONFERENCE</u>	<u>AMOUNT</u>
Hayward Quattlebaum Jamie Quattlebaum Greg Harrison	WWC Equipment Viewing Orlando, FL	\$ 159.00
Jimmy Payne	National Association of Government Webmasters 2007 Annual Conference Valley Forge, PA	\$ 1,799.63
Eunice Knight	Municipal Court Clerks & Magistrates & Magistrates Annual Conference Orange Beach, AL	\$ 1,418.48
Rose Evans-Gordon	Alabama Lawyers Association 34th Annual Meeting Mobile, AL	\$ 430.00
Scott Heath Frank Bisette	Instructor Certification Program Defense Technology Corp. of America Greenville, NC	\$ 2,878.10

Commissioner Tidwell then moved for adoption of Resolution No. 2007-314, motion seconded by Commissioner Barbaree and unanimously carried.

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

/s/Pam McCoy, City Clerk

See approval next page:

Approved:

/s/Pat Thomas, Mayor

/s/Larry Matthews, Associate Commissioner

/s/Amos M. Newsome, Jr., Associate Commissioner

/s/Paul Lee, Associate Commissioner

/s/Jason Rudd, Associate Commissioner

/s/Taylor Barbaree, Associate Commissioner

/s/Phillip Tidwell, Associate Commissioner

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