

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
NOVEMBER 6, 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, November 6, 2007 with the following members present: Mayor Pat Thomas, Associate Commissioners Larry Matthews, Amos M. Newsome, Jr., Paul Lee, John E. Craig, Jr., Taylor Barbaree and Keith Seagle. Also present were City Manager Michael West, City Clerk Pam McCoy, Secretary Tammy Danner, who recorded the Minutes of the Meeting, and the local news media representatives.

Mayor Thomas called the meeting to order. Pastor Brian Magnuson, Westgate Church of Christ, then led in prayer, after which Commissioner Craig led in the Pledge of Allegiance to the Flag.

Commissioner Matthews moved that the Minutes of the Meeting of October 30, 2007, be approved, motion seconded by Commissioner Craig and unanimously approved.

Commissioner Lee presented and read a proclamation, proclaiming the month of November, 2007 as "Hospice Month" in the City of Dothan. Laura Ethridge, Wiregrass Hospice was present for the proclamation.

Commissioner Lee presented a Certificate of Recognition to Captain Mark Gilliam recognizing "The Salvation Army" for the service it provides to the needy of our community. Linda Bates, Salvation Army and other members were also present.

Commissioner Seagle said he participated in the Farm/City Swap last week at the Meadows Farm. He expressed appreciation to Richard and Glenn Meadows for teaching him about farming. Mr. Meadows will be here next week to shadow Commissioner Seagle.

Commissioner Seagle announced that the Wiregrass Veteran's Association will be holding a ceremony on Monday, November 12th at 11:00 a.m. at the VFW on Taylor Road. There will be representatives from fourteen different veterans' organizations. Commissioner Seagle invited everyone to come out and honor our veterans.

Commissioner Matthews stated that he would not be at next week's City Commission meeting. He will be in New Orleans with the National League of Cities.

Commissioner Craig said he wanted to make sure we were coming up with some system to notify the appropriate City department when employees are arrested. City Manager West said we are currently reviewing those policies. We are meeting with the Court and the Police Department to try and streamline that operation.

Mayor Thomas announced that he has asked Commissioner Paul Lee to chair a committee to search for property for a southwest park. He said the last time this Commission asked a group to look for smaller parcels; we got back three parcels that were still relatively large. Mayor Thomas said it is a long range vision, but we want to have more options on our table. Commissioner Lee has agreed to chair the committee, which will consist of members of this commission and any members he chooses to put on it, not limited to, but may include Dothan American League, Recreation Board members, etc. Mayor Thomas said our goal is to come up with several parcels of land anywhere from 60 to 75 to 90 acres where we could take care of our needs. He said when you look for 150 acre tracks that are close enough in for the City to service and it is convenient to everything it limits what parcels you can look at. Mayor Thomas asked that any realtors and land owners who are interest to get in touch with Commissioner Lee or the administrative assistants, who can get that information to Commissioner Lee and

hopefully over the next 30 to 60 days we will have some parcels we can look at as a viable spot for the southwest park.

Commissioner Newsome asked how much real estate is needed for the ball parks? He said he has heard that we need 50 acres, 60 acres, 70 acres. He said one of the first steps that must be taken is to determine exactly how much real estate is needed for the American ball group. Commissioner Newsome said he hoped this would take place prior to selecting a 90, 100 or 40 acre parcel of land. He said if we ask Leisure Services how much real estate is needed for seven ballparks we wonder if we will get the answer. City Manager West said we will work on that.

Mayor Thomas said there is more to it than that. He said the southwest park is not specifically for ball fields. One of the leading things on our work plan from last year and on our work plan that has not been completed or released for this year, is a senior center. Mayor Thomas said you will have at least those two items that will be at a southwest park. He said he charged Commissioner Lee with specifically finding out the requirements of what those two would be.

Commissioner Craig said he appreciated the senior citizens being brought in because they are a growing segment of this society.

Commissioner Barbaree said he thought it would be wise to put out a press release regarding this matter so that information could be disseminated to those groups that have been interested in it. Mayor Thomas said he would make sure that happened. Commissioner Barbaree said a press release is also a good talking point for the rest of the Commissioners.

Commissioner Newsome asked Mayor Thomas what criteria he used for selecting a chair for this committee. Mayor Thomas said it was "mayor's prerogative." He said Commissioner Lee is a very able commissioner who has had some dealings with walking land and knowing land. Commissioner Lee said he would not be voting. He said he would try and get the information and those that would be involved would be doing the voting to bring something to this commission. Commissioner Lee said one of the most important steps that have been made today is that he has heard that it has been limited to certain people bringing land to us; this is open to anyone who has land that may be interested. Commissioner Lee said we are trying to get the best price we can for what is needed here. He said it will be a long road, but we can get it done and we can move forward if we do it right.

Commissioner Newsome said we normally have a preliminary agenda and the purpose of that is to ensure that the commissioners have an opportunity to address any concerns prior to the regular agenda. Commissioner Newsome said he noticed on this week that the regular agenda included items that were not addressed on the preliminary. He said he did not like that. City Manager West said the purpose of the preliminary agenda is to send it out to the commissioners for their comments and in this particular case the Mayor who had actually said this would be brought up in two weeks said it was his intent to put the discussion of Item No. 6 on the agenda for discussion and a vote this week. Mr. West said based on his comments we changed that.

Diane Oliver, Dothan Leisure Services introduced Mike Schmitz who presented a check for \$8,210.00 to Barbara Bain, Houston County Diabetes Coalition on behalf of the local Diabetes Wellness Workshop. Elston Jones, Dothan Leisure Services and Pam Gillis, Compassionate Hands Hospice were also present.

City Manager West announced the Second Congressional Dinner will be held Thursday night at 5:30 p.m. in the Dothan Civic Center.

City Manager West invited everyone to the National Peanut Festival Parade this Saturday morning on Main Street.

City Manager West said he accompanied the Downtown Redevelopment Authority members yesterday to Thomasville, Georgia, along with Commissioner Matthews. Mr. West said it is impressive what Thomasville has done in their downtown. They

have built a strong partnership between the city, their development authority and their downtown business owners and property owners. Mr. West said he had a first hand tour of the old hotel downtown that is now being renovated. They are building 23 condominiums of which half of them have already sold. Mr. West said it was a great trip. He said Thomasville is a very unique city and they have done a great job.

Mayor Thomas introduced Ordinance No. 2007-384 (recorded in Ordinance Book No. _____ at Page _____), amending Chapter 98, Traffic and Vehicles, Article I, In General, of the Code of Ordinances to establish State Speed Zones. Commissioner Barbaree moved for immediate consideration, motion seconded by Commissioner Lee and upon the motion being put to vote, those voting “yea,” were Thomas, Matthews, Newsome, Lee, Craig, Barbaree and Seagle; “nay:” none. The motion was carried by the majority of seven “yeas” to no “nays.”

Commissioner Matthews then moved for adoption of Ordinance No. 2007-384, motion seconded by Commissioner Barbaree. Commissioner Newsome said he noted that under Section 98-3.1 (b) it states 0.52 miles where you change the speed limit then you have 0.96 miles. He said in two of those areas you have less than a mile in which you make a change in speed. Charles Metzger, Traffic Engineer explained that this was done by ALDOT. Commissioner Newsome said under Section 98-3.1 (d) you have 0.73 miles and 0.46 miles where you make a change in speed. He said the speed limit entering into the city limits of the City of Dothan, assuming it is 65 mph then you go down to 55 mph. From 55 mph to 40 mph, which is the last lowest speed, it appears from the 55 to the 45 and then to the 40, we are talking about a 15 mile change and we have three areas that we are changing, it would appear that from 55 to 45 would be a reasonable change in light that you have only a half mile to make a 5 mph change. This makes it very difficult for the police of the City of Dothan to write a ticket within a 0.46 mile area. Commissioner Newsome asked how you enforce that. It becomes a very difficult thing to enforce. Commissioner Newsome said are you going to give me a ticket because I am a quarter of a mile inside a half mile change of a 5 mile speed limit. He said ALDOT did this so we have some people at ALDOT that he would talk to. He said we have less than a mile to make these adjustments. Commissioner Newsome said we can look at some of what our ALDOT people are doing. He said it makes it difficult for a person in a police car to police these areas. Mr. Metzger said he thought ALDOT was trying to gradually bring it down and they used that area that was getting more and more congested as a way to try and stagger it out through there. Commissioner Newsome said you do have to gradually reduce it, but it would be easier and more enforceable to go from 55 mph to 45 mph and maybe to 40 mph rather than from 55 mph to 50 mph to 45 mph. There being no further discussion and upon the motion being put to vote, those voting “yea,” were Thomas, Matthews, Lee, Craig, Barbaree and Seagle; “nay:” Newsome. The motion was carried by the majority of six “yeas” to one “nay.”

Mayor Thomas introduced a proposed ordinance, amending Chapter 2, Administration, Sec. 2-2, Commission Meetings-days, time and place of regular meetings, of the Code of Ordinances to state that the regularly scheduled Commission Meeting shall be held biweekly on Tuesday at 5:30 p.m. in the Commission Chambers of the Roy Driggers Municipal Building effective Tuesday, January 15, 2008. Commissioner Barbaree moved for immediate consideration, motion seconded by Commissioner Seagle and upon the motion being put to vote, those voting “yea,” were Thomas, Matthews, Lee, Craig, Barbaree and Seagle; “nay:” Newsome. Without unanimous consent for immediate consideration, the proposed ordinance will be placed on next week’s agenda for approval.

Mayor Thomas introduced Resolution No. 2007-385 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with GenCon Associates for the expansion of the apparatus bay at Fire Station #2 at a cost of \$92,122.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-386 (recorded in Ordinance Book No. _____ at Page _____), entering into a subrecipient agreement with Alfred Saliba Family Services Center for the continuation of provision of administrative salaries, fringe benefits and operational expenses for Community Development

Block Grant Annual Action Plan No. B-07-MC-01-0010. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-387 (recorded in Ordinance Book No. _____ at Page _____), entering into a subrecipient agreement with Hawk-Houston Boys and Girls Club for the continuation of provision of administrative salaries, fringe benefits and operational expenses for Community Development Block Grant Annual Action Plan No. B-07-MC-01-0010. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee. Commissioner Newsome asked what the difference was between education enhancement and career education goals. Todd McDonald, Director of Planning and Zoning said these funds are for educational programs conducted after school for young men and women to help them understand what their career goals could be as well as tutoring them in their present school work. Commissioner Matthews said he was on the Board. He said this also helps the kids with their exit exams and to achieve higher scores in their academic levels.

Commissioner Newsome said we are giving \$5,000.00 to both of the clubs. They are aimed at low income kids at both of the clubs. Commissioner Newsome said if you have a low income kid at Hawk Houston and you have a low income kid at the other club why are we teaching them enhancement at one and career education goals at the other. He said we are doing something different for a low income at one club than what we are doing at the other club. Commissioner Newsome said if we need career education goals at Hawk Houston do we not need that at Wiregrass. Mr. McDonald said perhaps; these are subrecipient agreements that the City is passing through based on what they indicate to us that they are going to do with it. He said these are not actual programs developed by City staff. Mayor Thomas said they are board driven; two separate boards, two separate missions.

Commissioner Craig said he did not understand the need for passing money through to the Boys and Girls Clubs. He said he wanted to know why the Board of Education isn't taking care of what we are asking these people to do. Commissioner Craig said if the Board of Education was teaching the children what it was suppose to we would have no need for this service. Mr. McDonald said these are services in addition to what the regular school system provides.

Commissioner Newsome said we need to be involved to see exactly how well our boys are doing at these clubs. He said our presence at these clubs would indicate to the kids that we care, we are concerned and we will do whatever is necessary to ensure that career enhancement and goals are met. There being no further discussion and upon the motion being put to vote, those voting "yea," were Thomas, Newsome, Lee, Craig, Barbaree and Seagle; "nay:" none; "abstained:" Matthews. The motion was carried by the majority of six "yeas" to one "abstention.

Mayor Thomas introduced Resolution No. 2007-388 (recorded in Ordinance Book No. _____ at Page _____), entering into a subrecipient agreement with Dothan Boys and Girls Club of the Wiregrass for the continuation of provision of administrative salaries, fringe benefits and operational expenses for Community Development Block Grant Annual Action Plan No. B-07-MC-01-0010. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Newsome and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-389 (recorded in Ordinance Book No. _____ at Page _____), entering into a subrecipient agreement with Dorothy Quick Senior Citizens Center for the continuation of provision of administrative salaries, fringe benefits and operation expenses for Community Development Block Grant Annual Action Plan No. B-07-MC-01-0010. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-390 (recorded in Ordinance Book No. _____ at Page _____), approving a purchase over \$7,500.00 by the City. Commissioner Barbaree read the item in the meeting.

<u>ITEM</u>	<u>VENDOR</u>	<u>AMOUNT</u>
<u>Other Purchases:</u>		
Annual Insurance Contract Renewals for Property, Contractor Equipment, Fleet Catastrophic, Robbery, Computer & Excess Liability Insurance	Garner Insurance Dothan, AL	\$434,612.00

Commissioner Barbaree then moved for adoption of Resolution No. 2007-390, motion seconded by Commissioner Lee. Mayor Thomas said this is an annual renewal of an existing insurance contract. This is the second of a three year contract. Commissioner Craig asked if we are self insured, why do we have all of this other insurance? Larry Muench, Director of General Services explained that the City of Dothan owns over \$300 million worth of property and in addition to insuring city property, the City of Dothan also owns almost all of the school buildings and we have to insure those also. Mr. Muench said it would not be prudent for the City to go bare or totally self insure those exposures. He said we maintain insurance on the school property with a \$100,000.00 deductible. The other big bill on here is the excess liability policy that we have through the Alabama League of Municipalities. The litigious situation we have in the country today where the City gets sued on a daily basis and when we get lawsuits that go into federal court there is no tort liability limits on those lawsuits. The only limit is whatever a jury and judge decide to award. Mr. Muench said we feel it is in the best interest of the City of Dothan to obtain excess liability umbrella coverage to protect the City from the catastrophic lost in the event that we do get hit with a large lawsuit settlement.

In regard to the computer insurance, Commissioner Seagle asked what are we guarding against there? Mr. Muench said this insures our mainframe computer equipment we have upstairs. The deductible on that is \$1,000.00. Mr. Muench said if we have a fire in this building and the computer system caught fire or if we have a major electrical spike and something happens to the system we have coverage for the mainframe computer equipment in this building.

Commissioner Newsome asked when the new risk manager for the City of Dothan would be hired. He said this is one of the main responsibilities of that position. Mr. Muench said our new safety officer will start to work December 3rd. He said he would turn the risk management responsibilities over to him at that time. Commissioner Newsome asked will we be able to look into what we are paying for insurance and deductibles verses the cost and other things. Mr. Muench said that is one of the things he will be responsible for is to review our insurance policies.

Commissioner Barbaree said while we are on the subject of safety, he did not want to see another bucket truck with its arm hanging over the Ross Clark Circle with a truck parked on the side without a police car present with cars driving under it with one of our utility lineman working on that line. There being no further discussion the resolution was unanimously approved.

Mayor Thomas introduced Resolution No. 2007-391 (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>
Angela Palmer Deanna Kinney	20 th Annual Governmental Accounting and Auditing Forum Birmingham, AL	\$ 1,232.00
Stephen Spry	Demographic Analysis-Focus on Alabama & Using US Census Data in GIS Mapping Montgomery, AL	\$ 1,207.00
Craig Scurlock Jerry Holland	2006 IBC Nonstructural Fire and Life Safety Principles Auburn, AL	\$ 395.94

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Stacey Robinson	2007 National Amber Alert Conference Denver, CO	\$ 166.00
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Commissioner Barbaree then moved for adoption of Resolution No. 2007-391, motion seconded by Commissioner Matthews and unanimously carried.

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

/s/Pam McCoy, City Clerk

Approved:

/s/Pat Thomas, Mayor

Larry Matthews, Associate Commissioner

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

/s/Paul Lee, Associate Commissioner

/s/John E. Craig, Jr., Associate Commissioner

/s/Taylor Barbaree, Associate Commissioner

/s/Keith Seagle, Associate Commissioner

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