

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
NOVEMBER 13, 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 13, 2007, with the following members present: Mayor Pat Thomas, Associate Commissioners Amos M. Newsome, Jr., Paul Lee, John E. Craig, Jr., Taylor Barbaree and Keith Seagle. Commissioner Larry Matthews was absent. 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. Reverend Gwendolyn Oliver, Kingdom Life Worship Center, then led in prayer, afterwhich Commissioner Barbaree led in the Pledge of Allegiance to the Flag.

Commissioner Barbaree moved that the Minutes of the Meeting of November 6, 2007, be approved, motion seconded by Commissioner Craig and unanimously approved.

Commissioner Lee said he wanted to remind the commission that on the calendar next week is the Cottonwood Road intersection update to move that forward with the County.

Commissioner Lee stated in District 3 there are pockets of areas without city sewage. He said he was referring to homes that have been in neighborhoods for 25 to 35 years. He stated he would like to start working towards getting city sewage to these neighborhoods.

Commissioner Barbaree asked if enhancement grants could be used to provide city sewage to these areas. City Manager West said he was not aware of any sewer grants that were available. Commissioner Barbaree asked Mr. West to check with our lobbyist to see if anything is available. Commissioner Lee said in the past there has not been money to talk about this subject. Hopefully we are at the point to take care of some of the needs that have gone lacking for so many years. Mayor Thomas said this could be a budgeted line item like we do resurfacing so that we can have ongoing sewage projects in various districts. Mr. West said at this time we have a 50/50 split on extending sewer. He said on the moderate income areas it will be difficult for homeowners to afford their 50 percent. Commissioner Seagle asked if we could possibly use CDBG money for this improvement if it is in an area that meets qualifications? Mr. West said if it was in a census tract that was constituted low to moderate income then CDBG money could be used. Commissioner Seagle said we have had discussion about some of the changes in the way that we are going to use CDBG money and that might be something that can be included. Also to see, if possible, if it stays with the 50/50, if that money can be used for the consumers 50 percent.

Commissioner Lee said in many cases it can be. He said he has done several months of research and we can not get that in this location. Commissioner Lee said he feels there are other areas that cannot qualify for CDBG money. There are many that can, but those that cannot; we need to make some type of arrangements to be able to give those people any opportunity for some sewage.

City Manager West announced that the Farm/City Banquet is this Thursday night. Also, the 6th Dothan 101 Class will be graduating Thursday evening. Mr. West encouraged the commissioners to attend. Part of the graduation program will be a forum that will allow the participants to ask the commissioners questions.

Mayor Thomas introduced the application of Imre Pal Vali for a Special Event Retail Liquor License (on premise) for Dothan Bikefest, located at 1701 Cottonwood Road, Houston County Farm Center. Commissioner Seagle moved for approval, motion seconded by Commissioner Craig and upon the motion being

put to vote, those voting “yea,” were Thomas, Newsome, Craig, Barbaree and Seagle; “nay:” Lee. The motion was carried by the majority of five “yeas” to one “nay.”

Mayor Thomas introduced Ordinance No. 2007-392 (recorded in Ordinance Book No. _____ at Page _____), amending Chapter 2, Administration, Sec. 2-2, Commission Meeting – 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. (First appearance was on November 6, 2007). Commissioner Barbaree moved for adoption of Ordinance No. 2007-392, motion seconded by Commissioner Seagle. Mayor Thomas stated if the time change results in fewer people attending the meeting, after three to six months, we will discuss moving the meeting back to 10 o'clock in the morning. Mayor Thomas said the reason for this is work schedule and public input; we need to look after both. 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. The motion was carried by the majority of six “yeas” to no “nays.”

Mayor Thomas introduced Ordinance No. 2007-393 (recorded in Ordinance Book No. _____ at Page _____), amending Chapter 18, Businesses, of the Code of Ordinances in its entirety to comply with the Municipal Business License Reform Act of 2006. Commissioner Barbaree moved for immediate consideration, motion seconded by Commissioner Seagle and upon the motion being put to vote, those voting “yea, “ were Thomas, Newsome, Lee, Craig, Barbaree and Seagle; “nay:” none. The motion was carried by the majority of six “yeas” to no “nays.”

Commissioner Lee then moved for adoption of Ordinance No. 2007-393, motion seconded by Commissioner Barbaree and upon the motion being put to vote, those voting “yea,” were Thomas, Newsome, Lee, Craig, Barbaree and Seagle; “nay:” none. The motion was carried by the majority of six “yeas” to no “nays.”

Mayor Thomas introduced Ordinance No. 2007-394 (recorded in Ordinance Book No. _____ at Page _____), amending Chapter 110, Vehicles for Hire, Article II, Taxicabs, Sec. 110-74, Issuance; initial and annual renewal fees, of the Code of Ordinances to change the renewal date to January 1 of each year. Commissioner Barbaree moved for immediate consideration, motion seconded by Commissioner Seagle and upon the motion being put to vote, those voting “yea, “ were Thomas, Newsome, Lee, Craig, Barbaree and Seagle; “nay:” none. The motion was carried by the majority of six “yeas” to no “nays.”

Commissioner Barbaree then moved for adoption of Ordinance No. 2007-394, motion seconded by Commissioner Seagle and upon the motion being put to vote, those voting “yea,” were Thomas, Newsome, Lee, Craig, Barbaree and Seagle; “nay:” none. The motion was carried by the majority of six “yeas” to no “nays.”

Mayor Thomas introduced Resolution No. 2007-395 (recorded in Ordinance Book No. _____ at Page _____), creating an Occasional/Sporadic job category for a “Mobile Stage Operator” with a pay rate of \$25.00 per hour. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee. Commissioner Lee verified that an additional person was not being hired for this job. Mr. West stated that is correct. Commissioner Lee said what we are doing is making them available for when needed. Mr. West said for the most part it will be city employees with a few exceptions. Commissioner Lee said when we are setting up the stage we are going to be making money with it as far as rental unless we are using it for ourselves. Mr. West said that is correct. Mayor Thomas said by approving this position rather than paying overtime to other employees, we are paying City employees under a different rate. Mr. West said an occasional/sporadic position is something allowed under the Fair Labor Standards Act. Commissioner Seagle said if the stage was set up during normal working hours the recreation department could support it and this would not apply. It would be part of the duties that come under our Leisure Services department. Mr. West said that is correct. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-396 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Data Equipment, Inc. for maintenance of a Photo Identification System located in the Leisure Services Department at Westgate Park at an annual cost of \$865.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-397 (recorded in Ordinance Book No. _____ at Page _____), authorizing the Police Department to create a Collision Avoidance Training Program to educate participants on driver safety and defensive driving skills with a fee of \$70.00 per participant and agreeing to pay Partners for Highway Safety the one time licensing fee of \$7,500.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig. Commissioner Lee said he understood that those who currently offer residents are driven by court referrals. He said this one is not. We are not in competition with anyone. Mayor Thomas said this is in response to several parents across the city asking us to provide defensive collision avoidance training for their children, for their teenagers. He said we have been studying it almost a year now to get to this point. We have looked into subcontracting the service out to providers from outside of the city and also at what local agencies are doing. Most of them if not all are court referred. Mayor Thomas said as far as he knew this would be the only one available where, public or private, you could get collision avoidance training. Mayor Thomas said Commissioner Newsome had some comments last week and he shared those concerns as well. If we are talking about getting into someone else's vehicle we want to make sure that the vehicle is safe for our employee. Mayor Thomas said that will be done or there will not be any getting into the vehicle.

Commissioner Newsome said sometimes out of all our efforts to ensure that we have safe vehicles and that we operate within the realms of law things do happen. He said one of his concerns is placing our officers in privately owned vehicles with teenagers while they are going through this training. Commissioner Newsome said he has had experience over the years with personnel being placed in compromising positions and things happen. He said he understood that parents were concerned about the avoidance of accidents for their teenagers, but we do not want to find ourselves in any position that we have difficulty defending. Mayor Thomas said he would like a report at the end of three and six months of the number of participants and any incidents. This will help us make decisions as we move forward. Commissioner Seagle agreed. He said with new programs it is different looking at it from the outside from when we actually have experience. He said he looked forward to that report also. There being no further discussion, and upon the motion being put to vote, those voting "yea" were Thomas, Lee, Craig, Barbaree and Seagle; "nay:" Newsome. The motion carried by the majority of five "yeas" to one "nay."

Mayor Thomas introduced Resolution No. 2007-398 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Oce Financial Services, Inc. for lease and maintenance of a copy machine for the Police Department, Records Division, for a three-year period at a monthly cost of \$272.00 plus \$.0059 per copy. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-399 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with CenturyTel for PRI, Internet and long distance telephone service at an approximate cost of \$5,900.00 per month. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas said this is about a \$4,000.00 per month savings. He expressed appreciation to CenturyTel for a great bid they put in for all of the services.

Mayor Thomas introduced Resolution No. 2007-400 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Media General Alabama Community Newspapers for bulk advertising. Commissioner Lee moved for adoption, motion seconded by Commissioner Craig. Commissioner Barbaree asked if Media General in the only newspaper eligible for this type of agreement.

City Clerk Pam McCoy said they are the only paper of general circulation in this area, which is what the state law requires us to use. Mayor Thomas asked Mrs. McCoy to check the display ad rates the next time she had to advertise something. He said sometimes they are a lot less. He said he learned last week at the meeting in Montgomery with the League of Municipalities that you do not have to advertise everything in the legal section. He said the zoning ordinances do have to be advertised in the legal section. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-401 (recorded in Ordinance Book No. _____ at Page _____), Approving the payment of invoices for the month of October, 2007 in the amount of \$11,648,983.13. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-402 (recorded in Ordinance Book No. _____ at Page _____), approving advance travel requests for City employees. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Seagle and unanimously adopted.

At this time, Commissioner Seagle presented and read a proclamation, proclaiming the week of November 16-22, 2007 as "National Farm/City Week" in the City of Dothan. Willie Durr, member of the Farm/City Committee and Mr. Richard Meadows, Meadowcreek Farms were present for the proclamation. Commissioner Seagle and Mr. Meadows participated in the Farm/City exchange last week.

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

/s/Larry Matthews, Associate Commissioner

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

/s/Paul Lee, Associate Commissioner

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

Taylor Barbaree, Associate Commissioner

/s/Keith Seagle, Associate Commissioner

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