

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
DECEMBER 18, 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, December 18, 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. Earl Clark, Chaplain, Dothan Fire Department, then led in prayer, afterwhich Commissioner Craig led in the Pledge of Allegiance to the Flag.

Commissioner Matthews moved that the Minutes of the Meeting of December 11, 2007, be approved, motion seconded by Commissioner Barbaree and unanimously approved.

Mayor Thomas welcomed State Representative Benjamin Lewis to the meeting.

Commissioner Matthews stated that the Tallahassee Boys Choir was at the Dothan Opera House this past Friday night and did an outstanding job.

Commissioner Matthews asked for an update on the Plum Road/Murphy Mill Project. City Manager West said Plum Road is currently under construction to start paving. We are still waiting on word from Randy Roarke on his timeframe; bids came in higher than he had anticipated. Mr. West said when we agreed to participate, cost of that project was almost a half million dollars less than what the actual bids came in to be. Mr. West said he let Mr. Roarke know what he felt he would recommend to the Commission. He said Mr. Roarke has not gotten back with us on that.

Commissioner Barbaree asked for an update on the Fortner Street/Honeysuckle Road Project. Allan Kramer, Engineering, said we have the plans that show 85% completion. We are reviewing them. He said most of them involve storm drainage and lanes. Mr. Kramer said we are to meet with them next Wednesday to go over the plans with our recommendations and help guide them in their design.

Commissioner Lee commended the Fire, Police and Electric Departments for their work this past Saturday night during the storm that came through the City. City Manager West said the Public Works crews were also out barricading roads that were blocked by drainage problems. Commissioner Craig added that they are to be commended.

Mr. Rex Bivins, representative of the 1957 Dixie Youth World Baseball Champions presented Mayor Thomas with a flag identifying the team and also a framed picture with the team members when they won the World Series in August, 1957 in Columbus, Mississippi.

Mr. Hampton Baxley and Mr. Joey Morris were on hand to introduce the "Wills for Heroes Program" to the City of Dothan. Mr. Morris, Bar Commissioner for the 20th Judicial Circuit to the Alabama State Bar explained that this program is for first responders; rescue personnel from the police department, firefighters and emergency medical personnel. A lot of these first responders who put themselves in the way of danger have not provided wills for their family in the event that something unfortunate happens. This program has been put together by the Alabama State Bar through the volunteer lawyers where they will go and meet with any first responder and help them draft a will for free so that they have it in the event that something unfortunate does happen. Mr. Baxley, the local coordinator for this program said he has met with Chief Powell and Major Monday about

setting up a two-day clinic sometime in late February using the Civic Center as a central location. Firefighters, the police and sheriff's departments, volunteer departments and the smaller town and city police departments in Houston County will be invited. Mayor Thomas expressed appreciation to Mr. Morris, Mr. Baxley and to the Bar Association for this offer and their efforts.

City Manager West reminded everyone that the Downtown Hoop's Classic will be held December 26 -31 in the Civic Center. Larry Patrick and Cynthia Green were on hand to announce the teams that would be participating in the tournament.

City Manager West announced that the City offices and parks will be closed December 24th and 25th due to the Christmas holidays and also January 1st, New Years Day. There will be no trash pickup. The automated garbage trucks will run on December 24th. Mr. West said that the City will pick up anything that is put out the week after Christmas. He asked for everyone's help in breaking down boxes, etc. to help with space.

City Manager West invited everyone to the Rose Hill Senior Center tonight for a Christmas celebration beginning at 5:00 p.m. Also, Christmas in Justice Park will be tonight with registration for children beginning at 4:30 p.m. and the program starting at 6:00 p.m.

City Manager West wished everyone a Merry Christmas and a Happy New Year!

Mayor Thomas introduced the application of Sharon K. Ball for a Retail Beer and Table Wine License for Linden Grocery, located at 803 Linden Street. Commissioner Barbaree moved for approval, motion seconded by Commissioner Newsome. Commissioner Lee asked for an explanation on the non-conforming use expanded and approved by the Board of Zoning Adjustments for alcohol sales. Todd McDonald, Planning and Zoning Director said this is a place of indoor assembly. They have to be approved by the Board of Zoning before they can get a license. Mr. West said there is no out right zoning that one of these businesses can exist in. There being no further discussion the application was unanimously approved.

Mayor Thomas introduced the application of Dana N. Weed for a Special Retail Liquor License for Elegant Occasions, located at 2484 Redmond Road. Commissioner Barbaree moved for approval, motion seconded by Commissioner Lee and unanimously carried.

Mayor Thomas introduced the application of Kar Soon Tan for a Restaurant Retail License for Sakura Japanese Cafe, located at 2155 East Main Street. Commissioner Lee moved for approval, motion seconded by Commissioner Craig and unanimously carried.

Mayor Thomas introduced the application of Chirag Sankabhai Patel for a Retail Beer and Table Wine License for Stop & Go #8, located at 3184 Flynn Road. Commissioner Matthews moved for approval, motion seconded by Commissioner Newsome and unanimously carried.

Mayor Thomas introduced the application of Kevin Jones for a Retail Table Wine License for CVS/Pharmacy #4878, located at 1955 East Main Street. Commissioner Craig moved for approval, motion seconded by Commissioner Seagle and unanimously carried.

Mayor Thomas introduced Resolution No. 2007-430 (recorded in Ordinance Book No. _____ at Page _____), approving the renewal of the lease agreements with the United States Postal Service for lease of the Post Office property and parking area located on North Oates Street for a five year period beginning August 17, 2009 and expiring on August 16, 2014. Commissioner Matthews moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-431 (recorded in Ordinance Book No. _____ at Page _____), adopting the development of a performance system with measurable performance standards with implementation effective January 20, 2008 and approving a two percent (2%) general wage increase for all

classified and unclassified employees to be effective with the pay period beginning January 20, 2008. Commissioner Lee moved for adoption, motion seconded by Commissioner Matthews. Commissioner Barbaree asked what format was this presented to the employees. City Manager West said we have had several meetings with the departments and all management positions. It has been appropriately advertised in terms of the Personnel Board. Mr. West said if this is approved today, the Personnel Director is going to go out and brief all of the employees on where we are on this. He said he has discussed it with at least four different groups. The department heads have been instructed to go over this with their employees. Commissioner Barbaree asked what are the pros to the plan. Mr. West said right now we have a disconnect between employees who are in step 10 and above. They have to have a more superior performance evaluation; above 2.75. Employees below are given, if they get average or satisfactory on their evaluation, they get a 2% merit. Mr. West said right now we do not have a lot of performance standards. The performance is basically the evaluation that you find everywhere. Our goal is to tie into the Commission's strategic plan as well as the business plans and tie employee's performance to specific accomplishments and things that we are going to require. Mr. West said this whole process, from the strategic plan to the business plans to this system are all tied together to insure one of your goals, which is that you want an efficient and effective workforce. Mr. West said right now our performance evaluations that we do with employees have very little meaning. Some of our departments consistently rate everyone the same. This will allow us to focus on performance and productivity and also force our managers and supervisors to sit down with employees to set goals and objectives. Mr. West said this is a process we have been discussing for over a year now. There has been a committee of department heads that have met several times a month and supervisors were brought in on two different occasions. Mr. West said the negatives are, for one year, this 2% will represent the only merit increase the employees get. The second part, over 90% of the employees get their 2½% merit each year. Mr. West said he did not anticipate that it would stay that high as we tie it to the actual outcome of the accomplishments. Commissioner Barbaree said with the approval of this 2% general increase today and the 2.7% cost of living increase in October, 2007 this comes to a 4.7% increase over a four month period.

Commissioner Matthews said if someone does not perform their income would not change. Mr. West said that is correct, other than any annual cost of living the Commission approves. He said one of the things we got from the Commission when we changed the pay plan last January is a commitment to adjust annually the inflationary impacts of inflation on the wages and allow us to compensate that. Mr. West said the whole concept here is to tie any merit to performance and specific performances. The department heads and managers are going to be required to sit down with their employees and set standards so the employee understands what is required of him and at the end of that reporting period either you did it or you didn't. Commissioner Matthews asked if the supervisor would be trained also. Mr. West said yes. We are already putting that together. He said that is why we are taking a whole year to implement it. We have a lot to do between now and then.

Commissioner Lee said that is one goal. The other is, today, you have these raises that are given throughout the year. This will help us to compact everything at the end of the fiscal year so we will know how we ended up for the fiscal year to prepare for the next year. Mr. West said by doing all of the performance evaluations at one time we get a true comparison of employees. Commissioner Lee said we need a date of when this will be done.

Personnel Director Kai Davis said the management staff met in November (about 100 employees) at Troy University. We presented the plan to them and solicited feedback from them. The timetable that was developed out of that with the management input from employees who we classify as managers are your foremen all the way up to the department heads. The City Manager was also present. Mrs. Davis said we want the plan ready to present to the Commission and the Personnel Board no later than October, 2008. By then we will have gone to the two-week Commission meetings. We will have some lead time so that we can kick this off in January, 2009, which would start the very first performance period. All employees would know at that time exactly what they had to do to achieve whatever levels (5 levels) of performance. Mrs. Davis said employees will know

what performance they will have to do to achieve each one of those. The responsibility for achieving it then shifts to the employee. At the end of 2009 when we sit down to do the reviews, the standards will be written such that it takes out a lot of the emotions. Mrs. Davis said they would then be able to present to the Commission what the cost is going to be for merit increases. The Commission will know by then what the funding state is. Mrs. Davis said it is a win/win for everyone. City Manager West said implementation may ruffle some feathers, but it is anticipated that there will be different levels of merit increases. The outstanding employee will get more than the above average employee. Mr. West said we want to be able to reward our consistently superior employees more than the average employee. Commissioner Lee said this is normal for the private sector. This is what has been going on for many years. Commissioner Craig said it is time we do this. He said he trusted that the evaluation forms will take emotions out of it. Mr. West said that is our goal. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-432 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Houston County to reduce the City's planning jurisdiction from the statutorily authorized five miles past the city limits to the city limits. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig. Commissioner Craig requested that the resolution be amended to review the agreement in six months. Mayor Thomas explained that the motions made would have to be rescinded. Commissioners Barbaree and Craig rescinded their motions. Commissioner Barbaree then moved to amend the resolution to review the agreement in six months, motion seconded by Commissioner Craig and unanimously carried. Commissioner Barbaree then moved to approve the resolution as amended, motion seconded by Commissioner Craig. Commissioner Seagle said we are talking about a right of jurisdiction that was granted to the people here in Dothan, not to certain individuals, not to the County; it was granted by the State to the people of Dothan. He said he appreciated what Chairman Culver and the County Commission do to represent the County, but he was elected to represent the people of the City of Dothan. Commissioner Seagle said of the reasons he has heard for giving up this right from the City to the County, the two he hears most often are that it is good for County relations and we can take it back at anytime. Commissioner Seagle said what gets his attention is that no one has ever said to him that we should do this because it is what is best for the City. He said neither our zoning board nor our City planner recommended it. If we are going to sign away our rights there has to be a compelling reason. Commissioner Seagle said in this case it does not exist.

Commissioner Lee said it is very difficult in a decision like this to know whether it is a good thing or not. He said this is not one of those cut and dry decisions where you look at numbers and you decide whether it is good or not. Commissioner Lee said there are emotions here; there are turf territories, there are different things that you have to involve. Commissioner Lee said he did like the idea of six months; it brings it back to the table. He said there may be areas that we can approve; he said he was open to improvement. Commissioner Lee said he wanted us to make it where it is convenient, but there are checks and balances. He said right now there are areas where people have to make three to four stops before they can get an answer when they are developing a subdivision. Commissioner Lee said we are making this to where we are more uniform with the City and the County, but it still comes in front of the Planning Commission. Mayor Thomas said if the Planning Director chooses to carry it in front of the Planning Commission or if the Planning Commission asked that it be brought in front of them that can happen. Mr. McDonald said that is even a longer road to travel. City Manager West said we were trying to speed the process up. Sometimes right now it is almost two months from the time a subdivision is filed to get it in front of the Planning Commission. Mr. McDonald said the agreement that is in front of you now is set up so that we have no jurisdiction outside the City. The County then has the jurisdiction and they provide to us an opportunity to review that. We have an opportunity to comment; it will be a thirty day period to do so and then we submit those comments back. That is a staff review. If we had to do that plus take it to the Planning Commission within that thirty days it would make it complicated.

Commissioner Newsome asked what the rush was to do this. Mayor Thomas said there is no rush; this has been going on for four years. Commissioner Craig said it is time to put it to bed and move on.

Commissioner Newsome asked what would happen after six months. City Manager West said in six months this motion will require that the staff come back to the Commission with an assessment of how this process has worked. Mr. West said at that point in time you would probably want input from the County of how it has worked for them. He said it may require some modifications on our part. If there is a desire to take it to the Planning Commission also then it may require that the thirty days be sixty days.

Commissioner Barbaree asked if we had ruled out the one stop shop. Mr. West said we are in the process of doing the one stop shop. Mr. West said the one stop shop is just for the City. Commissioner Barbaree said at one time, on this Commission, we had talked about the possibility of having County/City side by side where it would be convenient for people. City Manager West said he and Chairman Culver had talked about that and at some point in time we hope we can accomplish that. Right now, limited space at the County and at the City prohibits us from moving in that direction.

Commissioner Newsome asked if we had that set up would this be necessary. Mr. West said if we had everything absolutely smooth where there was a seamless process then no. Whatever it would take from the City's standpoint and the County's standpoint, we would have to work through those various issues. Mayor Thomas said, as we work toward this, the County is working toward their own permitting regulations. He said we are going to be a one stop shop soon. Hopefully, one day City/County side by side will be one stop shop with very similar rules. Mayor Thomas said everything about what we are trying to do is to try to make things easier for the developers, the builders and still protect the City and the County and road maintenance issues that come with that.

Commissioner Barbaree said the Mayor attended a meeting here in the Commission Chambers with local developers and homebuilders. He asked Mayor Thomas to expound on that meeting. Mayor Thomas said there were a lot of concerns, but the day we met with those homebuilders and those contractors, everything was explained to them that rather than presenting it to two groups, they are presenting it to one group. The one group gets the approval of both groups. Mayor Thomas said we are trying to cut down the red tape. We are trying to make the process shorter. Mayor Thomas said he would like to see the City and the County's assessment at the end of the six months and then make a decision on whether there are adjustments to be made or if we need to go back to the way we were. He said everyone on this Commission wants to do the right thing and this is one of those things we do not know what the right thing is. Mayor Thomas said we are willing to test it for six months if we need to tweak it we will, if we need to scrap it we will. Commissioner Barbaree said you still have checks and balances in place. Mr. McDonald said that it correct. He said he understood the pressure to reduce the red tape, but also as an employee of the City of Dothan, his interest is in the public's interest. Mr. McDonald said it is hard for him to look at the State saying you can do this, but yet the pressure is to not do it. He said on the other hand, the State has enabled a way for us to do this. He said we have a constitution that is as old as it is and things like this were not anticipated one hundred years ago. Mr. McDonald said he was on both sides of the fence here. He said he is a firm believer that we have the authorities given to us by the State constitution and until they fix it in Montgomery he was not sure we need to second guess it. Mr. McDonald said he wrote the document and is willing to work through the process.

Commissioner Newsome asked Mr. McDonald if he heard him correctly when he said the statutory agreement we have should not be tampered with until the State itself takes the necessary action to correct it. Mr. McDonald said that is correct; there has been a bill floating around by the League for a couple of years trying to get at that issue. Commissioner Newsome asked what the projected date was for the one stop shop. Mr. West said we are putting it out for bid in January. He said we are going to save a lot of time if we can shut down their operation on the third floor for the renovations. Mr. West said we are trying to see if there is another

space in the Civic Center that we can move them to temporarily because construction time will double if we have to do one half of it and move them. Mr. West said hopefully construction will start in February with a 90 day completion time.

Commissioner Craig said we have talked this thing to death. He said we need to vote for it or vote it down. The County needs to know what they can do and we need to know what we can do.

Commissioner Newsome agreed that we have beaten it to death, but we should bury this until we find out how we are going on one stop shop. He said he is a little reluctant to change a statutory ruling unless something is wrong with it. Commissioner Newsome said before we make those changes we need to point out exactly what is wrong with this statutory five mile limit. He said we may need to put the County and City at ease until our one stop shop has been done and then six months from now it will be in place and we will come back and make the necessary adjustments. If it is wrong we will be in a position to go, not only here at the Commission, but we will be able to go to the State and say there is something wrong with this and the other 66 counties in the State of Alabama may need to take a look at that.

Commissioner Matthews said we talked at one time, about the I-10 Connector, extending our city limits. He said what we are giving up is some of our future as far as our subdivision regulations and things that we already have on the books. Commissioner Matthews said we want to make sure we are taking care of everything that has to be done the way we would like for it to be with the citizens and the future citizens of this community.

Commissioner Barbaree said this does not affect annexations.

Commissioner Seagle said the argument has been made again that we can always rescind this; we can do that with anything we vote anytime. He said it appears to him that the suggestion is that we govern by trial and error. Commissioner Seagle said he did not think that was appropriate in this case. He said we are elected to make the decisions that are best. If there is a compelling reason to change something that is granted to us by the state constitution then we should do it and if not we should not. Commissioner Seagle said he did not accept the trial and error method of governing our city.

There being no further discussion and upon the motion being put to vote, those voting "yea," were Thomas, Lee, Craig and Barbaree; "nay:" Matthews, Newsome and Seagle. The motion was carried by the majority of four "yeas" to three "nays."

Mayor Thomas introduced Resolution No. 2007-433 (recorded in Ordinance Book No. _____ at Page _____), approving a model Wastewater Disposal Contract for submission to all entities that discharge wastewater to the City of Dothan for their execution. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-434 (recorded in Ordinance Book No. _____ at Page _____), entering into a Frequency Reconfiguration Agreement with Southern Communications Services, Inc. and Nextel South Corporation to reconfigure the 800 MHz band emergency communication system. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig. Commissioner Seagle explained for the public that we are resolving some conflicts between the use of the 800 MHz band for emergency and some use that had been with these push to talk type cell phones that have become so prevalent. City Manager West said that is correct. Nextel had nation wide infringed on a lot of 800 MHz band width, which is primarily public safety throughout this country. He said based on litigation they were ordered to rectify that problem and this agreement and the funding that we are receiving is what they are required to pay in order to settle any infringement on our frequencies. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-435 (recorded in Ordinance Book No. _____ at Page _____), appointing Timothy M. Stewart as IT Director at an

annual salary of \$88,212.80 to be paid on a biweekly basis effective December 19, 2007. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig. Commissioner Seagle said he had no objection to Mr. Tim Stewart's appointment to this position. He said he would like to congratulate him for reaching a place in his career where he qualifies for this position. Commissioner Seagle said he did object to the way this has been presented to the Commission without it being on the administrative agenda the week before. Commissioner Seagle said our volunteer appointments go on the administrative agenda, but a director that we are paying \$88,000 a year of a major department was not. He said it was not presented to us until just a few days ago. Commissioner Seagle said he wanted to know why not and then said he knew the answer. He said it was done this way to specifically limit public review and comment. Commissioner Seagle said that goes against what he stood for and the way he thinks this Commission should be conducting its business. Commissioner Seagle said anything that is important enough for this Commission to vote upon should be out in the public with enough time for us to study it and receive public input. Commissioner Seagle asked Mayor Thomas, with his influence on the agenda, that such items that are important enough for us to vote upon be out in the public with time to receive input. There being no further discussion the resolution was unanimously adopted.

Mr. Stewart expressed appreciation to the Commission for their support. He said he was honored to become the City of Dothan's first IT Director. He was also humbled to have the Commission's unanimous vote.

In regard to the agenda items, Mayor Thomas said he did nothing to hide what goes on the agenda. He said he received the agenda when everyone else gets the agenda. He said he did not choose what goes on it. Mayor Thomas said he understood that there are items that need to go directly onto the agenda as they have been for the last ten years. He said there is also times when we need to be able to research things. Mayor Thomas said he trusted that when those who make up the agenda, when there are things that the Commission needs to research, will give them the time to do it. He said he was all for saving time. If he did not have to have time to research it; he has known Tim Stewart for ten years; he knows what IT Directors are paid, he did not need a week and a half to determine whether that is right or wrong and the public is not going to change his mind after working with him ten years. Mayor Thomas said we all have our opinions and we will continue to have our opinions.

Commissioner Seagle said in this case that is correct, however, this sets a precedence that should have been set before. He said there may be someone that we as a Commission need to look into; there may be a case when we need to do research. Commissioner Seagle said there may be a case when we need to receive public input on someone. He said if it is important enough for us to vote on it is important enough to be out in the public for review before it comes up for a vote.

Mayor Thomas introduced Resolution No. 2007-436 (recorded in Ordinance Book No. _____ at Page _____), agreeing to transfer all donations received for Miracle League supplies and operating expenses to the Dothan Rotary Children's Foundation to be deposited into the Miracle Field Fund. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews. Commissioner Barbaree said he has had an opportunity to look at the complex and it is coming along very well. He said he looks forward to a ribbon cutting soon. It is an outstanding complex.

Commissioner Lee said he was willing to receive this \$250,000.00 even though it was not on last week's agenda. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-437 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Gehl's Guernsey Farms, Inc. for the lease of two Hot Top 2 Dispensers to be utilized at Water World concessions for a period of three years at a cost of \$100.00 each. Commissioner Matthews moved for adoption, motion seconded by Commissioner Craig and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-438 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the Blackmon Agency for maintenance of nine uninterruptible power supplies for a period of one year at a cost of \$16,500.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews. City Manager West said this is \$1,000.00 less than the previous year. Commissioner Craig asked where the power supplies were located. Mr. Stewart said they are all over the City of Dothan in strategic places so that when power goes out these things come on and keep computer equipment up and going until the generator has time to crank up and supply power. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-439 (recorded in Ordinance Book No. _____ at Page _____), consenting to the assignment of the Cable Television Franchise Agreement from Graceba Total Communications, Inc. to Knology, Inc. Commissioner Lee moved for adoption, motion seconded by Commissioner Barbaree and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-440 (recorded in Ordinance Book No. _____ at Page _____), approving payment to Maynard, Cooper & Gale, P.C. for services pertaining to the Nancy Martin and Mary Beth Brackin lawsuit in the amount of \$48,016.29. Commissioner Lee moved for adoption, motion seconded by Commissioner Seagle. Commissioner Lee asked that the two new Commissioners be brought up to date on this lawsuit and the Eva Matthews lawsuit. City Attorney Len White suggested that the Commission go into Executive Session today to do that. Mayor Thomas said an Executive Session would be called before adjournment today. He said these bills are pending and due. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-441 (recorded in Ordinance Book No. _____ at Page _____), approving payment to Maynard, Cooper & Gale, P.C. for services pertaining to the Eva Matthews lawsuit in the amount of \$142.26. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Newsome 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. 2007-442 (recorded in Ordinance Book No. _____ at Page _____), approving payment of invoices for the month of November, 2007 in the amount of \$12,136,155.52. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews and unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-443 (recorded in Ordinance Book No. _____ at Page _____), appointing Susan Parks Crump as a member of the Museum Board. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Newsome. Commissioner Seagle said that Susan Parks Crump is very well qualified; not only is she a vice-president of Safety Research, she is also a practicing portrait artist and has a long background in the fine arts. Commissioner Seagle said he has discussed this with the Museum Board and they are pleased with this appointment. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-444 (recorded in Ordinance Book No. _____ at Page _____), appointing Dr. Martin T. Olliff as a member of the Museum Board. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee. Commissioner Seagle this is another well qualified member who will serve the City of Dothan well. Dr. Martin Olliff also serves as the director of the Archives of the Wiregrass. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2007-445 (recorded in Ordinance Book No. _____ at Page _____), awarding the following bids and approving other purchases over \$7,500.00 by the City. Commissioner Seagle read each item in the meeting.

<u>ITEM</u>	<u>VENDOR</u>	<u>AMOUNT</u>
One (1) or more Cab and Chassis For Recycling Truck with optional Right side steering and controls	Coffman International Dothan, AL	\$66,545.00
One (1) or more Recycling Truck Body	RDK Municipal Truck Tampa, FL	\$75,965.00

Other Purchases:

48" Diameter Reinforced Concrete Pipe for Waterford Place Subdivision	Hanson Pipe & Precast Southeast Dothan, AL	\$54,800.00
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Commissioner Barbaree then moved for adoption of Resolution No. 2007-445, motion seconded by Commissioner Matthews. Commissioner Seagle said he has been in contact with Jerry Corbin about the Waterford Place Subdivision. He said Mr. Corbin has done a great service to Dothan, Alabama by working closely with the contractors. Commissioner Seagle said even though we had an open contract for a certain price for this 48" diameter reinforced concrete, he went back on behalf of the City of Dothan and negotiated a lower price. He is to be commended.

City Manage West said the cab, chassis and body is the first step in starting our pilot recycling program. The vendor has 135 days to deliver the trucks. The next step will be ordering the recycling bins. Mr. West said the delivery should not be very long.

Commissioner Barbaree asked when we would see a peak with the recycling program. Mayor Thomas said as opposed to the machines and the receptacles the most important thing is the education process. City Manager West said he, Cynthia Green and Jerry Corbin are working on that now. Mr. West said there are areas in each district that will be drop off locations. He said we are making sure that we cover all the basic neighborhoods so that we get a true pilot program to see how this program is going to kick off.

Commissioner Newsome asked what model are the chassis. Larry Muench, General Services Director said that are 2009 models. There being no further discussion the resolution was unanimously carried.

Mayor Thomas introduced Resolution No. 2007-446 (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>
Ray Owens	What you need to know about Public records and open meetings In Alabama Montgomery, AL	\$ 367.60
Renee' Howell Lynn Ash	Government Finance Officers Association of Alabama Certified Governmental Accounting Technician Program Tuscaloosa, AL	\$ 638.70
Garrett Crow	Fire Investigator 1 Montgomery, AL	\$ 600.00

Commissioner Barbaree then moved for adoption of Resolution No. 2007-446, motion seconded by Commissioner Matthews and unanimously carried.

Commissioner Lee moved for approval of a damage claim by Olivia Sizemore in the amount of \$6,528.84, motion seconded by Commissioner Matthews. Commissioner Seagle asked City Attorney Len White if this wrapped this up; will we receive a release from future liability. Mr. White said yes. There being no further discussion the claim was unanimously approved.

Mayor Thomas announced that the Commission would go into Executive Session at this time to discuss pending litigation.

Upon returning from Executive Session, the meeting reconvened. Mayor Thomas stated that no action was taken.

There being no further business, Commissioner Barbaree moved that the meeting be adjourned, motion seconded by Commissioner Lee 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

/s/Taylor Barbaree, Associate Commissioner

/s/Keith Seagle, Associate Commissioner

BOARD OF CITY COMMISSIONERS