

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
JANUARY 29, 2008**

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 5:30 P.M., Tuesday, January 29, 2008 with the following members present: Mayor Pro tem Amos M. Newsome, Jr., who presided in the absence of Mayor Pat Thomas, Associate Commissioners Larry Matthews, 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 Pro tem Newsome called the meeting to order. Dr. Joseph Johnson, Evergreen Presbyterian Church, then led in prayer, afterwhich Commissioner Matthews led in the Pledge of Allegiance to the Flag.

Commissioner Barbaree moved that the Minutes of the Meeting of January 15, 2008, be approved, motion seconded by Commissioner Matthews and unanimously approved.

Commissioner Lee stated that he had asked for information on the pockets of areas that did not have sewage in our city. He said that information is in our packets. It gives us some information to work on over the next few weeks and see what opportunities may be ahead of us. Commissioner Lee said almost \$7.5 million have been pinpointed. He said, at this point in time, he was not sure this could be done even if we considered it in small steps. Commissioner Lee said the next step will be what priorities we set aside to justify working on those areas. He said the staff is going to look at that and try to see what kind of proposal may come to us if it is possible and see what we can do with those pockets. Commissioner Lee said it is not one of those "fix over night" problems because it did not get there overnight. He said if we are going to attempt to work on it, it is a slow go, but at least we can set forth some type of plan for the future.

City Manager West said there are a lot of high dollar projects there. This Commission will have to generate a policy on how to deal with that. Mr. West said the problem is compounded by the fact that the sewer system does not pay for itself now.

Commissioner Seagle announced that this is the last meeting for Cynthia Green, Public Information Officer for the City of Dothan. He commended her for the excellent job she has done for the City.

Commissioner Seagle said there was a wonderful crowd turnout for the discussion of a proposed animal control ordinance. He said the more public input the better. Commissioner Seagle expressed appreciation to everyone who came forward and spoke with different views. He said he hoped they would be equally motivated to be part of the solution.

Commissioner Seagle said he would invite more comment. He said he welcomes the emails and phone calls he has been receiving and encouraged everyone to continue to let him know how they want their representative to vote and govern this city. Commissioner Seagle said one of the next big issues coming up in the next month is the renewal of the City Manager's contract. Commissioner Seagle urged everyone to contact their commissioner and let their voice be heard.

Mayor Pro tem Newsome apologized to members of the E911 Board for having to be last on the agenda this evening. He said there are several items on the regular agenda that come first. He said hopefully in the future we will be able to move the E911 agenda to the front so that we can get it taken care of and let you go.

City Manager West also commended Ms. Green on the job she has done for the City. She has been a believer in a lot of the things we have done from the various festivals downtown to the things that we want to do. Mr. West said Cynthia has

been an inspiration to all of us at times because she always has a positive attitude. He said she will be sorely missed by a lot of people.

City Manager West introduced Cassandra Milton as the new Community Relations Specialist for the City of Dothan. Ms. Milton said that she looks forward to making better things happen with the City of Dothan.

Jerry Corbin, Public Works Director updated the Commission on the Englewood/South Park Street bridges. Mr. Corbin said the schedule was going good until about six weeks ago when it started raining. The structural part has been completed for a while. Mr. Corbin said the dirt work across the top is still to be done followed by curb work, flumes and the guard rails. He said the earth work has got to be done right. They need dry conditions to do that. Mr. Corbin said their time goes through February 5th. He said there are liquidated damages on the job if we choose to exercise that once they finish the job and we look at the times they had to spend not counting any kind of weather delays they may have incurred. Mr. Corbin said we will look at that and make a recommendation to the City Manager. He said both projects are at the same spot. They have to finish the base work before they can do the paving, curb work and guard rails. Mr. Corbin said the first chance they get, a week to 10 days of promise of good weather, is when you will see them finish up the job.

In regard to the local and national rash of copper theft, City Manager West asked Chief John Powell to update the Commission on what the City is doing to make progress in this situation. Chief Powell said there have been arrests made. We are using our association with other law enforcement agencies to try to address this problem. Chief Powell said the rise in cost for the metals will further increase the activity of theft. He said we contacted Montgomery to see if we can strengthen the laws we have on the books to try to enhance our enforcement abilities. We are also working with the States of Florida, Georgia and Mississippi to try to strengthen our efforts because we do not want to strengthen our laws here and the bad guys go to the other states and sell the items they steal. Chief Powell encouraged everyone if they see any suspicious activity to contact their local law enforcement. City Manager West said we are going to order some portable cameras, which we will strategically locate on a random basis. He said other options are being look at also.

City Manager West stated that the Opera House re-roofing is completed. This has been a much needed repair since the mid 90's.

City Manager West said the CDBG Advisory Board appointments will be on the next administrative agenda, but we still need to fill one or two positions. Commissioner Barbaree said he would submit a name.

Mayor Pro tem Newsome introduced Ordinance No. 2008-20 (recorded in Ordinance Book No. _____ at Page _____), annexing property owned by the Nowell family located along Denton Road and east of Lingo Road and property owned by the Nowell family located near Alabama Highway 134, Dale County Road 79 and Parramore Road into the corporate limits of the City of Dothan. Commissioner Lee moved for immediate consideration, motion seconded by Commissioner Barbaree and upon the motion being put to vote, those voting "yea," were, Matthews, 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. 2008-20, motion seconded by Commissioner Barbaree and upon the motion being put to vote, those voting "yea," were, Matthews, Newsome, Lee, Craig, Barbaree and Seagle; "nay:" none. The motion was carried by the majority of six "yeas" to no "nays."

City Manager West explained that this was part of a deal where we would buy a parcel of land to put a well on. The agreement was that we would annex the property.

Mayor Pro tem Newsome said it is always good when we have an opportunity to annex property into the city that will be supporting to the city, particularly in the city's expansion. He said there may be others in the vicinity of the city that may be willing to do so.

Mayor Pro tem Newsome introduced Resolution No. 2008-21 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Northstar Engineering Services, Inc. to provide construction drawings, specifications to allow for bidding and administration and inspection of the project to enhance the median of U.S. Highway 231 South at an estimated cost of \$1,650.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews. Commissioner Lee said he had asked earlier if we did not do this grant could we have done this on our own for this price or less. Mr. West said it would depend on what we would have to pay for the crepe myrtles. He said the services that we are buying for \$1,650.00 is for a professional landscape architect. Mr. West said this will enhance this project as a beautification gateway not that we have not done a good job. He said we are talking about over 300 crepe myrtles over a two mile stretch. Commissioner Lee said there is an additional \$40,000 in this. Mr. West said that would be to hire the contractor. He said this is part of the federal transit grant fund that its primary purpose is to create jobs. Mr. West said we originally applied for three grants to do 431 North, 84 East as well as 231 South. When we got the grants in we saw that we couldn't do....we were actually going to do the work internally. Mr. West said you will have a product that will set a standard here that will be very impressive as you enter the gateways of this city. Commissioner Lee said if we had done this on our own it would have cost us around \$42,000.00 out of pocket without the grant. Mr. West said probably. There being no further discussion the resolution was unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-22 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the National Traffic Safety Academy, Inc. (NTSA) to teach the NTSA Collision Avoidance Training Program. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig and unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-23 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with C.H. Guernsey & Company for a Cost-of-Service and Rate Design Study for Dothan Utilities in the amount of \$49,272.00 and appropriating funds for said study. Commissioner Matthews moved for adoption, motion seconded by Commissioner Lee. Commissioner Seagle said this commission gets accused of doing a little micro-management. He said we need to be looking at the big picture. Commissioner Seagle said he was not going to argue the specific points of this. He said there are some valid points that he has discussed with the City Manager about hiring consultants to do this. Commissioner Seagle said he is very concerned over our use of consultants. He said if we hired people with limited qualifications or we skimmed on our salaries it would be easier to understand the need for so many outside consultants. Commissioner Seagle said we have beefed up our salaries and benefits and we sometimes go outside the city to bring in the very best qualified people. He said you would think that would somehow lessen the need to hire temporary help. Commissioner Seagle said common sense says you pay top dollar for top people or you pay less and you supplement them often with consultants. Commissioner Seagle said it looked like we were doing both in this case. He said he is only expressing something that has been expressed by his constituents that have a concern that we seem to be paying top dollar for top qualified people, but we have an extensive use of outside consultants. There being no further discussion and upon the motion being put to vote, those voting "yea," were Matthews, Newsome, Lee and Craig; "nay:" Barbaree and Seagle. The motion was carried by the majority of four "yeas" to two "nays."

Mayor Pro tem Newsome introduced Resolution No. 2008-24 (recorded in Ordinance Book No. _____ at Page _____), awarding the bid, entering into a contract, and issuing a Notice to Proceed to Donald Smith Company, Inc. for the repairing, reworking and lowering of water well #9 and refurbishing Pettus Water Plant high service pump #3 at a cost of \$109,061.75. Commissioner Craig moved for adoption, motion seconded by Commissioner Barbaree. Commissioner Seagle said this item and the next resolution come under the heading of preventive maintenance. He applauded the City Manager and his staff for doing this. Commissioner Seagle said there is a schedule to re-work these wells every 10 to 15 years. He said this is how we need to be working; not waiting until things break and then we have a crisis and it cost us twice as much. City Manager West said the fact that this program has been carried on for a while and the fact that we do

periodic revisits and deal with the issues of not insuring the quality and integrity of the pumps, but also lowering the wells has insured that this city has water even during tough times.

Mayor Pro tem Newsome said even lowering the wells does not negate the need for another source. He said we are going to bottom out somewhere and water will stop coming up out of the ground. If we do not have it somewhere else in a reservoir or get it out of some river then we may be in a difficulty for water. Mayor Pro tem Newsome said it is going to cost us a lot of money no matter which way we go. There being no further discussion the resolution was unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-25 (recorded in Ordinance Book No. _____ at Page _____), awarding the bid, entering into a contract, and issuing a Notice to Proceed to Layne Christensen Company for the repairing, reworking and lowering of water wells #13 and #29 at a cost of \$281,825.50. Commissioner Matthews moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-26 (recorded in Ordinance Book No. _____ at Page _____), entering into a permit agreement with the Alabama Department of Transportation to install a roadway bore for water main service of the Houston County water main project at Highway 123 South and Sandbed Road at no cost to the City. Commissioner Lee moved for adoption, motion seconded by Commissioner Matthews and unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-27 (recorded in Ordinance Book No. _____ at Page _____), declaring certain personal property as obsolete and no longer needed for public or municipal purposes and authorizing the disposition of said property. Commissioner Lee moved for adoption, motion seconded by Commissioner Craig. Commissioner Seagle said there is a request on the administrative agenda to transfer cars to the Napier Field Police Department. He said on this item we happen to be disposing of several vehicles. Commissioner Seagle then asked if these were police vehicles. City Manager West said they are unmarked cars. Commissioner Seagle said so this is not the type vehicles Napier Field Police Department is asking us to help them with. Mr. West said no. Commissioner Seagle then stated that one of the items being disposed of is a 12 year old police dog. The method of disposal is that the dog is to be retained by Sergeant Benny. Commissioner Seagle said this certainly makes sense; that a dog who is trained the way this dog is needs to be in the hands of someone who knows how to handle it and take care of it. Commissioner Seagle asked City Attorney Len White since the dog is technically a piece of City property is there any problem with disposing of a piece of property by giving it to a City employee. Mr. White said he did not know of any requirement that the property be bid at public auction. He said he would check into it. There being no further discussion the resolution was unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-28 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Fed XV Dothan, AL, LLC for installation and maintenance of water meters located at 4674 Westgate Parkway. Commissioner Matthews moved for adoption, motion seconded by Commissioner Barbaree. Commissioner Seagle asked if this is costing the City to install the meter. City Manager West said they will pay to install the meter. We are agreeing to maintain the meter. There being no further discussion the resolution was unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-29 (recorded in Ordinance Book No. _____ at Page _____), appointing Dale Kennington as a member of the Museum Board. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Craig and unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-30 (recorded in Ordinance Book No. _____ at Page _____), reappointing Marti Clark as a member of the Museum Board. Commissioner Craig moved for adoption, motion seconded by Commissioner Matthews and unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-31 (recorded in Ordinance Book No. _____ at Page _____), reappointing Elaine Johnson as a

member of the Museum Board. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-32 (recorded in Ordinance Book No. _____ at Page _____), awarding the following bids and approving other purchases over \$7,500.00 by the City. Mayor Pro tem Newsome read each item in the meeting.

<u>ITEM</u>	<u>VENDOR</u>	<u>AMOUNT</u>
One (1) or more 115KV Delta 13.2 Wye Power Transformer	Howard Industries, Inc. Laurel, MS	\$542,113.00
<u>Other Purchases:</u>		
Services to re-locate gas lines at Bridges at Bracewell Avenue And Haisten Drive	S.E. Alabama Gas District Dothan, AL	\$18,375.22
60 Aluminum Custom Built Cat Cages	American Aluminum Accessories, Inc. Perry, FL	\$12,254.28
Video Detection Equipment for Intersections at Reeves and Ross Clark Circle and E. Main Street and Ross Clark Circle	Temple, Inc. Decatur, AL	\$16,986.00
Remove 15 ton AC Condenser and Replace with new American Standard Condenser Wiregrass Recreation Park	Fails Heating & Cooling Dothan, AL	\$ 8,575.00
Heavy Rescue 8 Equipment-AMAS	W.S. Darley & Company, Inc. Chicago, IL	\$ 8,569.12
Traffic Sign Supplies State Contract 4009037	Halls Signs, Inc. Bloomington, IL	\$ 8,640.00
Installation of three (3) 7½ ton AC Units & Air Handlers and Installation of one (1) Condenser Unit Cultural Arts Center	Sammy Popwell Dothan, AL	\$25,995.00
Replacement of three (3) Fuel Pumps At Civic Center and two (2) at Dothan Utilities	Turner's Pump Shop Dothan, AL	\$22,300.00

Commissioner Matthews then moved for adoption of Resolution No. 2008-32, motion seconded by Commissioner Lee. Commissioner Barbaree inquired about the 60 aluminum cat cages. Chief Powell said the alternative was to go with stainless steel cages which are extremely expensive. City Manager West said these cages are what we actually store animals in at the shelter. Commissioner Barbaree asked if this is a portable cage. Chief Powel said no; this is not the trapping cage.

Commissioner Seagle said he has received questions from some of the people concerned with treatment of our animals at the animal shelter asking if we involve people who are familiar with this sort of thing. He said American Aluminum Accessories specialize in building animal control units for the housing of cats and dogs. This is coming from someone who knows what they are doing.

Commissioner Seagle said he wanted to comment on the \$5,000.00 for an air conditioning unit for the Wiregrass Recreation Park and the \$26,000.00 for the three at the Cultural Arts Center. He asked if these were results of the copper thefts. Mr. West said yes. Commissioner Seagle said this is over \$34,000.00 of the taxpayers' money that we have to spend to replace air conditioning because of thieves tearing them up and stealing copper out of them. Mr. West said they probably did not get \$300.00 worth of copper out of them. There being no further discussion the resolution was unanimously adopted.

Mayor Pro tem Newsome introduced Resolution No. 2008-33 (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>
Elston Jones Tonnie Cooper	Summer Food Service Program for Children FY 08 Annual Training Montgomery, AL	\$ 40.00
Steve Gobble	AMEA Member's Monthly Meeting In combination with the South Alabama Public Power Association Bi-Annual Meeting Fairhope, AL	\$ 483.44
Larry H. Williams, Jr.	Fire Chiefs' Executive Development Conference 2008 Tuscaloosa, AL	\$ 604.70
Bernard F. Ward	SWANA Training Corpus Christi, TX	\$ 2,144.40
Tina Fuselier	Eighteenth (18 th) Annual Special Olympic Nationals Unified Bowling Tournament Albuquerque, NM	\$ 1,296.00
Tom Ethridge Mark Thompson	Siemens Power Transmission & Distribution, Inc. Jackson, MS	\$ 1,915.82
Greg Dean	2008 Mid-Atlantic HTE's Users' Group Meeting Greensboro, NC	\$ 1,456.50
Thomas Davis	Public Information Officer Conference Arlington, TX	\$ 1,233.17
Tony Kirkland Rhonda Kirk	ISA State Meeting Auburn, AL	\$ 40.00
Angela T. Palmer Lisa H. Reeder	Government Finance Officers Association 102 nd Annual Conference Fort Lauderdale, FL	\$ 3,140.00
Nicole Spivey	Cube Training Montgomery, AL	\$ 180.00

Commissioner Barbaree then moved for adoption of Resolution No. 2008-33, motion seconded by Commissioner Craig and unanimously carried.

Commissioner Lee moved for acceptance of a Warranty Deed from J. Wayne Higgins for the purchase of two parcels of land constituting approximately .84 acres on North College Street, motion seconded by Commissioner Barbaree. Commissioner Lee asked if this property is for the communication center. City Manager West said the City owns a lot there and we are purchasing two or three additional lots. Commissioner Lee asked if we have a plan in place to pay for the communication center itself. He said we may have this backwards. Mayor Pro tem Newsome said we will address that when we get to the E911 Board meeting. There being no further discussion the resolution was unanimously adopted.

Commissioner Lee moved for acceptance of an easement from George C. Talley and Judy B. Talley needed for improvements to existing electrical facilities, motion seconded by Commissioner Barbaree 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

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/John E. Craig, Jr., Associate Commissioner

/s/Taylor Barbaree, Associate Commissioner

/s/Keith Seagle, Associate Commissioner

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