

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
FEBRUARY 12, 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, February 12, 2008 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. Mr. Machroyce Corbitt, then led in prayer, after which Commissioner Newsome led in the Pledge of Allegiance to the Flag.

Commissioner Matthews moved that the Minutes of the Meeting of January 29, 2008, be approved, motion seconded by Commissioner Barbaree and unanimously approved.

Brad Kimbro, Director of Member Services with Wiregrass Electric Cooperative presented Mayor Thomas with a check in the amount of \$232,000.65.

Commissioner Barbaree presented and read a proclamation, proclaiming February 26, 2008 as "Arbor Day" in the City of Dothan. Nancy Walker, Landscape Manager, City of Dothan was present for the proclamation.

Commissioner Craig asked for an update of the Blue Ribbon Committee looking into the appropriations. Mayor Thomas said they are undergoing United Way allocations training at this time to learn how to best judge those agencies. He said they should have some recommendations for the Commission in the next couple of months.

Mayor Thomas said he has received several names of people who want to serve on the Animal Control Committee from the Commissioners. He said he wanted to give the Commissioners one more opportunity to submit names and to please do so within the next week. After that we will move forward with the committee and put it in place. Mayor Thomas said he would appoint someone from the Commission to work with that committee.

City Manager West, along with Bob Hendrix, Director of the Dothan Area Convention and Visitors Bureau presented Dothan Leisure Services Director Anne Rumble and her staff with the Alabama Recreation & Park Association's Agency of the Year Award.

City Manager West stated that extra police officers have been brought in for tonight's meeting. Everyone is aware of the shooting that took place last week at the City Council meeting in Missouri. Mr. West said we are working on draft recommendations, which will be brought to the Commission, regarding metal detectors. He said we have four entrances and it is almost impossible to watch those.

City Manager West said the bids for the One Stop Shop are due in this week. He said the proposal should be ready to bring before the Commission in a couple of weeks.

City Manager West said Wallace Community College sponsored a girl's softball team this past weekend, which took in over \$10,000.00.

City Manager West stated that collective bargaining for public safety is being considered in Montgomery by both the House and the Senate. It has already passed in the U.S. House of Representatives. That would change the entire

relationship that the City has with its police and fire departments. It would force collective bargaining, which would be significantly different than this state has ever experienced before. Mr. West said if you have an opinion on that he would encourage you to make contact with your representatives both in Washington and Montgomery.

Mayor Thomas introduced the application of Frances Y. Kelley for a Restaurant Retail Liquor License for Mexican Connection, located at 5630 West Main Street, Suite 6. Commissioner Barbaree moved for approval, motion seconded by Commissioner Matthews and unanimously carried.

Mayor Thomas introduced Ordinance No. 2008-34 (recorded in Ordinance Book No. _____ at Page _____), rezoning property of William and Hilda Church from AGR-CONV District to R-65-A District, said property located at 2802 Fortner Street. Commissioner Lee moved for immediate consideration, motion seconded by Commissioner Seagle 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 Lee then moved for adoption of Ordinance No. 2008-34, motion seconded by Commissioner Matthews 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."

Mayor Thomas introduced a proposed ordinance, amending Chapter 2, Administration, Sec. 2-104, Same-Placing items thereon, of the Code of Ordinances to allow for the distribution of biweekly agenda packages on Tuesday, one week prior to the commission meeting. Commissioner Seagle moved for immediate consideration, motion seconded by Commissioner Newsome 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 Seagle then moved for adoption of the proposed ordinance, motion seconded by Commissioner Craig and upon the motion being put to vote, those voting "yea," were Newsome, Craig and Seagle; "nay:" Thomas, Matthews, Lee and Barbaree. The motion was denied by the majority of four "nays" to three "yeas."

Mayor Thomas introduced Resolution No. 2008-35 (recorded in Ordinance Book No. _____ at Page _____), declaring eleven properties as creating a nuisance and constituting a hazard to the public health, safety and convenience and authorizing the demolition and removal of same. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews and unanimously adopted.

Commissioner Lee stated that there was no one present to appeal any of these properties.

Mayor Thomas introduced Resolution No. 2008-36 (recorded in Ordinance Book No. _____ at Page _____), increasing the deposit maintained with the United States Post Office for the purpose of bulk mail from \$2,500.00 to \$15,000.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews and unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-37 (recorded in Ordinance Book No. _____ at Page _____), submitting a pre-application form under the Alabama Department of Environmental Management's Clean Water State Revolving Loan Fund in the amount of \$46,300,000.00 to be used in the construction of the Expansion and Upgrade of the Little Choctawhatchee Wastewater Treatment Facility, the Beaver Creek Interceptor Sewer and the Decommissioning of the Beaver Creek Wastewater Treatment Facility Projects. Commissioner Matthews moved for adoption, motion seconded by Commissioner Barbaree. Commissioner Craig asked if there was a study on what we would have to do to make the Beaver Creek Plant operable. Mr. West said part of the Krebb's

study outlined the improvements necessary to make it compliant with environmental regulations. He said it was brought before the City Commission and based on the cost of the increased environmental regulations associated with the nutrients and with Beaver Creek already being high in nutrients, the costs of the two, doing one or the other, was both over \$30 million and the City Commission made the decision to move in the direction of enlarging the Little Choctawhatchee Wastewater Plant and building the interceptor line down Beaver Creek into the Little Choctawhatchee River. Commissioner Craig said he was told that this plant only operates at half its capacity most of the time. Mr. West said this plant, as well as all of our plants, during normal periods operate under capacity. He said the Beaver Creek Plant is 6 million gallons a day. It operates on the average of around 3 million gallons a day. Mr. West said the problems are during inclement weather, when we get a lot of rain, inflow and infiltration called the "I & I" that overflows the plant and the plant is unable to meet the permit limits of its affluent.

Commissioner Lee said it is important to note that this is not an option that we have. He said it has gotten to the point to where we have to make a decision on what to do with this plant. Commissioner Matthews asked how long this plant has been in operation. Mr. West said since the 1950's.

Commissioner Barbaree asked what happens when there is a substantial amount of rainfall at this location. Mr. Max Mobley of Polyengineering said the plant is not able to handle the peak flows that it receives. The plant is overwhelmed by the flow during peak rainfall periods. Mr. West said it causes us to violate regulations and we get notifications from ADEM.

Commissioner Craig asked, if we build this facility and we build the line that goes to it, could we build tanks on the Beaver Creek that would hold excess water and move it forward. He then asked if we could not, how would the heavy rain effect the Little Choctawhatchee Plant. Mr. Mobley said the Choctawhatchee Plant would be considerably bigger. The drainage basin that it serves is not nearly as susceptible to infiltration and inflow as Beaver Creek. There will be considerable doffing of peak flows before it gets to Little Choctawhatchee. Mr. Mobley said the ability to go ahead and accommodate the increased flows in the expansion of Little Choctawhatchee is considerably easier than it would be to try and modify Beaver Creek to handle those flows. He said we will include design provisions in the plant to handle those flows. Commissioner Craig said the Sunday newspaper had a story about the Choctawhatchee River that this flows into being borderline with phosphates now. He asked if our treating and discharging is going to effect that. Mr. Mobley said the plant will be subject to phosphorus limits. He said ADEM has not come forward at this time and told us what those limits are, but phosphorus is the primary concern as it relates to nutrients in the streams. Mr. Mobley said phosphorus is a nutrient they are looking very closely at and we expect the limits to be tight. Provisions will have to be made in the expansion of Little Choctawhatchee to take into account anticipated, stringent phosphorus limits. Mayor Thomas said we will meet whatever guidelines ADEM puts down using whatever technology we have to use. Mr. Mobley said the problem is that ADEM has not set forth final limits yet. They told us what they think the limits are going to be. Mayor Thomas said this \$46,300,000.00 is an amount that we are submitting in a pre-application to set aside. This project would still have to be bid and probably in several parts. He said all we are doing right now is reserving our place in line with the State Revolving Loan Fund. Mr. Mobley said farther along as the project progresses the more accurate the cost estimate will be. It could be more or less.

Commissioner Seagle asked if there was an application fee involved. Mr. West said no. Commissioner Seagle said this is getting some attention in the public. It is a large amount of money we are talking about. Commissioner Seagle asked what would be the increased capacity that we would expect to obtain if we go forward as planned. Mr. Mobley said the proposal at this time is the increase of rate capacity from 10 to 12 million gallons a day, which is about a 20% increase. Commissioner Seagle said that would be in a newer facility as opposed to if we kept Beaver Creek. He said even if we could increase the capacity there, Beaver Creek is 30 to 40 years old. Mr. Mobley said it was built in the 1950's. Mayor Thomas said we cannot increase capacity there; we do not have adequate flow there to meet the higher guidelines. Mr. Mobley said it is questionably whether that

plant can technically achieve the higher guidelines. He said we are reaching the point where we are moving from wastewater treatment to drinking water treatment because the stream flow is so low at Beaver Creek, the limits are going to be so stringent that we are beyond the realm of technological capability.

Commissioner Craig said this has given several people in town hiccups. He said \$46 million is a lot of money. Commissioner Craig said he wanted to cover all bases.

Commissioner Seagle asked if this was something that we should consider having a public forum on. He said it is a large chunk of change and there are a lot of people interested in this. Mayor Thomas said if we held a public forum and 100 people showed up and said “don’t do it”; if Alabama Department of Environmental Management said yes you will do it, this is an item that we have no choice on. Mayor Thomas said we were given two options and we chose the option that would work out best for future growth for the city. Mayor Thomas said he always invites citizen input, but this is not anything that requires citizen input; this is a decision that we were elected to make and it is in front of us today. Commissioner Seagle disagreed. He said he was for grass roots involvement. He wanted to hear what the people have to say. Commissioner Seagle said if it needs to be more in the form of a presentation to explain to the people why we need this and allow them to comment, maybe that is the way we need to go. Mayor Thomas said he understood that, but we had that meeting months ago. We had the presentation where the options were given.

Commissioner Lee asked if there had been a meeting between the new commissioners and Billy Mayes. Commissioner Seagle said he has heard the presentation on the options with closing down the Beaver Creek and moving it forward. He said there may be enough interest from the public to hear this; not necessarily in these chambers, but something that would accommodate anybody who is interested. Commissioner Seagle said people are asking Commissioner Craig and himself why we can’t just improve Beaver Creek. If we are not significantly improving the capacity, why are we are doing it. He said there are all kind of questions that are coming up and he would like to see the people have an opportunity to express themselves on that.

Commissioner Newsome asked how many acres are in the Beaver Creek location. Mayor Thomas said 37 acres. He said one of the possibilities we had talked earlier about, if it was decommissioned, was turning it into a park, but in talking a little further it is prime real estate land. Perhaps we could sell it to a developer and recoup some of the cost of this project. Commissioner Newsome said we have closed three treatment plants in the City of Dothan. He asked if anyone had given some thought to getting a prime price for this if it is turned into prime real estate. Mayor Thomas said absolutely.

Commissioner Craig said there is some belief in town that that is the reason why we want to close Beaver Creek. He said we need to make sure that all these reasons we are talking about stand scrutiny.

Commissioner Seagle said he understood that this is a requirement that comes from the State and we have to do it. He said he has found that the number one thing that people want is to be heard. They want us to listen to them. Commissioner Seagle said we do not have to necessarily agree with them; we do not necessarily have to act the way they want us to act. He said people want to be heard and he would like the opportunity for the people to hear the reasons behind this. He said let’s put some of those rumors and misconceptions to rest and let them know that we are willing to listen to them.

Commissioner Newsome said a lot of people do not understand or do not have a graphical view of what a treatment plant looks like and how the water flows and how it overflows. He said if there is a presentation to the public he would hope that we could have some sort of graphic showing of exactly what it looks like at Beaver Creek when it is overflowing and what it looks like when we have normal capacity. Commissioner Newsome said this would help provide some understanding for the public on what exactly a treatment plant looks like.

Commissioner Newsome said there is going to be a new standard for water treatment. It is going to raise the bar. At the same time it is going to reduce the amount that we can discharge in these areas unless we are capable of bringing it up to standard. Commissioner Newsome said there is going to be a consideration on any new plant anywhere or any water that is under the Corp of Engineers supervision.

Commissioner Barbaree asked if it is common to deactivate one treatment plant and make improvements to another. Mr. Mobley said in his thirty year career he has probably deactivated half a dozen treatment facilities to build a new larger, upgraded facility farther down stream.

Commissioner Craig said if we did not have a creek to put this in what would we do with this water. Mr. Mobley said land application is one alternative. The cost is significant, but it is fairly common down on the coast where you have light sandy land. Up here, land does not percolate nearly as well. There are places in Alabama that do not have the luxury of having Little Choctawhatchee River close by.

Commissioner Barbaree asked how long was the State Revolving Loan Fund process. Mr. Mobley said the application is due May 1st. They will spend the summer and fall reviewing it. ADEM will publish a finding of no significant impact, where they will put the project out for public notice, solicit comments from the public and if they get enough public comment they will hold a hearing regardless of what the City does.

Commissioner Seagle said he understood the need for this, but for the record if we are not willing to listen to what the people have to say he was not willing to vote for it. There being no further discussion and upon the motion being put to vote, those voting "yea," were Thomas, Matthews, Newsome, Lee and Barbaree; "nay:" Craig and Seagle. The motion was carried by the majority of five "yeas" to two "nays."

Mayor Thomas introduced Resolution No. 2008-38 (recorded in Ordinance Book No. _____ at Page _____), authorizing the Planning and Development Department to bid a contract to remediate asbestos containing materials in the old city office building and jail facility and authorizing the Public Works Department to demolish the old city office building and jail facility utilizing city employees. Commissioner Craig moved for adoption, motion seconded by Commissioner Barbaree and unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-39 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the State of Alabama through the Alabama Department of Transportation for widening, curbing and paving of Burdeshaw Street from Burkett Road to Ennis Road. Commissioner Newsome moved for adoption, motion seconded by Commissioner Barbaree and unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-40 (recorded in Ordinance Book No. _____ at Page _____), authorizing the Police Department to transfer two (2) surplus police vehicles to the Town of Napier Field Police Department. Commissioner Newsome moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas introduced a proposed resolution, entering into an agreement with Dothan Exchange LLC to extend Murphy Mill Road to connect with Flynn Road and agreeing to contribute a total of \$550,000.00 to the project. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews. Commissioner Lee said the road needs doing. He said we have already committed to do \$450,000.00. Commissioner Lee said we are talking about \$100,000.00. He said he believed this group will do this road with our \$450,000.00 we have already committed without us adding another \$100,000.00 to it.

Commissioner Seagle said perhaps they understand that this is just the initial cost. It has been our road to maintain at our own expense forever. He said he also has some issues with this.

Commissioner Newsome agreed. He said we made an agreement of approximately \$450,000.00 to get that done. With a second look we are going up to \$550,000.00, which is another \$100,000.00. Commissioner Newsome said we are spending money here at this city like we have no bottom in our pockets. He said we are going to have to take some sharp looks, particularly with the economy as it is now. Commissioner Newsome said we do not need to keep upping the ante on doing things that are not bringing a direct return to the City at this time. Commissioner Newsome said he was willing to go along with what we agreed to early on, the \$450,000.00, but not \$550,000.00.

Mayor Thomas asked if there was anyone present to talk about the negotiation. City Manager West said it was originally \$452,000.00 we actually agreed to. Public Works Director Jerry Corbin said there was an estimate done in the staff study that indicated about \$450,000.00 based on an estimate at the time. He said the resolution that followed agreed to split the cost on a 50/50 basis with the contractor. Mr. Corbin said the additional \$100,000.00 that the City would be committing to also includes an additional \$100,000.00 or so that the developer has to put toward this based on the original estimate. Mr. Corbin said this is based on the actual bid amount that was solicited by the developer. He said it does represent an increase of \$100,000.00 or so on their part also. Mayor Thomas said we already have a resolution in place that stated that we are going to pay half of the project. Mr. Corbin said that is correct.

Commissioner Craig said based upon what he understood, the value of this road is to the City. He said the \$100,000.00 is well spent. Mayor Thomas asked what the road would mean to that area. Mr. Corbin said he would let the Traffic Engineer answer that.

Commissioner Lee asked if the developer would complete this project and leave the \$450,000.00 on the table. Mr. Corbin said he would not speak for the developer on that.

Charles Metzger, Traffic Engineer said the road connects up with Flynn Road. The County is also putting improvements into this situation. Lingo Road ties an intersection to this that goes all the way into Dale County at Denton Road. Mr. Metzger said we see that as a future connector and access to the mall, the Pavilion and Walmart as well.

Commissioner Barbaree asked if there had been a traffic count on this road. Mr. Metzger said going through into Walmart there has not been a traffic count. He said Murphy Mill Road is carrying about 5,000 to 6,000 cars a day. Mr. Metzger said this is a project we supported.

Commissioner Newsome asked if we had a traffic problem in that area. Mr. Metzger said with 231 north, there is congestion in that area. We are looking for assistance from ALDOT in making improvements. Mr. Metzger said there is tremendous traffic growth in that area. Commissioner Newsome said this is a traffic problem going northeast. Mr. Metzger said this can provide access for Flynn Road traffic to get into Walmart and get into the Pavilion without getting on to Highway 231. He said we are working with Plum Road as well. Commissioner Newsome asked how much traffic we have on Flynn Road. Mr. Metzger said we do not have a problem with traffic on that road at this time. That is a county maintained road, but it carries several thousand cars a day as well. We have improvements planned, which include turn lanes at Flynn Road; a traffic signal at Flynn Road and at Lingo Road to handle this additional traffic at this location.

Mayor Thomas said if this is approved, what is the time frame that is expected. Mr. Metzger said we are hoping to see the project completed by July or August of this year.

Commissioner Lee said if we voted to do 50/50 on this previously why are we voting on this today? Mr. West said we brought it to you with an estimate at that time and he and Jerry felt that since the cost has gone up that you needed to be aware of that and we ended up with a resolution. He said Mr. Roark is going to pay a little more than the \$100,000.00. Mr. Corbin said we never executed a contract between the two parties with a resolution.

Commissioner Barbaree asked if we were doing anything for this company that we would not do for someone else. Mr. Metzger said this type road, being a connector road that the City is going to benefit from, is different from a subdivision road. Mr. West said we are also doing a 50/50 split with Plum Road. Mr. Metzger said we are doing a paving assessment there where the property owners will pay on that road as well.

Commissioner Newsome asked what the urgency was with this. Mr. Metzger said it opens up development and it will provide the access back through to Murphy Mill Road.

Commissioner Matthews asked when the construction on Westgate would start. Mr. West said it has already started. Commissioner Barbaree asked what the time line was on the widening project. Mr. Metzger said it is an eighteen month project.

Mr. David Cornelius asked if it was common practice for the City to pay 50% on things without a limit; and what would happen if this project goes to \$1.5 million, are we committed to \$750,000.00. Mayor Thomas said that is the decision that is in front of us today. Mr. Cornelius asked if there was a cap on it. Mayor Thomas said no, the decision today is whether to do this specifically at this amount. Mr. Cornelius said there was a resolution passed regarding this. Mayor Thomas said there was no authorization to enter into a contract and that is where we are today. There being no further discussion and upon the motion being put to vote, those voting "yea," were Thomas, Matthews and Craig; "nay:" Newsome, Lee, Barbaree and Seagle. The motion was denied by the majority of four "nays" to three "yeas."

Mayor Thomas introduced Resolution No. 2008-41 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Diebold, Incorporated for the purchase of two (2) VAT 21 pneumatic units for the Utility Collections drive-thru facility at a cost of \$21,639.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-42 (recorded in Ordinance Book No. _____ at Page _____), awarding the bid, entering into a contract and issuing a Notice to Proceed to Lewis, Incorporated for street resurfacing scheduled for 2008 in the amount of \$1,010,999.00. Commissioner Lee moved for adoption, motion seconded by Commissioner Barbaree. Commissioner Barbaree asked when John D. Odom would come up for resurfacing. Mr. West said John D. Odom is not on this list. He said this was an extremely good bid. Mr. Metzger said the asphalt prices were down from what we have had. Commissioner Seagle said this is part of the capital improvement plan. Mr. West said that is correct. He said we allocated \$1.5 million to that. We will be able to go back and add more streets. Mr. Metzger said we still have to update our pavement management system. Commissioner Barbaree said that is exactly why he voted no on Item No. 13. He said \$100,000.00 would resurface John D. Odom Road. Mr. Metzger said it would not; it is about a \$250,000.00 project. He said it is obviously needed.

Commissioner Craig said while we are talking about roads that need paving, this town is replete with them. We have potholes everywhere. Mayor Thomas asked if John D. Odom Road is on the schedule any time soon. Mr. Metzger said we are looking at it for 2009.

Commissioner Barbaree said he was appreciative of the taxpayers dollars to resurface what is in front of us today.

Commissioner Lee said Mr. Metzger has covered a lot of ground in the last two years and expressed appreciation to him for doing that. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-43 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the United States Tennis Association for the 2008 USTA Women's \$75,000.00 Tournament to be held the week of April 21-27, 2008. Commissioner Craig moved for adoption, motion seconded by Commissioner Barbaree. Commissioner Seagle said the City

puts forward \$75,000.00 and then we attempt to gain sponsors and in the past it has been around \$59,000.00 or \$60,000.00 that we could get except last year it went down significantly lower. Mr. West said last year we ended up out of pocket at \$27,000.00. Prior to that it had always been less than \$20,000.00. Mr. West said we had a reduction of one of our major sponsors, which reduced the sponsorship revenue that we have normally gotten in the past.

Commissioner Barbaree asked if this was in-kind or cash. Mr. West said we are talking about cash. Commissioner Seagle said the idea is that the City will benefit in visitors, lodging, restaurants, etc. more than we have invested in this. Mr. West said it also exposes us to further tennis tournaments. Mr. Hendrix said this is not our largest tournament, but it adds to our tennis resume as far as attracting very large tournaments such as the State of Alabama Mixed Doubles Tournament. It brings in over 500 participants for a whole week. This tournament brings in approximately \$91,000.00 in economic impact and if you use the multiplier of 4 that would be in the neighborhood of about \$365,000.00 of economic impact. At the same time, the Alabama Bureau of Tourism and Travel has seen fit to make this one of the top 10 sporting events in the State of Alabama. They are putting in \$10,000.00. They will also be sending down a camera crew to film a commercial that is promoting the year of Alabama sports.

Commissioner Seagle said the Convention and Visitor's Bureau gets about 4% of the lodging tax that comes in some where around \$900,000.00 a year. He said if the CVB were to invest back in this, then what is going to happen since the money comes back in lodging anyway, is that it is going to go right back around. Mr. Hendrix said they were the initial sponsors of this tournament and did that for several years. He said they like to plant a little acorn and hope it grows into a big oak tree so this year they are putting in \$5,000.00. Mr. Hendrix said we gave \$250,000.00 toward the two new Dixie Youth sports fields. The city also gets 2% of the lodging tax so the bigger we grow that pie it is bigger for everyone.

Commissioner Newsome said he is hearing that the CVB is not willing to pick up the shortfall of \$29,000.00 we did not make the last time. Mr. Hendrix said he did not say that. He said we are trying to make everyone come out there and promote this tournament enough that we do not have a shortfall. Commissioner Newsome said we would love to see you step up to the bat and pick that up.

Commissioner Barbaree asked who the title sponsor was last year. Mr. Hendrix said it was Movie Gallery and they are back on.

Ms. Rumble said the financial report shows for the past year a negative of \$27,000.00. She said \$17,800.00 of that is staff and security overtime. She said this is the only tournament that we have been asked to show those expenses. Ms. Rumble said if we did not have to show that it would not look so bad. She said in every tournament we do, which is over 46 tournaments for the year, Mr. Hendrix has given us \$5,000.00 for every tournament. She said it is not just the tennis tournaments he has given us \$5,000.00 for, he has given us \$5,000.00 for every tournament we are doing. He has also given us bid money. Ms. Rumble said he is pulling money out of his pocket for every thing we do in Leisure Services not to mention the bid chips. Commissioner Seagle asked Mr. Hendrix where else he got his funds from if not from the City of Dothan. Ms. Rumble said that is where he gets it from; he has given it to us. Commissioner Seagle said so it is not pulling it out of his pocket. He said excuse him for being blunt, but you are giving some of the taxpayers money back to the people. Mr. Hendrix said it is actually a self imposed tax on our hotels. Our travelers and visitors are paying this tax. Commissioner Seagle said they pay it to the City of Dothan. Mr. Hendrix said we came ten years ago and asked this to be a self imposed tax and then we came back a couple of years ago and asked you to raise that tax on our hotels. Mr. Hendrix said the people who visit our hotels are paying for this tax. If we did not have all of these visitors we would not have all of these extra restaurants and other services that we have. He said they are bringing new money into Dothan and that money turns over about 4 times. Mr. Hendrix said we do not have the beach or the antebellum homes and some of the other attractions, but what we do have is the finest sports facility and the number one parks and recreation department in the state and that is what is bringing in these visitors. Commissioner Seagle expressed appreciation to Mr. Hendrix for what he does for the City and said this is

nothing against him or the CVB, but he did not want this to be out there like was stated, like a shell game. All of the money comes from the City of Dothan, is given to the CVB, and some of it the CVB decides to give back to the City of Dothan. Commissioner Seagle said we decide how much to give and you decide how much to give back and we each make our own decisions, but it makes sense to him that if this tennis tournament is an example of something that brings in a whole lot more money than it spends then maybe that is something that the CVB should look at taking over themselves. Mr. Hendrix said that is why we also try to get other sponsors. He said we have all these other tournaments we are doing too. Mr. Hendrix said this adds to our tennis resume. We would not be able to attract some of the big tournaments if we did not have this on our resume.

Commissioner Barbaree asked what the daily attendance was. Ms. Rumble said somewhere around 200. He then asked if it was free attendance. Mr. Hendrix said both, sponsors and pay. He said this is a chance for the citizens of Dothan to see some of the top tennis in the world.

Commissioner Matthews said it is an excellent opportunity for the Commission to go and see what is being brought here and the people who are coming. There being no further discussion and upon the motion being put to vote, those voting "yea," were Thomas, Matthews, Newsome, Lee, Craig and Barbaree; "nay:" Seagle. The motion was carried by the majority of six "yeas" to one "nay."

Mayor Thomas introduced Resolution No. 2008-44 (recorded in Ordinance Book No. _____ at Page _____), accepting funding from the State of Alabama Bureau of Tourism and Travel to provide assistance with expenses involved with the promotion of the US Tennis Association in the amount of \$10,000.00. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Lee and unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-45 (recorded in Ordinance Book No. _____ at Page _____), increasing the Petty Cash Fund to be used by the Leisure Services Department at concession stands at various parks located throughout the city by \$900.00 and establishing a Petty Cash Fund to be used by the Leisure Services Department at Eastgate Park and Wiregrass Park in the amount of \$25.00 each. Commissioner Craig moved for adoption, motion seconded by Commissioner Barbaree. Commissioner Seagle said can we micro-manage any further down than saying that our people working the stands could have \$25.00 in their cash box. He said the answer he always gets is that it is the way we have always done it. He said he did not know why we have to approve something like this. Mr. West said it is required by the Charter. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-46 (recorded in Ordinance Book No. _____ at Page _____), approving the payment of invoices for the month of January, 2008 in the amount of \$9,811,531.52. Commissioner Barbaree moved for adoption, motion seconded by Commissioner Matthews and unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-47 (recorded in Ordinance Book No. _____ at Page _____), appointing Paul Lee and Amos Newsome to the Wiregrass MPO Policy Committee. Commissioner Matthews moved for adoption, motion seconded by Commissioner Barbaree and unanimously adopted.

Commissioner Barbaree said he enjoyed his time on the Wiregrass MPO Policy Committee and he wanted Commissioners Newsome and Lee to continue to bring money in so we can have nice roads.

Mayor Thomas introduced Resolution No. 2008-48 (recorded in Ordinance Book No. _____ at Page _____), appointing Curt Downey as a member of the Board of Adjustments and Appeals. Commissioner Lee moved for adoption, motion seconded by Commissioner Barbaree. Commissioner Newsome asked if Mr. Downey was present. Mayor Thomas said no. Commissioner Seagle said he has met with Mr. Downey. He is a mechanical engineer. This is one of those slots that require certain qualifications. Commissioner Seagle said he was convinced he would be a good member for this board. There being no further discussion the resolution was unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-49 (recorded in Ordinance Book No. _____ at Page _____), reappointing John Milner as a member of the Historic Preservation Commission. Commissioner Matthews moved for adoption, motion seconded by Commissioner Newsome and unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-50 (recorded in Ordinance Book No. _____ at Page _____), reappointing Jim Bob Strickland as a member of the Board of Adjustments and Appeals. Commissioner Newsome moved for adoption, motion seconded by Commissioner Barbaree and unanimously adopted.

Mayor Thomas introduced Resolution No. 2008-51 (recorded in Ordinance Book No. _____ at Page _____), awarding the following bids and approving other purchases over \$7,500.00 by the City. Commissioner Craig read each item in the meeting.

| <u>ITEM</u> | <u>VENDOR</u> | <u>AMOUNT</u> |
|--|---|-------------------------------------|
| Ten (10) Row-Transport Mobile Bleachers | Custom Components & Structures De Pere, WI | \$32,000.00 |
| Pentachlorophenol Treated Wood Poles | Gresco/Capstone Utility Supply Dothan, AL | \$129.00- \$1,054.00 Per pole |
| Pre-Stressed Concrete Distribution Poles | Gresco/Capstone Utility Supply Dothan, AL | \$754.00- \$1,920.00 Per pole |
| Demolition of Substandard Structures | Skinner Grain & Fertilizer Hartford, AL | \$38,550.00 |

Other Purchases:

| | | |
|---|--|-------------|
| Replacement of 3275 square Yards of outdoor carpeting on Pool deck at Water World | Stokes Floor Covering Dothan, AL | \$43,721.04 |
| Repair of Stainless Steel Gutter Tube for Wiregrass Park | Paddock Pool Systems Rock Hill, SC | \$ 8,000.00 |
| One (1) Knuckleboom Trailer | Ramer Manufacturing Company Ramer, AL | \$17,343.00 |
| One (1) Knuckleboom Loader Body | Ramer Manufacturing Company Ramer, AL | \$34,610.00 |
| Two (2) or more 2008 Chevy Colorado Extended Cab Pickup Trucks for Finance and Police Departments | Ben Atkinson Motors, Inc. Tallassee, AL | \$50,601.52 |

Commissioner Barbaree then moved for adoption of Resolution No. 2008-51, motion seconded by Commissioner Matthews. Commissioner Barbaree asked if the carpet for the wave pool is the original carpet. Mr. West said no; it has been replaced before.

Commissioner Newsome asked why the Finance Department needed a cab truck. Mr. West said this is what the meter readers use to go out and read the meters. There being no further discussion the resolution was unanimously carried.

Mayor Thomas introduced Resolution No. 2008-52 (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> |
|-------------------------|------------------------------------|---------------|
| Angie Lowe Rosa Ford | Basketball Tournament Selma, AL | \$ 192.00 |
| Angie Lowe Rosa Ford | Basketball Game Marianna, FL | \$ 104.00 |

Minutes of the Board of Commissioners – February 12, 2008, continued.

| | | |
|---|--|-------------|
| Nicholas M. Monday | FBI - LEEDA Executive Training Conference Daytona Beach, FL | \$ 1,099.55 |
| Angie Lowe Rosa Ford | Basketball Game Marianna, FL | \$ 104.00 |
| Larry Muench | National Association of Fleet Administrators Fleet Management Institute and Law Enforcement Group Conference Salt Lake City, UT | \$ 2,365.00 |
| Andy Davis Tim Mullis | Basic Investigators Course Montgomery, AL | \$ 580.00 |
| Todd McDonald Dawn Wrinn George C. "Chuck" Harris | American Planning Association National Conference Las Vegas, NV | \$ 6,645.00 |
| Trampas Gougler | Public Risk Management Association (PRIMA) The Wonderful World of Risk Management Anaheim, CA | \$ 2,363.00 |
| Ron Money | Alabama Recreation & Parks Association District VI 12 & Under Boys Basketball Tournament Eufaula, AL | \$ 1,088.00 |
| Kenny Thompson | Alabama Recreation & Parks Association District VI 14 & Under Boys Basketball Tournament Abbeville, AL | \$ 632.00 |

Commissioner Matthews then moved for adoption of Resolution No. 2008-52, motion seconded by Commissioner Craig and unanimously carried.

Mayor Thomas expressed appreciation to Commissioner Newsome for chairing the January 29th City Commission meeting in his absence.

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