

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
JANUARY 7, 2020**

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, January 7, 2020 with the following members present: Mayor Mark Saliba, Associate Commissioners Kevin Dorsey, Janasky Fleming, Albert Kirkland, John Ferguson, Beth Kenward, and David Crutchfield. Also present were City Manager Kevin Cowper, City Clerk Tammy Danner, Assistant City Clerk Wendy Shiver, who recorded the Minutes of the Meeting, and the local news media representatives.

Mayor Saliba called the meeting to order. Pastor L.C. Green, Cherry Street AME Church, then led in prayer, afterwhich Commissioner Fleming led in the Pledge of Allegiance to the Flag.

Commissioner Kenward moved that the Minutes of the Meeting of December 17, 2019, be approved, motion seconded by Commissioner Kirkland and unanimously approved.

Mayor Saliba presented and read a proclamation, proclaiming January, 2020 as "Human Trafficking Awareness Month." Allison Moody and Gia Hughes, Dare To Hope Ministries, were present for the proclamation.

Commissioner Dorsey wished everyone a Happy New Year, and he thanked Community Relations Officer Vincent P. Vincent and Executive Assistant Sarah Woodham for doing a great job on a recent project and for their hard work.

Commissioner Kirkland said part of his New Year's resolution is to be a better commissioner. He said we have so many great things going on with the City, and he looks forward to a great year.

Commissioner Ferguson passed along his condolences to the Thornton family who lost Dr. Press Thornton yesterday. He said Dr. Thornton was a tremendous individual whose contributions are immeasurable and he will be thinking of his family during this time.

Commissioner Kenward wished everyone a Happy New Year and new decade! She said Dothan has a lot going on and today we will hear about some of the things happening downtown. She said a new decade is a really exciting time and she encouraged everybody to set resolutions and get involved this year. She said there is a lot of research and activity that goes on behind the scenes, and one of the things we do as a city is offer classes through the Dothan 101 program which is free and classes will start again this year.

Commissioner Crutchfield thanked all involved with the recent Downtown Dothan Hoops Classic Tournament which was dedicated this year to Coach Johnny Oppert. He expressed appreciation to those who worked behind the scenes to make this happen to include City Manager Cowper, the departments of Performing Arts and Leisure Services, Commissioner John Ferguson, and Larry Patrick.

Mayor Saliba announced that Item No. 23 will be removed from the agenda and appropriate action will be taken at that time.

City Manager Cowper invited Jamie Bienvenu, Executive Director of the Dothan Downtown Redevelopment Authority (DDRA), to provide an update. Ms. Bienvenu said the 2019 festival season brought great events and large turnouts. She said the DDRA is looking forward to the events planned for 2020 and there are partnership opportunities for interested local businesses and individuals. She reported that new businesses have opened downtown including Diablos, Beyond Grace, Kiss My Axe, Rob and Dave's Arcade, and Rain, and KBC recently held their re-grand opening to display their new renovations. Ms. Bienvenu encouraged everyone to continue supporting local businesses downtown. She said a couple of fun projects were done downtown to add temporary murals on vacant buildings to

improve façades and beautify the area until those properties are properly renovated. She said two exciting projects that are going to be game changers for downtown are currently in the works and both projects will provide mixed use space with residential components. She said one developer who is focusing on the juvenile court building with retail downstairs and residential upstairs has just entered the due diligence phase and there will hopefully be a lot more progress by the end of the year on that property. She said the other project is a historic property and the developer will be utilizing tax credits and the brownfields program. Ms. Bienvenu talked about the importance of having more residential living downtown to support the businesses, economy, community, and culture. She said Howell School should be finished by the end of this month and she encouraged everyone to ride by to see the property which will provide 55 residential units in this area of downtown. In closing, she thanked the Commission for their continued support.

City Manager Cowper made the following announcements and comments:

- Dothan Utilities will continue to accept Christmas trees for recycling through January 31st at the South Park Complex.
- The Commission will have a work session on Tuesday, January 14th at 10:00 a.m. in the Commission Chambers to review findings of the environmental services solid waste rate study. This is a public meeting although there will be no public comment or input during the meeting.
- City offices will be closed on Monday, January 20th in observance of Martin Luther King, Jr. Day. Monday residents will receive garbage pickup on Wednesday, January 22nd.
- Registration for youth baseball and softball will be January 11th – 18th.
- A bidder's seminar will be conducted on Tuesday, January 28th at 9:00 a.m. in the City Manager's Conference Room. This is a good opportunity for those seeking to do business with the City to get introduced to the bidding process and all are encouraged to attend.

Mayor Saliba introduced the application of Robert Jones for a Retail Beer License (on or off premise) for Hill Hill Billiard Center, located at 460 East Main Street, Suites 1 and 2 (tabled on December 17, 2019). Commissioner Kenward moved to remove this item from the table, motion seconded by Commissioner Dorsey and unanimously carried. Mayor Saliba asked if there was anyone present to speak. Fred Hollon, licensed engineer and land surveyor, said he was contacted by the applicant to measure the distance to the church property and he measured per the code in a straight line from the nearest property boundary of the licensed premises to the nearest property boundary of the church grounds. He said this particular measurement is 196.60 feet, but a measurement eleven feet to the west along the right-of-way of East Crawford Street is 200 feet, which means 99.9 percent of this church is outside the 200 feet radius. He said most of the church property and parking lot is outside the 200 feet radius with the only part inside being where a house owned by the church entity is located on the property. Commissioner Kenward noted the ordinance reads that the measurement be from the nearest property line to the nearest property line and that measurement is less than the required 200 feet. Commissioner Fleming said he wants to clarify that there is a package store located closer to the church than this business, and Commissioner Ferguson noted the package store is an off premise license not subject to the measurement requirement. Planning Director Todd McDonald said the accuracy of the measurement obtained from the City's GIS system is plus or minus two feet and this is why staff suggested the applicant hire a surveyor to obtain an absolute measurement. Andy Taylor, business partner, confirmed with City personnel that the 200 foot boundary would still apply regardless of the amount of property a church owns or utilizes. Commissioner Dorsey commented that only two of the twelve individuals and businesses surveyed opposed this request. There being no further discussion, Mayor Saliba entertained a motion and a second to approve or deny the application. Commissioner Dorsey moved for approval, motion seconded by Commissioner Fleming and upon the motion being put to vote, those voting "yea," were Dorsey and Fleming; "nay:" Saliba, Kirkland, Ferguson, Kenward, and Crutchfield. The motion was denied by the majority of five "nays" to two "yeas."

Mayor Saliba introduced the application of Sherry McKenney for a Retail Beer License (on or off premise) for Break N Run, located at 2970 E. Main Street. Mayor Saliba asked if there was anyone present to speak on this matter and there were none. Commissioner Kirkland moved for approval, motion seconded by Commissioner Kenward. Commissioner Kenward asked for explanation of a note included in the agenda packet that a townhouse development is currently under construction and may not be compatible with this type of use. Planning Director Todd McDonald said this applicant is requesting a billiards license with alcohol sales and the caveat of extended hours being a potential problem is the reason for the note. He said the primary use is a billiards hall with accessory alcohol sales. Commissioner Crutchfield asked if this location is outside of the scope of the Highway 84 East Corridor plan. Mr. McDonald said this would not be a use they would advocate for that plan; however, it is zoned appropriately and the private sector can certainly take advantage. Mr. McDonald confirmed for Commissioner Kirkland that the applicant has not proposed to serve food or operate a restaurant, and therefore, there is no requirement for a grease trap. Commissioner Ferguson asked how long the building has been out of operation, and Mr. McDonald said it has been several years. There being no further discussion and upon the motion being put to vote, those voting "yea," were Saliba, Dorsey, Kirkland, Ferguson, Kenward, and Crutchfield; "nay:" Fleming. The motion was carried by the majority of six "yeas" to one "nay."

Mayor Saliba introduced the application of Sherry McKenney for a Pool and Billiards License for Break N Run, located at 2970 E. Main Street. Mayor Saliba asked if there was anyone present to speak on this matter and there were none. Commissioner Kenward moved for approval, motion seconded by Commissioner Crutchfield and upon the motion being put to vote, the motion was unanimously carried.

Mayor Saliba introduced the application of Vinitaben Chaudhari for a Retail Beer and Retail Table Wine License (off premises only) for Lolo's Mini Mart, located at 3439 Denton Road. Mayor Saliba asked if there was anyone present to speak on this matter and there were none. Commissioner Kenward moved for approval, motion seconded by Commissioner Crutchfield. Commissioner Dorsey asked if the applicant owns the car wash located behind the store, and Mr. McDonald replied that the applicant is buying the business but not the car wash. Commissioner Dorsey and Commissioner Crutchfield said they have both received a lot of phone calls regarding the condition of the car wash since the tornado damage occurred several years ago. Mr. McDonald said the City has asked the owner to clean up that property and the owner has secured the public safety issues, though the property still looks bad with stacks of concrete blocks and trash piles. City Manager Cowper said this is a problem at this location and other locations throughout the city so he has challenged staff to look at our enforceable code procedures, and he is optimistic that we have the necessary codes already in place that we can use to enforce minimum property standards. He noted that this request only involves the gas station portion of the property and staff will continue to communicate with the owner of the car wash property. Discussion followed regarding the continued code enforcement issue and the benefit of having a viable business operating in the store building, which could have a positive effect on the adjacent property. Upon Mayor Saliba's request, Mr. McDonald said he would contact the owner to ask if they will meet with the mayor, himself, and any additional staff involved to discuss the property issues. There being no further discussion and upon the motion being put to vote, those voting "yea," were Saliba, Fleming, Kirkland, Ferguson, Kenward, and Crutchfield; "nay:" Dorsey. The motion was carried by the majority of six "yeas" to one "nay."

Mayor Saliba announced a Public Hearing regarding amending Chapter 114, Zoning, Article XI, Supplemental Regulations, Sec. 114-183(B)(3) – Fences, of the City of Dothan Code of Ordinances. There being no one present to speak, Mayor Saliba declared the Public Hearing closed.

Mayor Saliba announced a Public Hearing regarding the abatement and removal of noxious or dangerous weeds. Dorothy Westmoreland said she is here to assist Mr. Hamlin who received notice regarding the overgrown lot at 506 Allen Road. She said he is completely helpless at this time, she is doing what she can to get him help, and they would be appreciative of any organization that might be

interested in helping him. She said she is working now to get his social security status so that he will have some means of support. She said she has not been able to find any information about the other co-owner of this property, and she requested more time for Mr. Hamlin. Commissioner Kenward requested Ms. Westmoreland see her after the meeting. There being no further discussion, Mayor Saliba declared the Public Hearing closed.

Mayor Saliba introduced Ordinance No. 2020-1 (recorded in Ordinance Book No. _____ at Page _____), amending Chapter 114, Zoning, Article XI, Supplemental Regulations, Sec. 114-183(B)(3) – Fences, of the City of Dothan Code of Ordinances. Commissioner Ferguson moved for immediate consideration, motion seconded by Commissioner Kirkland and upon the motion being put to vote, those voting “yea,” were Saliba, Dorsey, Fleming, Kirkland, Ferguson, Kenward, and Crutchfield; “nay:” none. The motion was carried by the majority of seven “yeas” to no “nays.”

Commissioner Kirkland then moved for adoption of Ordinance No. 2020-1, motion seconded by Commissioner Kenward and upon the motion being put to vote, those voting “yea,” were Saliba, Dorsey, Fleming, Kirkland, Ferguson, Kenward, and Crutchfield; “nay:” none. The motion was carried by the majority of seven “yeas” to no “nays.”

Mayor Saliba introduced Resolution No. 2020-2 (recorded in Ordinance Book No. _____ at Page _____), declaring certain properties which are overgrown with weeds, scrub, wild bushes, grass and other vegetable growth as injurious to the health, safety and welfare of the community as nuisances and ordering that the properties be abated. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-3 (recorded in Ordinance Book No. _____ at Page _____), declaring certain properties which are overgrown with weeds, scrub, wild bushes, grass and other vegetable growth as injurious to the health, safety and welfare of the community as nuisances and calling for a public hearing to be held on the matter during the regularly scheduled commission meeting on January 21, 2020. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-4 (recorded in Ordinance Book No. _____ at Page _____), confirming the cost incurred in the demolition process of substandard structures and turning the amounts over to the county tax collector to be added to the next regular bills for taxes levied against the respective lots and/or parcels of land. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-5 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with MCCi Innovations, LLC for the purchase of Laserfische Rio, a Digital Document Workflow solution awarded by the National Cooperative Purchasing Alliance (NCPA), contract 11-26, at an implementation cost of \$60,115.95 and an annual support cost of \$20,239.10. Commissioner Crutchfield moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-6 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Mosaic Community Planning, LLC, to prepare the 2020-2024 Consolidated Plan, the One-Year Action Plan and the Fair Housing Plan: Analysis of Impediments to Fair Housing Choice at a cost of \$39,160.00, and appropriating funds for said services. Commissioner Kenward moved for adoption, motion seconded by Commissioner Kirkland and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-7 (recorded in Ordinance Book No. _____ at Page _____), adopting a new fee and calendar schedule for Water World. Commissioner Crutchfield moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-8 (recorded in Ordinance Book No. _____ at Page _____), appropriating \$405,000.00 to the Dothan Downtown Redevelopment Authority for assistance in funding the Saint Andrews Building Redevelopment and South Oates Street projects. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Crutchfield. Commissioner Kenward said these are exciting projects, and she asked for clarification of the details. Ms. Bienvenu said the Saint Andrews Building Redevelopment project is one of the game-changers she mentioned earlier in the meeting. She said a developer and consultant firm out of New Orleans, Louisiana, who specializes in renovations of historic properties, are looking at acquiring a specific historic property downtown which would be available for historic tax credits and the brownfields program. She said the financing request on the part of the developer was miniscule compared to the investment they are putting into the property as they are looking at hard costs of 3.7 million and the request is a ten percent financing gap to help make the project viable. She said, along with Dothan Area Chamber of Commerce President Matt Parker, they have been working with the developer for months to pull together all available resources to help make this happen. She said this project will provide at least sixteen residential units that are comparable to other rental units in the area as well as some mixed-use components for retail. Commissioner Ferguson asked if the South Oates Street project includes everything at the hump past the Denim Resellers building. Ms. Bienvenu said the project is just one property acquisition; however, they are in-line to work with the existing owners to clean their properties up as well and their hope is to get that key gateway façade improvement happening through this project. There being no further discussion, the resolution was unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-9 (recorded in Ordinance Book No. _____ at Page _____), appropriating an additional \$300,000.00 toward the cost of the Wiregrass Public Safety Center. Commissioner Ferguson moved for adoption, motion seconded by Commissioner Kirkland. General Services Director Randy Morris said there has been roughly \$400,000 in cost overruns during the construction of this project which have prevented the purchase of all the props desired for the facility. He explained that by the City appropriating this additional \$300,000 toward the project, the funds will be available to purchase those props. Commissioner Kenward confirmed with Mr. Morris that the total investment of this project is approximately \$22 million. There being no further discussion, the resolution was unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-10 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the Alabama Department of Transportation for the installation of an 8” sanitary sewer service within the ROW at 2870 Columbia Highway (AL Highway 52) to serve a business. Commissioner Ferguson moved for adoption, motion seconded by Commissioner Crutchfield and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-11 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the Alabama Department of Transportation for the installation of an 8” sanitary sewer main within the ROW in the 1700 block of Hartford Highway (AL Highway 52) to serve residents. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-12 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the Alabama Department of Transportation for the maintenance/replacement of existing sanitary sewer line segments within the ROW at the intersection of Roberta Avenue and US Highway 84, the intersection of Winding Road and Woodland Drive (SR 52), along the ROW of US Highway 84 and Columbia Highway. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-13 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the United States Department of Justice, through the United States Marshals Service, to accept funding for reimbursement of overtime expenses in an amount not to exceed \$18,629.00. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Commissioner Ferguson moved to remove Item No. 23 from the agenda, a proposed resolution entering into an agreement with Comcast for an additional Cable Service to be located at the Andrew Belle Community Center facility, located at 1270 Lake Street, at an installation cost of \$99.95, and an annual cost of approximately \$778.20, motion seconded by Commissioner Kirkland and unanimously carried.

Mayor Saliba introduced Resolution No. 2020-14 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with TPG Companies to support and further the Arts Initiative. Commissioner Kenward moved for adoption, motion seconded by Commissioner Kirkland. Upon Commissioner Ferguson’s request for explanation, City Manager Cowper said this item pertains to the performing arts center initiative and protected information the consultant has asked for regarding tickets sales for various events. He said we want to provide this information to further their study but we also need to be sure we are protecting individual information, and this agreement will accomplish this purpose. There being no further discussion, the resolution was unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-15 (recorded in Ordinance Book No. _____ at Page _____), appointing Everlie Bolton as a member of the Dothan Houston County Library System Board. Commissioner Kenward moved for adoption, motion seconded by Commissioner Crutchfield and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-16 (recorded in Ordinance Book No. _____ at Page _____), awarding the following bids and approving other purchases over \$15,000.00 by the City.

<u>ITEM</u>	<u>VENDOR</u>	<u>AMOUNT</u>
Manual Switch Gear, 3 Phase <i>Unit price: \$20,631.00</i> <i>Quantity: 1 (or more)</i>	Stuart C Irby Dothan, AL	\$ 20,631.00 (more or less)
<u>Additional Purchases from Previously Awarded Bids:</u>		
Upgrade HVC Direct Digital Control (DDC) systems at the Civic Center. <i>Work includes labor and equipment. Walters will install new controllers; as well as check and commission the sequences. Walters Controls is the contracted vendor for service through Bid 18-047 Bid included fees for parts and labor as required.</i> <i>Quantity: 1 ea.</i> <i>Controller 02: Unit Price: \$3,295.00</i> <i>Controller 03: Unit Price: \$2,400.00</i> <i>Controller 04: Unit Price: \$2,400.00</i> <i>Controller 05: Unit Price: \$4,625.00</i> <i>Controller 06: Unit Price: \$4,075.00</i> <i>Controller 07: Unit Price: \$4,985.00</i> <i>Controller 08: Unit Price: \$2,400.00</i> <i>Controller 09: Unit Price: \$3,695.00</i> <i>Controller 10: Unit Price: \$2,400.00</i> <i>Controller 12: Unit Price: \$3,695.00</i> <i>Controller 13: Unit Price: \$2,400.00</i> <i>Controller 14: Unit Price: \$2,400.00</i> <i>Controller 15: Unit Price: \$6,520.00</i>	Walters Controls, Inc. Mobile, AL	\$ 45,290.00
<u>Other Purchases:</u>		
Professional Services Sewer Cost of Service Update & New Staff Training in Methods & Theories Unique to Dothan Utilities	The Professional Consulting Group, LLC Andalusia, AL	\$ 20,000.00
Safety Shoe Service for Various Departments of the City of Dothan-Omni Co-operative Contract #R-BB-19002	Cintas Marianna, FL	\$ 57,450.00

Minutes of the Board of Commissioners – January 7, 2020, continued.

Annual Renewals & Maintenance Fees for Superior Software Suite Superior, LLC \$170,038.22
for Continuity of Service used by all departments Lake Mary, FL

Commissioner Kirkland then moved for adoption of Resolution No. 2020-16, motion seconded by Commissioner Kenward and unanimously carried.

Mayor Saliba introduced Resolution No. 2020-17 (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>
Larry Smith	Aclara Connect 2020 Conference and Exposition Nashville, TN	\$ 2,270.00
Jack Mason Jimmy Payne Robb Meredith	Alabama GMIS 2020 Winter Conference Huntsville, AL	\$ 2,000.00
Tyson Carter	Alabama Recreational Trails Conference Gulf Shores, AL	\$ 488.00
Lee Campbell Jason Hamm Tyrone Spencer Ishmael Stephens	Tennessee Valley Public Power Association, Inc. (TVPPA) Advanced Lineman Training hosted by Riviera Utilities Foley, AL	\$ 4,393.00
Vincent P. Vincent	University of Virginia: Darden Business School LEAD Program (Leading, Educating, and Developing) Charlottesville, VA	\$ 6,000.00

Commissioner Kenward then moved for adoption of Resolution No. 2020-17, motion seconded by Commissioner Dorsey and unanimously carried.

Mayor Saliba announced the re-appointment of Jeff Williams as a member of the Dothan Housing Authority Board.

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

/s/Tammy Danner,
City Clerk

Approved:

/s/Mark Saliba, Mayor

/s/Kevin Dorsey, Associate Commissioner

Janasky Fleming, Associate Commissioner

/s/Albert Kirkland, Associate Commissioner

/s/John Ferguson, Associate Commissioner

/s/Beth Kenward, Associate Commissioner

/s/David Crutchfield, Associate Commissioner

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