

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
FEBRUARY 2, 2016**

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, February 2, 2016 with the following members present: Mayor Mike Schmitz, Associate Commissioners Kevin Dorsey, Amos M. Newsome, Jr., Albert Kirkland, John Ferguson, Beth Kenward, and Steve McCarroll. Also present were City Manager Michael West, City Clerk Tammy Danner, Assistant City Clerk Wendy Shiver who recorded the Minutes of the Meeting, and the local news media representatives.

Mayor Schmitz invited City Manager West and Police Chief Steve Parrish to the podium to speak. City Manager West said there have been numerous allegations made against the Dothan Police Department (DPD) over the last couple of months, and as a result, a way to conduct a thorough independent investigation into this matter has been discussed. He said Chief Parrish has taken the initiative to write a letter to the Federal Bureau of Investigation (FBI) asking for their assistance to be an outside source to do this investigation. Chief Parrish said he wrote this letter on January 22, 2016 to the special agent in charge of the Mobile FBI office, which is a regional office encompassing most of the State of Alabama, for request of investigation.

Chief Parrish then read the contents of the letter as follows:

On December 1, 2015, a local blogger named John Carroll posted a story claiming to expose long-term racism and planting of evidence on citizens in the African-American community by members and former members of the Dothan Police Department. He also reported the command of the agency supported these actions. His post quickly went viral on the internet and I received numerous inquiries from national as well as international sources.

On December 2, 2015, I issued a statement to the media addressing these allegations. During the press conference I called for Mr. Carroll to provide evidence he claimed that he had substantiating his allegations.

I publicly invited any outside agency such as the US Attorney's Office, Department of Justice or any other credible law enforcement agency to take a look into our department and the allegations of wrongdoing. I have not received any official notification that any such inquiry has been made.

I respectfully request the Federal Bureau of Investigation to conduct an investigation into Mr. Carroll's allegations or any allegations of impropriety, illegal conduct or malfeasance by any present or former member of this agency. We will provide FULL disclosure to include any personnel records to assist you in the investigation. I look forward to cooperating with you soon.

Chief Parrish said in addition to the request made of the FBI, he issued a memorandum to his Internal Affairs Investigation staff and he read it as follows:

In early December 2015, a local blogger, Jon Carroll, posted a story on his website, The Henry County Report. In that story, Mr. Carroll contends that the Dothan Police Department violated rights, planted evidence, and operated in a corrupt manner. Since December, he has not provided any names to this or any other agency to my knowledge.

I want an internal investigation conducted and any and all potential "victims" as presented in the allegations to have the opportunity to provide us with information that will prove or disprove these claims. I know that resources are tight but there is nothing more important than preserving the integrity of this agency.

Chief Parrish said state law has traditionally only required law enforcement records to be kept for a period of five years, and while this may pose a challenge for investigative agencies looking into claims of any impropriety, it does not limit the DPD because our records are thorough and date back to 1975. He said we welcome anyone who has any complaint about impropriety to contact the DPD, and he explained that even though they have requested the FBI to do this, the department's CALEA standards require them to investigate all complaints. He advised that, based on the videos they have seen and the internet posts they have followed, they will be reaching out to those individuals who have made allegations. He said investigators are present and available, during a break or after the meeting, to speak with any of those individuals who may be here today. He said he would like to provide this Commission and the public a report on the findings of this investigation once it is completed. Mayor Schmitz expressed gratitude to Chief Parrish and City Manager West for their willingness to be open and transparent.

At this time, Mayor Schmitz read the following statement:

It is a privilege and honor to serve as your mayor. As presiding officer of the Dothan City Commission, I have the unique responsibility for the efficient running of our city's business meetings. It is our Commission's desire to hear the comments, complaints, and compliments of all the residents of the great City of Dothan.

Citizens of Dothan have a unique opportunity for the ability to address the Commission under Privileges of the Floor. There is no law or statute that says we have to allow this to take place. It is a privilege that not all cities afford its citizens. In my six and a half years as your mayor, I have always allowed people to come and address this Commission, and until recently, we have not had any issues with our current process.

In my professional and personal life, I have always tried to be open-minded and fair. Even if I didn't agree on something, I always treat people with dignity and respect.

As has been stated numerous times, privileges of the floor are not to be repetitive, profane, boisterous, threatening, offensive, or unruly. This is also not a forum to attack any city employee or any member of a city employee's family. As has been, and will continue to be a policy, those with lawsuits/complaints filed against the city have not been afforded the privilege of addressing this Commission.

Communication is all we have. Our city's health depends on it. Our progress, our hope, and our ability to move forward hand-in-hand has everything to do with how we will keep the lines of communication open between the citizens in this community and those who have been elected to serve.

We value your voices. The voices and the lives of every person in this community truly matters. But we also value peace and we understand that today a clear process is needed in order to maintain peace in our communication with each other.

So we will take the next 30-60 days, along with our city manager, National League of Cities, Alabama League of Municipalities, and our city's Legal Department to establish and publish a coherent and fair policy that will ensure that every citizen who resides in this city will have the opportunity to share their thoughts and needs with this Commission, your elected body.

So from today forward, we will take your comments in written form directed to your particular district commissioner. You can complete this form, print and mail it, email it, hand deliver to our City Administration office Monday through Friday during regular business hours. You also may contact the commissioner directly, and they will address your issues personally.

By working together, we can truly make Dothan the best we all know it can be.

Mayor Schmitz said he looks forward to having a written policy to communicate to the citizens. At this time, he announced that there will be a two minute break. He

asked everyone to please stay and remember there are expectations in these business meetings to display proper decorum.

Mayor Schmitz called the meeting to order at 10:12 A.M. Pastor Jerome Lister, Jr., St. Walden Missionary Baptist Church, then led in prayer, after which Commissioner Newsome led in the Pledge of Allegiance to the Flag.

Commissioner Kirkland moved that the Minutes of the Meeting of January 19, 2016 and the Adjourned Meeting of January 20, 2016, be approved, motion seconded by Commissioner Kenward and unanimously approved.

Mayor Schmitz presented and read a proclamation, proclaiming February, 2016 as “Career Technical Education Month” in the City of Dothan. Mary Beth Reynolds, Mike Tew, Cynthia Green, Dean Mitchell, and Powell Brewton were present for the proclamation.

Commissioner Newsome said some of the changes in administrative procedures on privilege of the floor he heard for the first time this morning and he has already spoken with Mayor Schmitz regarding his concerns on behalf of the citizens he represents in District 2 and on behalf of the citizens in the city of Dothan.

Commissioner Newsome said look where we are right now, we didn’t have to be here, and he is going to address a couple of key points. He said on March 11, 2015 he returned from the National League of Cities in Washington, DC, rushed to City Manager West’s office, and asked for some information. He said he asked for the Justice Department report on what happened in Missouri and he did not get a copy until after Chief Parrish came on the scene as Chief. He said he explained to City Manager West clearly that his purpose for that investigation was not to incriminate anybody but to ask the next chief that we hire – can we prevent this, what was found in the investigation, from happening? Commissioner Newsome said at 9:00 A.M. the morning after the chief had been appointed, he knew nothing until City Manager West called to tell him we have a new chief. He said at 3:00 P.M. on that Friday afternoon, he was called by the EEO officer and informed that City Manager West relayed to him (EEO officer) that there was some concerns he (Commissioner Newsome) had. Commissioner Newsome said all of this is after the fact. He said look where we are now, after the fact.

Commissioner Ferguson reminded everyone that the District 6 Special Municipal Election will be held on Tuesday, February 9th. He recognized the two candidates, David Crutchfield and Gary Roney, who were present in the audience. He also recognized Arthur Medley, candidate for District Attorney for Houston and Henry County, present in the audience. Commissioner Ferguson said running for office is hard work, he commends them, he hopes the turnout is suitable for their efforts, and he wished them all good luck.

Mayor Schmitz honored former Mayor James Grant who passed away last night. He said he was a wonderful community leader, a great mayor, and a lot of great things happened under his leadership. He said Mayor Grant was his mentor and friend, and we will miss him. He requested prayers for his family.

Mayor Schmitz said he had a great meeting this past week with Mr. A.Y. Cotton, President of the local NAACP and several community leaders. Mayor Schmitz said we have 900 jobs available today in Dothan, but we also go out into the community and hear there are no jobs, so the purpose of the meeting was to discuss how to connect the dots. He explained that, when we recruit companies, we hope to have a great labor force that will apply and go to work because we do believe we have the best in the world. Mayor Schmitz said representatives from several agencies, including Personnel Resources, Dothan Career Center, Alfred Saliba Family Services Center, Wallace Community College, and Troy University, attended, and this meeting is the first step. He said we are going to go actively into the community to identify the issues and find ways to help people connect to jobs. He said he believes it is important to start this discussion, and he expressed his gratitude for the community’s work in this endeavor.

Mayor Schmitz said he is grateful to this Commission for looking at the future of our city with affordable housing and for voting this issue, which has been

neglected for many years, as a priority. He said he looks forward to working on this with the community. He said he believes we, as a Commission, can make a systemic change that can affect the rest our lives and the rest of our children's lives.

Mayor Schmitz invited Dana Lemmer, Director and Curator of the Wiregrass Museum of Art (WMA), to speak. Ms. Lemmer provided the Commission with copies of WMA's 2015 Annual Report and their most current newsletter. She said the museum has reached its 25 year milestone and they have a lot of exciting exhibitions and programs planned for the year. She said they have opened 2016 with an exhibition titled "Keep on Pushing: the Rosa Parks show by Tim Kerr and Friends" and they were fortunate to host the Austin, Texas based artist last week to install the exhibition and meet with visitors. She said Mr. Kerr took part in a new program they have called the Visiting Artists Series and he did a community youth project last Saturday with over 60 families collaborating in the free event to create a community mural. She discussed upcoming events and invited everyone to visit the museum soon and often.

City Manager West invited Troy Jones, Leisure Services Athletic Complex Manager, and Eddie Arnold, Leisure Services Recreation Leader, to recognize local athlete Cole Odom. Mr. Jones said every year hundreds of kids from Dothan and the surrounding areas compete in the NFL Punt, Pass, and Kick competition with hopes of moving on to Atlanta, Georgia. He said this does not happen very often. Mr. Arnold introduced Cole Odom who finished first in the September, 2015 local competition and advanced to the sectionals. Mr. Arnold explained that, in the sectional competition, competitors have to qualify in the top four spots in all the sectionals that are identified with that certain NFL team. He said there are five sectionals that qualify for the Atlanta team and this young man finished first in that category. He said Cole went on to compete in Atlanta, where he missed going to the national competition by only 38 feet, and he finished 8th out of 128 kids in the nation. Cole thanked the Commission for inviting him here today, his coach, Al Hayes of Honeysuckle Middle School, for always working with him, and kicker Brian Jackson. Cole said he has put in a lot of hard work, and he expressed appreciation to God for this blessing.

City Manager West made the following announcements:

- The next "How to Do Business with the City of Dothan" free workshop will be conducted on Tuesday, February 9th in the City Commission Chambers, beginning at 5:30 p.m., with the program starting at 6:00 p.m. A number of departments will provide presentations and explain various aspects of doing business with the city.
- Election Day is Tuesday, November 9th. Get out and vote!
- The AHSAA South Regional Basketball Tournament will be held February 18th – 24th in the Civic Center arena. Come out to see some great high school basketball.
- The next session of the internal Dothan Leadership Academy will be held February 15th – 17th at the Wiregrass Museum of Art.

Mayor Schmitz introduced the application of Vinaykumar Patel for a Retail Beer and Retail Table Wine License (off premises) for Quick Stop, located at 2984 East Main Street. Commissioner Newsome moved for approval, motion seconded by Commissioner Kirkland. Mayor Schmitz asked if there was anyone present to speak on this matter and there were none. There being no discussion and upon the motion being put to vote, the motion was unanimously carried.

Mayor Schmitz introduced the application of Amy B. Nelson for a Retail Beer and Retail Table Wine License (off premises) for Circle K Store 2721552, located at 302 Ross Clark Circle. Commissioner Kirkland moved for approval, motion seconded by Commissioner Kenward. Mayor Schmitz asked if there was anyone present to speak on this matter and there were none. There being no discussion and upon the motion being put to vote, the motion was unanimously carried.

Mayor Schmitz introduced the application of Amy B. Nelson for a Retail Beer and Retail Table Wine License (off premises) for Circle K Store 2723643, located at 4196 Ross Clark Circle. Commissioner Kirkland moved for approval, motion seconded by Commissioner Dorsey. Mayor Schmitz asked if there was anyone present to speak on this matter and there were none. There being no discussion and upon the motion being put to vote, the motion was unanimously carried.

Mayor Schmitz introduced the application of Amy B. Nelson for a Retail Beer and Retail Table Wine License (off premises) for Circle K Store 2723829, located at 4970 Montgomery Highway. Commissioner Newsome moved for approval, motion seconded by Commissioner Kirkland. Mayor Schmitz asked if there was anyone present to speak on this matter and there were none. There being no discussion and upon the motion being put to vote, the motion was unanimously carried.

Mayor Schmitz introduced the application of Amy B. Nelson for a Retail Beer and Retail Table Wine License (off premises) for Circle K Store 2723905, located at 2357 Reeves Street. Commissioner Kirkland moved for approval, motion seconded by Commissioner Dorsey. Mayor Schmitz asked if there was anyone present to speak on this matter and there were none. There being no discussion and upon the motion being put to vote, the motion was unanimously carried.

Mayor Schmitz introduced Resolution No. 2016-29 (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 March 1, 2016. Commissioner Newsome moved for adoption, motion seconded by Commissioner Dorsey and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-30 (recorded in Ordinance Book No. _____ at Page _____), confirming the costs incurred in notification and abatement of certain properties determined to be nuisances by Resolution Number 2015-345 and Resolution Number 2016-3 and turning the costs over to the County Tax Collector so that the amount can be added to the next regular bills for taxes levied against the respective lots and parcels of land. Commissioner Dorsey moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-31 (recorded in Ordinance Book No. _____ at Page _____), approving an allocation to Wallace Community College to purchase instructional equipment for the new Health Science Building, located on the Wallace Community College (WCC)-Dothan Campus, in the amount of \$400,000.00 to be paid over a four-year period; \$100,000.00 annually, beginning with FY 2016, and appropriation funds for said allocation. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Dorsey. Commissioner Newsome said this allocation by the City is not just an allocation that will support the city of Dothan or the close surrounding area of Dothan. This allocation will support the entire Wiregrass and this is very important. He said there are kids graduating from high school without jobs and this will give them an opportunity to learn a technical job. He talked about the importance of technical education and said it is an honor to have the opportunity to provide this support. Commissioner Dorsey thanked WCC President Dr. Linda C. Young for her hard work, patience and prayers. Mayor Schmitz said the medical community really stepped up at the ribbon cutting and said they will hire anyone who graduates from these classes. He thanked Dr. Young for her work. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-32 (recorded in Ordinance Book No. _____ at Page _____), entering into a permit agreement with the Alabama Department of Transportation for the installation of a wood pole to feed new electric service for Town Place Suites at the intersection of Montgomery Highway (US Highway 231) and Retail Drive. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Dorsey. Commissioner Ferguson confirmed with City Manager West that this is new construction. Commissioner McCarroll asked if there is an opportunity to put this underground. Electric Operations Superintendent Chris Phillips said the pole will be put in line with the existing

overhead line and it will be fed underground to the hotel site. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-33 (recorded in Ordinance Book No. _____ at Page _____), entering into a permit agreement with the Alabama Department of Transportation (ALDOT) for permission to perform necessary maintenance to its utility lines along AL/US Route No. 52, beginning at Milepost No. 65.20 and ending at Milepost No. 68.00. Commissioner Newsome moved for adoption, motion seconded by Commissioner Kirkland. City Manager West explained that this is where we are trimming lines and ALDOT’S permission to be on their right of way is required. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-34 (recorded in Ordinance Book No. _____ at Page _____), entering into a permit agreement with the Alabama Department of Transportation for permission to perform necessary maintenance to its utility lines along AL/US Route No. 210, beginning at Milepost No. 9.00 and ending at Milepost No. 10.48. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Newsome and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-35 (recorded in Ordinance Book No. _____ at Page _____), entering into a permit agreement with the Alabama Department of Transportation for permission to perform necessary maintenance to its utility lines along AL/US Route No. 84 (AL 12), beginning at Milepost No. 212.00 and ending at Milepost No. 213.45. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Dorsey and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-36 (recorded in Ordinance Book No. _____ at Page _____), entering into a contract with the Southeast Basketball Officials Association to provide a clockkeeper and bookkeeper to officiate during the 2016 South Regional Tournament at a cost of \$45.00 per game. Commissioner Kenward moved for adoption, motion seconded by Commissioner Kirkland and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-37 (recorded in Ordinance Book No. _____ at Page _____), re-appointing Andy Gosselin as Landmark Park’s representative on the Historic Preservation Commission. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Dorsey. Commissioner Newsome asked if Mr. Gosselin was present in the audience, and Mr. Gosselin confirmed that he was by raising his hand. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-38 (recorded in Ordinance Book No. _____ at Page _____), appointing Wallace T. Black as a member of the Board of Zoning Adjustment. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Dorsey. Commissioner Newsome asked if Mr. Black was present in the audience, and there was no response from the audience. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-39 (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>
<p>#6 THHN/THWN-2 Copper Conductor, per City of Dothan Bid Specifications: Quantity to Bid 100,000 Feet (more or less) on a Maximum #6 Coil: Unit Price: <u>.268 Per Foot</u> Total Price: \$26,800.00 Brand Name: Alan Wire</p>	<p>Gresco Capstone Utility Supply Dothan, AL</p>	<p>See Price in Description</p>

Other Purchases:

Minutes of the Board of Commissioners – February 2, 2016, continued.

CUES Sewer Television Inspection Truck with all Equipment, per City of Dothan specifications²
Purchase Using National Joint Powers Alliance (NJPA)
Contract No. 022014-AMI

Atlantic Machinery, Inc.
Silver Spring, MD

\$ 260,117.00

Development and Administration of Police Corporal, Police Sergeant and Police Lieutenant Assessment Centers.
Professional Services

CPS Human Resources Services
Atlanta, GA

\$ 29,000.00

²Sewer television inspection trucks are a valuable tool for the early detection of debris accumulation, inflow and infiltration, and structural defects. Because this type of inspection does not require confined space entry and provides a permanent record of the condition of the pipe, it is the preferred method of inspection. These inspections are a vital and integral part of the City’s Continuing Sanitary Sewer Assessment Program, as required in the EPA Administrative Order on Consent.

Commissioner Dorsey then moved for adoption of Resolution No. 2016-39, motion seconded by Commissioner McCarroll and unanimously carried.

Mayor Schmitz introduced Resolution No. 2016-40 (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>
Scott Heath Brian Smith Joseph Evans	Alabama Bomb Technician Symposium Montgomery, AL	\$ 150.00
Craig Smith	Light Brigade-Fiber Optic Hands-On Training Class Atlanta, GA	\$ 3,068.80
Tony Thorne	District Basketball Tournament Ozark, AL	\$ 1,750.00
Katrina Lewis	Advance Law Enforcement Readiness Training-Court Security Stapleton, AL	\$ 945.00
Chad Daniels	District Basketball Tournament Daleville, AL	\$ 900.00
Tony Black	District Basketball Tournament Eufaula, AL	\$ 900.00
Corey Baldwin Jeffrey Johnson	Alabama Criminal Justice Training Center Selma, AL	\$ 3,100.00
Cade Wells Clifton Overstreet Peter Markow	Drug Recognition Expert School Selma, AL	\$ 40.00

Commissioner Dorsey then moved for adoption of Resolution No. 2016-40, motion seconded by Commissioner Kirkland and unanimously carried.

Commissioner Kirkland moved to accept an easement from Tatom Properties, LLC needed to maintain, repair and upgrade utility facilities at the corner of West Carroll Street and Ross Clark Circle, motion seconded by Commissioner Kenward and unanimously carried.

Commissioner Kirkland moved to accept an easement from M4 Development, LLC and LNK Properties, LLC needed to maintain existing electrical utilities at Lot 6 & 7, Block A, The Way Subdivision, motion seconded by Commissioner Kenward and unanimously carried.

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

/s/Tammy Danner,
City Clerk

Approved:

/s/Mike Schmitz, Mayor

/s/Kevin Dorsey, Associate Commissioner

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

/s/Albert Kirkland, Associate Commissioner

/s/John Ferguson, Associate Commissioner

/s/Beth Kenward, Associate Commissioner

/s/Steve McCarroll, Associate Commissioner

BOARD OF CITY COMMISSIONERS