

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
JULY 5, 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, July 5, 2016 with the following members present: Mayor Mike Schmitz, Associate Commissioners Amos M. Newsome, Jr., Albert Kirkland, John Ferguson, Beth Kenward, and David Crutchfield. Commissioner Kevin Dorsey was absent. 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 called the meeting to order. Commissioner Kirkland requested that Gary Weeks, who lost his wife to cancer yesterday morning, and Leisure Services Director Elston Jones, whose wife is in UAB, be remembered in prayer. Pastor Doug MacCormack, Crossroads Baptist Church, then led in prayer, after which Commissioner Kirkland led in the Pledge of Allegiance to the Flag.

Commissioner Kirkland moved that the Minutes of the Meeting of June 21, 2016, be approved, motion seconded by Commissioner Ferguson and unanimously approved.

Commissioner Kirkland announced there will be a public tour of Porter Hardware immediately following today's meeting and he invited those interested in attending to meet on the Main Street side of the building.

Commissioner Kirkland said he has been in discussion with Electric Operations Superintendent Chris Phillips about the possibility of the City building a small solar garden next to the Dothan Utilities building in order to monitor and evaluate if it may be something worth doing on a larger scale. Commissioner Kirkland requested that this be looked at strongly, and Mayor Schmitz concurred that this is a good idea.

Commissioner Kenward thanked those who celebrated and kept our City safe during the Independence Day celebrations. She said we live in a wonderful place where we are able to celebrate our military. She expressed appreciation to the men and women who have served and kept us free all these years.

Commissioner Crutchfield said he has received several calls regarding the potential Napier Field Road extension, and he thanked those individuals for their input as we go through this process.

Mayor Schmitz thanked Commissioner Ferguson for his invitation to attend Ridgecrest Baptist Church this past Sunday, July 3rd. He said the "America Come Home" event in celebration of the 4th of July was incredible. Mayor Schmitz said he has the joy of visiting a lot of churches and it is wonderful what we do in our community everywhere.

Mayor Schmitz said this is a big week for his family because his twenty-six year old son is getting married this weekend! He said they are really proud and it is a blessing to grow up in this incredible community.

City Manager West, along with Interim Internet Technology (IT) Director Robb Meredith, presented a service award to Teresa Wright, for thirty years of service with the City.

City Manager West invited James Brannon of Polyengineering to give an update on the Tuscaloosa Test Well & Blending Study. Mr. Brannon provided a presentation which included details about the project, data obtained from the test well, and results of the blending analysis. He explained that this project has provided the data needed to determine that the Tuscaloosa Formation is a viable source of water, and he advised that there are also opportunities to build shallower, less expensive, wells in the Clayton Formation out from the other wells.

Mayor Schmitz provided background information regarding this project, discussed the projected costs of other options, and said we are truly blessed to have found this well. Regarding the Phase 1 Cost Estimate, Mr. Brannon confirmed for Commissioner Ferguson that the \$17,515,000 figure includes both a raw water tank facility and a finished water tank facility. Commissioner Ferguson inquired into the \$1.50 cost per gallon estimate. Mr. Brannon explained this cost is for the reverse osmosis facility which involves filtration under high pressure, and he advised that the cost has decreased over time as technology has improved. Regarding blending the water, Mr. Brannon confirmed for Commissioner Kirkland that the City's water system is completely interconnected. Mr. Brannon advised that the water usage per customer has decreased significantly since 2000 which has enabled the City to meet demands with existing wells. A discussion followed about average water usage and the capability of the proposed wells to handle anticipated economic development.

City Manager West made the following announcements:

- The Dixie Youth Rookies (6 & under) will have a state tournament July 7th-10th at Eastgate Park Youth Complex and Dixie Youth Boys (14 & under) and Junior Boys (13 & under) will have tournaments July 15th-20th on the two ball fields beside the Westgate Park Miracle Complex.
- Fall Registration for sports will be held July 11th-16th at all recreation centers.
- Garbage and recycling collection for Monday residents will be on Wednesday, July 6th this week because of the holiday on Monday, July 4th.
- A work session for the City Commission will be held on Tuesday, July 12th at 10:00 a.m. to discuss changes to the water code. The proposed changes involve policies and do not impact rates.

Mayor Schmitz introduced the application of Lawrence Gatta for a Retail Beer and Retail Table Wine License (off premise) for Dollar General Store #8218, located at 2757 Hartford Highway. 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 Ordinance No. 2016-185 (recorded in Ordinance Book No. _____ at Page _____), rezoning property owned by Alexander Johnson and Channie Johnson, located at 1620 East Burdeshaw Street (multiple lots) from H-I (Heavy Industrial) District to R-3 (Residential, Single-Family, High Density) District. Commissioner Ferguson moved for immediate consideration, motion seconded by Commissioner Kirkland and upon the motion being put to vote, those voting "yea," were Schmitz, Newsome, Kirkland, Ferguson, Kenward, and Crutchfield; "nay:" none. The motion was carried by the majority of six "yeas" to no "nays."

Commissioner Ferguson then moved for adoption of Ordinance No. 2016-185, motion seconded by Commissioner Kenward and upon the motion being put to vote, those voting "yea," were Schmitz, Newsome, Kirkland, Ferguson, Kenward, and Crutchfield; "nay:" none. The motion was carried by the majority of six "yeas" to no "nays."

Mayor Schmitz introduced Ordinance No. 2016-186 (recorded in Ordinance Book No. _____ at Page _____), authorizing the issuance of the City's \$41,085,000.00 General Obligation Warrant, Series 2016-CWSRF-DL to provide funds for Omussee Creek WWTP Improvement Project and authorizing the execution of the Special Authority Loan Conditions Agreement with the Alabama Water Pollution Control Authority and the Alabama Department of Environmental Management. Commissioner Kirkland moved for immediate consideration, motion seconded by Commissioner Kenward and upon the motion being put to vote, those voting "yea," were Schmitz, Newsome, Kirkland, Ferguson, Kenward, and Crutchfield; "nay:" none. The motion was carried by the majority of six "yeas" to no "nays."

Commissioner Kirkland then moved for adoption of Ordinance No. 2016-186, motion seconded by Commissioner Newsome and upon the motion being put to vote, those voting “yea,” were Schmitz, Newsome, Kirkland, Ferguson, Kenward, and Crutchfield; “nay:” none. The motion was carried by the majority of six “yeas” to no “nays.”

Mayor Schmitz introduced Resolution No. 2016-187 (recorded in Ordinance Book No. _____ at Page _____), awarding the bid, entering into a contract and issuing a Notice to Proceed and other related documents to L & K Contracting for the North Appletree Street and East Burdeshaw Street Watermain Replacement for the sum of \$131,466.00, and appropriating funds for said project. Commissioner Newsome moved for adoption, motion seconded by Commissioner Kirkland. Commissioner Ferguson inquired into the process for prioritizing these type projects. Mr. Phillips explained that the Water Division takes red water samples and work is then prioritized by poorest water quality. He advised that there are approximately 70 miles of red water line in the City and only about one mile per year is able to be completed in-house. City Manager West said an additional \$100,000 was allocated in the budget this year and he confirmed for Commissioner Ferguson that Lakewood is under design in-house. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-188 (recorded in Ordinance Book No. _____ at Page _____), awarding the bid, entering into a contract, and issuing a Notice to Proceed to Asplundh Tree Expert Co., for rights-of-way maintenance on various routes in Dothan in the amount of \$218,400.00. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Ferguson. Commissioner Kirkland commented that the City has contracted with Asplundh in recent years to trim trees back away from power lines and this has had a significant impact in reducing outages. City Manager West advised that the idea is to try this for one year and then evaluate if our staff can do this. Public Works Director Jerry Corbin confirmed for Commissioner Crutchfield that the contract includes bush hogging to a height of 3-4 inches and weed eating around vertical objects. Commissioner Ferguson expressed his appreciation for this item coming to a vote. He said it has been worked on for a couple of years, it will be a supplemental enhancement to the Alabama Department of Transportation’s (ALDOT) mowing, and it will allow for City staff to manicure certain other high profile areas. He said he thinks citizens will notice much cleaner roadways and rights-of-way in the City limits. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-189 (recorded in Ordinance Book No. _____ at Page _____), entering into a cooperative agreement with ALDOT for the periodic mowing of the rights-of-way of various state routes within the city limits. Commissioner Crutchfield moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-190 (recorded in Ordinance Book No. _____ at Page _____), approving Change Order #1 (Summary) to deduct \$35,374.50 from the original contract amount with J & P Construction Company, Inc., for the Sludge Dewatering Facility Upgrade, resulting in a final contract price of \$1,606,625.50. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-191 (recorded in Ordinance Book No. _____ at Page _____), approving the Final Summary Change Order for a net increase of \$1,875.00 with Bill Lunsford Construction & Development, Inc. for the Microbial Remediation at Central Fire Station, resulting in a final amount of \$76,875.00. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Crutchfield. Commissioner Newsome asked when we expect to have this fire station open again. City Manager West said four months, he advised that the other necessary renovations are also being done at this time, and he noted that this is the old Burdeshaw station. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-192 (recorded in Ordinance Book No. _____ at Page _____), approving Supplemental Agreement No. 1 (\$14,362.50) and the Final Summary Change Order (\$38,723.80) with Triple J Construction, LLC, for the Downtown Streetscape, Sidewalk Improvements to North Oates Street, which increases the total contract cost in the amount of \$53,086.30 making the final adjusted contract price \$354,667.30. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Newsome. Commissioner Kenward inquired into the change and asked for details regarding the negotiation. Mr. Corbin discussed the number of unfinished driveways that existed along this section of North Oates Street and the Federal Highway Administration's (FHWA) design requirement for cross slopes. He said the City negotiated with ALDOT and FHWA at the beginning of the project to leave the driveways that they could in place and a letter of waiver from a previous highway director agreeing to waive the requirement was provided to the City. Mr. Corbin explained that the project was designed to leave many of those driveways in place, and then after the project bid, the inspectors that were sent said they would have to be removed. Mr. Corbin said the work was done in order to carry out the project and not forfeit the grant money. He said the increased amount of the contract price has almost all to do with removing driveways and installing curbs. Mr. Corbin confirmed for Commissioner Kenward that this was an 80/20 grant. He said the City will receive approximately \$284,000 of grant money and the remaining amount of the project will have to be paid by the City. He explained that the City will have almost \$100,000 in this project including the construction, engineering, inspection, and testing. Mr. Corbin confirmed for Commissioner Ferguson that the waiver received was in writing. Mr. Corbin clarified for Commissioner Crutchfield that the purpose of using brick pavers was to tie-in to the existing sidewalks along North Oates Street, and while plain concrete is cheaper, stamped colored concrete and pavers are comparably priced. Commissioner Kenward questioned why the City did not fight for the waiver given that the project was designed and bid based on it. Mr. Corbin said we can send a letter to ALDOT requesting additional funding for this but we do need to pay the contractor for the work performed. He advised that when ALDOT or FHWA offers grant money for projects, it is standard for them to include a paragraph in their agreement that they will not pay more than their estimate of the work and that is the case with the agreement for this project. There being no further discussion and upon the motion being put to vote, those voting "yea," were Schmitz, Newsome, Kirkland, and Crutchfield; "nay:" Kenward and Ferguson. The motion was carried by the majority of four "yeas" to two "nays."

Mayor Schmitz introduced Resolution No. 2016-193 (recorded in Ordinance Book No. _____ at Page _____), approving the Final Summary Change Order with Geisler Contracting Incorporated, for the construction of the 2014 CDBG Sidewalk Project Bayshore Avenue & Pryor Street Sidewalk and the Extension of Montana Street Sidewalk, which results in a cost decrease for the total contract bid in the amount of \$15,875.77 making the final adjusted contract price \$132,548.82. Commissioner Newsome moved for adoption, motion seconded by Commissioner Kirkland and unanimously adopted.

Mayor Schmitz introduced a proposed resolution, entering into a contract with Northstar Engineering Services for Construction Engineering and Inspection (CE&I) services for sidewalk improvements to Westgate Parkway, for a not to exceed amount of \$57,425.00, and appropriating funds for said services. Commissioner Kirkland moved for approval. Mayor Schmitz called for a second to this motion. The motion died due to lack of a second.

Mayor Schmitz introduced Resolution No. 2016-194 (recorded in Ordinance Book No. _____ at Page _____), amending the existing professional services contract with Polyengineering, Inc. for Honeysuckle Tank (No. 10), Hodgesville Tank (No. 11), and Highway 84 West Tank (No. 12), to include Cherry Street Tank (No. 3) repair professional services for a total amount not to exceed \$27,500.00. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Newsome and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-195 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with Elavon, Inc., a Regions Bank processing partner, for bank card processing services for the Performing Arts Department (Civic Center and Opera House divisions) at agreed upon costs as presented in their request for proposal and for purchase of hardware at a cost of \$5,310.00. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Newsome. City Manager West confirmed for Commissioner Kenward that this will allow for credit card processing in the concession areas. Performing Arts Director Marshall Perry advised that the system is to be installed within sixty days. Mr. Perry and City Manager West confirmed for Commissioner Crutchfield that the hope is to recoup this cost through increased purchases as has been the experience with other venues. Mr. Perry confirmed for Commissioner Ferguson the next item on the agenda is for a part of the system that will allow for portability between the Civic Center and Opera House. There being no further discussion, the resolution was unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-196 (recorded in Ordinance Book No. _____ at Page _____), entering into a merchant agreement with Talech, Inc. for a point-of-sale system, including a boomtown premium package silver, and a 3 year Talech software service agreement for the Performing Arts Department, Civic Center and Opera House divisions at a cost of \$6,931.20. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Newsome and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-197 (recorded in Ordinance Book No. _____ at Page _____), applying for and accepting a grant award from the Wiregrass Foundation in the amount of \$5,000.00 to fund catering and miscellaneous expenses for the Annual Diabetes Prevention and Wellness, and appropriating funds for said grant award. Commissioner Newsome moved for adoption, motion seconded by Commissioner Kirkland and unanimously adopted.

Mayor Schmitz introduced Resolution No. 2016-198 (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><i>295-Gallon Refuse Container with 12" Plastic Snap-On Wheels, Standard Color Blue (For Recycling), with RFID Chip:</i> A.D.E.M. Grant 2015 Quantity 1024 (or more) Unit Price: <u>\$48.87</u> Total Price: <u>\$50,042.99</u></p>	<p>Schaefer Systems Intl. Charlotte, NC</p>	<p>\$ 50,042.99</p>
<p><i>Motor Control Panel with SCADA Material, Labor & Equipment to Construct Provide, Test & Commission One (1) Complete & Operable SCADA Panel,</i> per City of Dothan bid Specifications: Lakewood Lift Station (Duplex)- 114 Berry Patch Lane Unit Price: <u>\$26,398.00</u></p>	<p>Revere Control Systems Birmingham, AL</p>	<p>\$ 26,398.00</p>
<p><u>Other Purchases:</u></p>		
<p><i>Purchase Materials for Interior Painting of Westgate Indoor Pool³:</i> Tnemec products will be used to ensure continuity of materials.</p>	<p>Tnemec Co., Inc. Dallas, TX</p>	<p>\$ 3,678.85</p>
<p><i>Rental of a Belt Filter Press for Sludge Facility:</i> Original Rental: <u>\$13,750.00</u> Rental was longer than anticipated costing another <u>\$6,900.00</u> Contractor, J P Construction, caused the problem and they are agreeable to having this amount paid to the vendor by the City</p>	<p>Greensouth Solutions, LLC Florala, AL</p>	<p>\$ 20,650.00</p>

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and then deducted from their last invoice. This will cause the amount paid to this vendor to exceed \$15,000 in one year. Quotes were obtained originally: Greensouth Solutions LLC: Unit Price: \$2,500.00, Press Rentals: Unit Price \$6,500.00 and H & A Resource Mgt.: Unit Price: \$7,800.00 All units are per hour.

²This is an additional purchase from the awarded bid at the same bidded unit cost.

³A purchase was previously approved for \$\$23,695.55. An additional \$3,678.85 will be required.

Commissioner Kirkland then moved for adoption of Resolution No. 2016-198, motion seconded by Commissioner Crutchfield and unanimously carried.

Mayor Schmitz introduced Resolution No. 2016-199 (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>
Rachel David	FBI LEEDA; Supervisor Leadership Institute Bossier City, LA	\$ 905.00
P. Markow	Mossberg 500/590 Armorer Course Marianna, FL	\$ 470.00
S. Hancock	Simunition Scenario Instructor and Safety Course Marianna, FL	\$ 625.00
Scott Owens	Drug Recognition Expert School #4 (as instructor) Field Evaluations Jacksonville, FL	\$ 647.31
Ray Mock Jeremy Kendrick William Wozniak Will Kaufmann	SKIDDS – SWAT & K9 Interaction During Deployment School Warner Robbins, GA	\$ 3,470.00
Mike Butler Trevor Cotton	71 st Annual AWPCA Short Course School and Conference Phenix City, AL	\$ 977.00
Marshall Perry	46 th Annual International Entertainment Buyer's Association (IEBA) Conference Nashville, TN	\$ 2,414.68

Commissioner Kirkland then moved for adoption of Resolution No. 2016-199, motion seconded by Commissioner Kenward and unanimously carried.

Mayor Schmitz thanked Mark and Susan Anderson for the WIRED 2016 Youth Outreach Program which took place from June 26th until July 1st and he expressed gratitude for their leadership. He said there were lots of young people all over our community doing service work and really showing that they are a great generation with a heart for service.

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

/s/Tammy Danner,
City Clerk

See approval next page:

Approved:

/s/Mike Schmitz, Mayor

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/David Crutchfield, Associate Commissioner

BOARD OF CITY COMMISSIONERS