

**BOARD OF COMMISSIONERS
CITY OF DOTHAN, ALABAMA
REGULAR MEETING
JUNE 2, 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, June 2, 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. Vincent Vincent, Community Relations Officer, City of Dothan, then led in prayer, afterwhich Commissioner Kenward led in the Pledge of Allegiance to the Flag.

Commissioner Kenward moved that the Minutes of the Meeting of May 19, 2020, be approved, motion seconded by Commissioner Crutchfield and unanimously approved.

Commissioner Kirkland presented and read a proclamation, proclaiming June 1, 2020 as "Lineman Appreciation Day" in the City of Dothan. Dothan Utilities Director Billy Mayes was present for the proclamation.

Commissioner Dorsey said, in reference to the insensitive statements recently posted by a Dothan City Schools employee, he asked Personnel Director Delvick McKay to send our social media policy to all commission members to review what we currently have in place and to see if any enhancements should be made. He requested City Manager Cowper to also review and to share the policy again with each department head. Commissioner Dorsey asked Police Chief Steve Parrish if we have anything in place for diversity and sensitivity training. Chief Parrish said his department has been in contact with Troy University for this type of training and they have requested proposals for 200 police employees and also for citywide training. He discussed current limitations at Troy University due to COVID-19 and said once he receives the proposals, he will forward to City Manager Cowper for the Commission's decision on how to proceed. Commissioner Dorsey said he feels this should be a priority. Mayor Saliba thanked Commissioner Dorsey for bringing up the social media policy because this is something the Commission does need to review and for requesting pricing from Troy University for sensitivity training.

Commissioner Fleming said a peaceful rally was held this past Sunday and he would like to personally and publicly thank Chief Parrish and his department for working with the organizers. He said the organizers were in communication with Chief Parrish about the event, this is the best way to handle, and he thinks our city was an example for a lot of other great cities.

Commissioner Fleming thanked Commissioner Kirkland for his partnership, as well as his neighbors and friends, in recently being able to give twenty-five high school graduates a financial blessing. He said Commissioner Kirkland's partnership has allowed them to do more the past couple of years, and it means a lot to these kids, some of whom have never been recognized by their school.

Commissioner Kirkland said Emergency Medical Services (EMS) Week was held last month and he described an incident that occurred last Monday. He said Fire Chief Larry Williams responded to an alarm call for Mr. Ken Dillard, who had been working in his yard and lives down the street from Chief Williams, probably saving his life. Commissioner Kirkland said, while we spend a lot of money on training, it goes a long way.

Commissioner Kenward said, amidst the chaos of recent events, let's not forget who we are, let's not forget we are Dothan, and we do things the right way. She said our community has her commitment to continue to try to shine light and be light, she believes there is an appropriate way to make our feelings known, she is proud of the way we have handled everything thus far, and she wants our citizens to continue to do so. She said we are Dothan, we work together, we communicate, and we talk to each other.

Commissioner Crutchfield said he has responded to several emails and calls after the recent Planning Commission meeting regarding the development plan approval process. He clarified that only rezoning requests come before the City Commission for approval or disapproval following Planning Commission approval.

Mayor Saliba thanked everyone for their comments. He said this is a tough time and there is a lot of chaos happening in the country. He said he thinks it will go a long way with all of us if, when we meet someone, we consider who they are, what they are going through, and respond as we would like to be treated. He said we have been under a strain from the pandemic for two months, we do not like to be told things we can and cannot do, people have lost their jobs and businesses, everyone is on edge, and then to have a tragedy as we have seen happen, it has been one more thing to hurt us as a people. He said he does believe Dothan and the state of Alabama has shown how to do civil rights activities in the right way. He said we are committed, we are here to listen, and we are here to make real and lasting change. He thanked the police department, fire department, all of our emergency responders, and all of our staff who meet people on a day in and day out basis because we need to know to be extra sensitive to where we are as a country and treat one another better than we do ourselves. He said he appreciates all of our employees who are doing this, have done that, and will continue to do so.

City Manager Cowper expressed appreciation to Mayor Saliba and the Commission for their support and kind words about the staff. He thanked Commissioner Dorsey for his interest in the social media policy and said we will certainly be responsive to that request.

City Manager Cowper said we plan to have an executive session immediately following the Administrative meeting this morning and the purpose will be to receive an update on a pending legal matter.

Mayor Saliba introduced the application of Melody Bland for a Lounge Retail Liquor License, Class 1 (on or off premise) for Mel's Hideaway, located at 3505 Montgomery Highway, Suite 6. Mayor Saliba acknowledged the applicant as being present in the lobby. He 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. There being no further discussion and upon the motion being put to vote, the motion was unanimously carried.

Mayor Saliba announced a Public Hearing regarding the rezoning of property owned by Sam Emfinger, located at 1745 Webb Road. There being no one present to speak, Mayor Saliba declared the Public Hearing closed.

Mayor Saliba announced a Public Hearing regarding the rezoning of property owned by Ronald Powell, Donald Powell, Bobby Pope and Brad Powell, located at 410, 452, 402 and 474 West Carroll Street located at 618 Westgate Parkway. There being no one present to speak, Mayor Saliba declared the Public Hearing closed.

Mayor Saliba announced a Public Hearing regarding the rezoning of property owned by Marcella S. West & West Family Trust, located just west of the Westway Shopping Center on West Main Street (18.32 acres). 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. There being no one present to speak, Mayor Saliba declared the Public Hearing closed.

Mayor Saliba introduced a proposed ordinance, amending Chapter 82, Solid Waste, Article I, In General, Section 82-1, Definitions; Chapter 82, Solid Waste, Article VI, Sanitary Refuse Disposal Sites and Fees, Section 82-95, Schedule of fees, rates, credits, etc., for disposal; and adding Article VI, Sanitary Refuse Disposal Sites and Fees, Section 82-98, Annual landfill Disposal Rate Adjustments, of the City of Dothan Code of Ordinances (introduced on May 19, 2020).

Commissioner Crutchfield moved for adoption of the proposed ordinance, motion seconded by Commissioner Kenward. Commissioner Ferguson said he has not received information requested related to the operational costs. He said he made it clear that he would like to review that information before moving forward with a vote on this item and thought the Commission was in agreement with this as well. After a brief discussion, Commissioner Ferguson confirmed with Mayor Saliba that he would like to table this item until the Commission has time to review the information. Commissioner Crutchfield withdrew his motion for adoption and Commissioner Kenward withdrew her second to the motion. Commissioner Ferguson made a motion to table this item indefinitely, motion seconded by Commissioner Crutchfield, and the motion to table was unanimously approved.

Mayor Saliba introduced Ordinance No. 2020-140 (recorded in Ordinance Book No. _____ at Page _____), rezoning property owned by Sam Emfinger, located at 1745 Webb Road from A-C and L-I (Agricultural, Light Industry, respectfully) Districts to H-I (Heavy Industry) District. Commissioner Ferguson moved for immediate consideration, 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.”

Commissioner Ferguson then moved for adoption of Ordinance No. 2020-140, 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 Ordinance No. 2020-141 (recorded in Ordinance Book No. _____ at Page _____), rezoning property owned by Ronald Powell, Donald Powell, Bobby Pope and Brad Powell, located at 410, 452, 402 and 474 West Carroll Street from L-I and R-4 (Light Industry, High Density-Single Family Attached) Districts to L-I and R-4 (Reconfigured) Districts. Commissioner Kenward 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. 2020-141, 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 Ordinance No. 2020-142 (recorded in Ordinance Book No. _____ at Page _____), amending Ordinance No. 2020-60, the rezoning of property owned by Marcella S. West & West Family Trust, located just west of the Westway Shopping Center on West Main Street (18.32 acres) from B-2 and R-4 (Highway Commercial and High Density Single-Family Attached) Districts to R-A (Multi-Family High Density) District, to correct legal description, which was incomplete. Commissioner Ferguson moved for immediate consideration, motion seconded by Commissioner Crutchfield 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 Ferguson then moved for adoption of Ordinance No. 2020-142, 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. 2020-143 (recorded in Ordinance Book No. _____ at Page _____), declaring certain properties which are overgrown with weeds, scrub, wild bushes, grass and other vegetative growth as injurious to the health, safety and welfare of the community as nuisances and ordering that the properties be abated (continued from April 7, 2020). Commissioner Kenward moved for adoption, motion seconded by Commissioner Kirkland and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-144 (recorded in Ordinance Book No. _____ at Page _____), declaring certain properties which are overgrown with weeds, scrub, wild bushes, grass and other vegetative 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 July 7, 2020. Commissioner Fleming moved for adoption, motion seconded by Commissioner Crutchfield and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-145 (recorded in Ordinance Book No. _____ at Page _____), designating a portion of Cherokee Avenue from intersection of Main Street to the Dothan Country Club entrance as “Press Thornton Memorial Drive” and is to be known as such in the future. Commissioner Kenward moved for adoption, motion seconded by Commissioner Crutchfield and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-146 (recorded in Ordinance Book No. _____ at Page _____), awarding the bid, entering into a contract, and issuing a Notice to Proceed to Mid-South Paving Inc., of Dothan, Alabama for Street Resurfacing scheduled for 2020, for the sum of \$2,016,675.00. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Fleming. Commissioner Kirkland said he gets as many compliments on street resurfacing as anything we do, and he thanked Public Works Director Charles Metzger and his staff for what they do. Commissioner Kenward acknowledged that this is a local contractor. There being no further discussion, the resolution was unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-147 (recorded in Ordinance Book No. _____ at Page _____), approving Change Order #2 with Blankenship Contracting, Inc., for Project No. RPF-NHF-HPPF-0210(501)(Phase 2), Additional Lanes on Ross Clark Circle (SR-210) from South of US-84 to North Cherokee Avenue, on SR-53 (US-231) from Girard Avenue to Buyers Drive and on SR-12 (US-84) from Bel Aire Drive to North Englewood Avenue Project in the amount of \$51,415.00, and appropriating funds for said Change Order. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Crutchfield and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-148 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with the Alabama Department of Transportation for the maintenance/relocation of an existing sanitary sewer line within the right-of-way at 4223 Montgomery Highway (SR 53). Commissioner Kenward moved for adoption, motion seconded by Commissioner Fleming and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-149 (recorded in Ordinance Book No. _____ at Page _____), entering into a contract with Saliba Construction Co., Inc. for the construction of a new City Operations Center in the amount of \$1,839,959.00, and appropriating funds for said Center. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Crutchfield. Commissioner Dorsey said he is glad to see this is a local contractor. Commissioner Ferguson requested an explanation of how this is funded for public knowledge, and Commissioner Kirkland said most of the cost will come from Alabama Municipal Electric Authority (AMEA) funds. Dothan Utilities Director Billy Mayes confirmed for Commissioner Ferguson that the facility will be located next

to the existing office area on the south side of the building. Mayor Saliba said he will abstain from voting because, even though this is not his company, his last name is the same. There being no further discussion, and upon the motion being put to vote, those voting “yea,” were Dorsey, Fleming, Kirkland, Ferguson, Kenward, and Crutchfield; “nay:” none; “abstained:” Saliba. The motion was carried by the majority of six “yeas” to one “abstention.”

Mayor Saliba introduced Resolution No. 2020-150 (recorded in Ordinance Book No. _____ at Page _____), declaring certain personal property as obsolete and no longer needed for public or municipal purposes and authorizing the disposal of said property by whatever means is determined to be in the best interest of the City. Commissioner Kenward moved for adoption, motion seconded by Commissioner Crutchfield and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-151 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with AVENU Insights & Analytics, LLC, d/b/a AVENU (“AVENU”), to administer and collect the City’s sales and use taxes for a three year period beginning June 1, 2020. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-152 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement with AVENU Insights & Analytics, LLC, d/b/a AVENU (“AVENU”), to administer and collect the City’s lodging taxes for a three year period beginning June 1, 2020. Commissioner Crutchfield moved for adoption, motion seconded by Commissioner Ferguson and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-153 (recorded in Ordinance Book No. _____ at Page _____), amending various accounts in the 2020 and 2021 FY budget. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-154 (recorded in Ordinance Book No. _____ at Page _____), submitting a grant application to the Economic Development Administration in support of and in preparation for a future interruption in the continuity of operations and public services and agreeing to provide a 20% match should the grant be fully awarded. Commissioner Kenward moved for adoption, motion seconded by Commissioner Kirkland and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-155 (recorded in Ordinance Book No. _____ at Page _____), accepting the proposal from Liberty Technology Advisors to analyze the City’s enterprise software needs, facilitate the recommendation of new enterprise software, negotiate a recommended purchase/implementation contract, and recommend an implementation plan for a cost of \$122,500.00 plus travel cost, at a not to exceed cost of \$34,680.00, and appropriating funds for said services. Commissioner Kirkland moved for adoption, motion seconded by Commissioner Kenward. Upon Commissioner Crutchfield’s request, IT Systems Analyst Paul Smith provided a brief explanation of the process. Mayor Saliba noted that this item was brought forth from the May 19th Administrative meeting agenda. There being no further discussion, the resolution was unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-156 (recorded in Ordinance Book No. _____ at Page _____), entering into an agreement and program addendum with the Law Enforcement Support Office (LESO) for the purpose of continuing the acquisition of surplus military property and to allow inspections of the property and records at minimal or no charge. Enrollment in this program requires an annual fee of \$900.00. Commissioner Kenward moved for adoption, motion seconded by Commissioner Dorsey and unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-157 (recorded in Ordinance Book No. _____ at Page _____), entering into a lease agreement with Mildred’s Restaurant and Tea Room for the lease of the kitchen and lunchroom of Grandview Elementary in the amount of \$1,300.00, plus the cost of utilities.

Commissioner Ferguson moved for adoption, motion seconded by Commissioner Dorsey. Commissioner Kenward confirmed with City Manager Cowper that this is a monthly amount, and Commissioner Ferguson noted that the terms are stated in the resolution. There being no further discussion, the resolution was unanimously adopted.

Mayor Saliba introduced Resolution No. 2020-158 (recorded in Ordinance Book No. _____ at Page _____), awarding the following bids and approving other purchases over \$15,000.00 by the City, and appropriating funds for said purchases.

<u>ITEM</u>	<u>VENDOR</u>	<u>AMOUNT</u>
<u>Additional Purchases from Previously Awarded Bids:</u>		
Covid-19 Emergency Summer Feeding Program: <i>Additional purchases from awarded bid for August, 2020</i>	Breakfast at Tammie's Dothan, AL	\$ 148,801.78 (more or less)
<u>Bids to be Awarded:</u>		
Open Rack Shunt Capacitor Bank, <i>per City Bid Specifications</i> <i>Quantity: 1 (or more)</i> <i>Unit Price: \$15,511.00</i>	Mayer Electric Dothan, AL	\$ 15,511.00 (more or less)
Phantom 4 RTK & Mavic 2 Dual Action Drones, <i>or equivalent per City Bid Specifications</i> <i>Quantity: 1 Phantom</i> <i>Unit Price: \$9,654.00</i> <i>Quantity: 2 Mavics</i> <i>Unit Price: \$4,621.90</i>	Enterprise UAS dba DSLR Pros Chatsworth, CA	\$ 18,897.80 (more or less)
New Curtains Manufactured for Dothan Civic Center, <i>per City Bid Specifications</i> <i>Grand Valance: Quantity 2</i> <i>Unit Price: \$2,195.00</i> <i>Grand Curtain: Quantity: 4</i> <i>Unit Price: \$2,440.00</i> <i>Traveler: Quantity: 10</i> <i>Unit Price: \$1,955.00</i> <i>Legs: Quantity: 4</i> <i>Unit Price: \$580.00</i> <i>Teasers: Quantity: 3</i> <i>Unit Price: \$1,520.00</i>	Rose Brand Wipers, Inc. Secaucus, NJ	\$ 26,775.00 (more or less)
2020-2021 Asphalt Patch Bid <i>See bid tab for unit pricing.</i> <i>Bidders will repair a minimum of 5 patches per call.</i>	Lewis, Inc. Headland, AL	\$ 50,000.00 (or less)
<u>Other Purchases:</u>		
Purchase small equipment and trailer tires, <i>when lower prices than state bid pricing. Purchase as needed throughout the year.</i>	Tri State Rubber Company, Inc. Dothan, AL	\$ 50,000.00
2020 John Deere Gator XUV590M w/cab enclosure <i>Replacing 4318. Purchase off Sourcewell contract #062117-DAC</i>	John Deere Company of Cary, NC via Sunsouth Dothan, AL	\$ 17,865.19
Clorox® 360® System Rolling Electrostatic Sprayer, <i>including a case of Clorox® Healthcare Spores Defense™ Cleaner Disinfectant, for use in the Covid-19 Emergency Situation. Lowest quote. Unit Price: \$3,920.00</i> <i>Quantity: 4</i>	Dade Bag & Paper, LLC Loxley, AL	\$ 15,680.00

<p>Custom Designed Nansuni Software for the Police Dept. Cloud Based Digital Evidence Storage & Management System, Sourcewell Contract # 081419-CDW</p>	<p>CDW-G Government Chicago, IL</p>	<p>\$ 45,971.00</p>
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Commissioner Crutchfield then moved for adoption of Resolution No. 2020-158, motion seconded by Commissioner Kenward and unanimously carried.

Mayor Saliba introduced Resolution No. 2020-159 (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>
Tim Mullis	Digital Electronics Investigations Hoover, AL	\$ 50.00
Devon Fields	Lateral / Refresher Academy Anniston, AL	\$ 1,330.00
Andrew Brown*	Alabama Criminal Justice Training Center Selma, AL	\$ 4,850.00
Kyle McDaniel* Zachary Marshall Albert Smith Kadarus Thomas Taquan Minnifield Danny Williams	Northeast Alabama Law Enforcement Academy Anniston, AL	\$26,350.00
Dan Williams	Alabama Urban Forestry Association 2020 Conference Orange Beach, AL	\$ 735.00

*Revised travel; previous requests were approved 05-05-20.

Commissioner Ferguson then moved for adoption of Resolution No. 2020-159, motion seconded by Commissioner Dorsey. Commissioner Ferguson said he wants to point out to the Commission the increase in the cost to send our officers to the Academy has doubled and he said this is a sidebar to several other discussions they have had. He asked Police Chief Steve Parrish if there is any justification for the increase. Chief Parrish said no explanation has been given but it could be a result of COVID-19. He said his department compared the cost with going to other locations and this academy is still the cheapest option. There being no further discussion, the resolution was unanimously adopted.

Commissioner Fleming moved to accept an easement from Troy Bank and Trust Company, needed for installing sidewalk upgrades on West Main Street, 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 Kenward 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

/s/Janasky Fleming, 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