

## CITY COUNCIL MEETING MINUTES OF JULY 18, 2023

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, July 18, 2023 in the Council Chambers at City Hall.

**PRESENT:** Council President Turner Townsend, District #5  
Council President Pro-Tem Sonya W. Rich, District #1  
Council Member Eugene Goolsby, District #2  
Council Member Greg Padgett, District #3  
Council Member Scotty Johnson, District #4

**ABSENT:** Mayor William E. Cooper

**ALSO PRESENT:** City Administrator Jonathan Tullos  
City Clerk Beverly Sweeney was present and kept the minutes.

**ROLL CALL** – Council President Townsend noted that all Council Members were present.

### APPROVAL OF AGENDA

The President called for a motion to approve the agenda of the meeting as submitted, with amendment to add the following item under New Business:

- LOCAL STATE OF EMERGENCY DECLARATION

Council Member Rich moved to approve the agenda of the meeting as amended. Council Member Goolsby seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

### CONSIDERATION OF CONSENT AGENDA

The President called for a motion to approve the Consent Agenda as presented:

- City Council Work Session Minutes of June 20, 2023
- City Council Meeting Minutes of July 5, 2023
- Contract Billings in the amount of \$277,000.57 as follows:
  - Beasley Construction Services, Inc. -**  
Estimate No. 5 - \$178,610.84 – Construction – Multipurpose Recreation Complex/Phase I
  - Wiregrass Construction Company, Inc. -**  
Estimate No. 5 - \$64,687.91 – Construction – FY23 Resurfacing/Phase III (B)
  - Poly, Inc. -**  
Invoice No. 19893 - \$14,842.65 – Construction Phase Services – Multipurpose Recreation Complex/Phase I  
Invoice No. 19915 - \$4,296.44 – Engineering/Design – FY23 Resurfacing/Phase III (B)
  - Ewing-Conner and Associates, Inc. -**  
Invoice No. 9 - \$4,280.00 – Contract Administrative Services – 2021 CDBG Demolition Project
  - Fine Geddie & Associates -**  
Invoice No. 2224 - \$6,250.00 – Contract Services – July 2023
  - Hand Arendall Harrison Sale LLC -**  
Invoice No. 371014 - \$4,032.73 – Contract Services – Community Development
- Travel Requests as follows:

<u>Administrative</u>	<u>Police Department</u>
LeeAnn Swartz	Corporal Will Ezell
Maribel James	Lieutenant Mark Anderson
2023 GFOAA Summer Conference	LECC Conference
Orange Beach, Alabama	Orange Beach, Alabama
August 9-11, 2023	August 30-September 1, 2023
Estimated Cost: \$2,333.30	Estimated Cost: \$1,155.10

  - Main Street**  
Mariah Montgomery  
Main Street Alabama LAB Conference  
South Huntsville, Alabama  
August 15-18, 2023  
Estimated Cost: \$2,230.97

Council Member Padgett moved to approve the Consent Agenda as presented. Council Member Johnson seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

### REQUEST TO ADDRESS COUNCIL/PERMIT REQUEST (WEPS/Run Baby Run 5K)

The President recognized Melissa Braun, representing Wiregrass Emergency Pregnancy Services, who requested to address the Council to obtain a permit to hold the Run Baby Run 5K on Saturday, September 9, 2023, from 8:00 a.m. until 12:00 p.m. Police Chief Michael Moore indicated he was okay with the request.

Council Member Johnson moved to approve the permit request as submitted. Council Member Rich seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

PRIVILEGE OF THE FLOOR (Persons allowed 3 minutes to address the Council)

The President recognized Jesse Ray Bowman, Sr., a resident of 304 Willow Drive, who addressed the Council regarding a police matter.

STAFF REPORTS

Fire Chief Christopher Davis requested to donate the 1989 E-One Cyclone Fire Truck, designated as EFD 102, to the Coffee County Volunteer Firefighters Association. The Council will consider the request at the August 1, 2023 Council Meeting.

OLD BUSINESS

REVIEW & CONSIDER BID RECOMMENDATION (2021 CDBG Demolition Project/Phase VI)

The President introduced and called for consideration of a recommendation from David Ewing, Project Consultant, to award the bid for the 2021 CDBG Demolition Project, Phase VI, to Lewis, Incorporated in the total base bid amount of \$62,040.00. The award of this base bid would necessitate that the City inject \$7,350.00 in local monies to demolish and clear all nine (9) properties as bid. The award of any of the Deductive Alternates would result in an adjusted contract amount that could be paid in full by CDBG grant funds. Bids received are as follows:

	<u>Hopper-Moore, Inc. d/b/a BMI</u>	<u>Lewis, Inc.</u>
1. 115 Loftin Drive	\$2,400.00	\$2,100.00
2. 129 Loftin Drive	\$3,600.00	\$3,600.00
3. 204 Johns Alley	\$3,100.00	\$4,050.00
4. 505 & ½ Friendship Street	\$3,100.00	\$3,300.00
5. 0 Gilmore Street	\$9,400.00	\$5,850.00
6. 101 Meredith Street	\$7,800.00	\$7,200.00
7. 114 Loftin Drive	\$5,000.00	\$5,300.00
8. 704 North Rawls Street	\$4,500.00	\$4,850.00
9. 0 Cinema Drive	\$34,790.00	\$25,790.00
<b>Total Base Bid:</b>	<b>\$73,690.00</b>	<b>\$62,040.00</b>
Deduct #1 (0 Cinema Drive)	\$34,790.00	\$25,790.00
Deduct #2 (704 N. Rawls Street)	\$ 4,500.00	\$ 4,850.00
Deduct #3 (114 Loftin Dr.)	\$ 5,000.00	\$ 5,300.00

Council Member Goolsby moved to approve the recommendation from David Ewing to award the bid of \$62,040.00 to Lewis, Inc. minus the Deduct #1, 0 Cinema Drive, of \$25,790.00. Council Member Johnson seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

NEW BUSINESS

LOCAL STATE OF EMERGENCY DECLARATION

The President entertained a motion that an emergency be declared related to storm debris removal due to the following: The recent storms were severe and caused an accumulation of debris in large amounts, and the debris is causing hazards, both real and imminent, which need to be abated as soon as possible for the safety of the public, and further move as part of the declaration, that the Mayor be authorized to negotiate a contract with one or more contractors after getting the best quotes to assist with debris removal. Council Member Goolsby offered the motion. Council Member Johnson seconded. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REVIEW & CONSIDER RESOLUTION 07-18-23 (Procurement of Underwriting Services for 2023 Warrant)

The President introduced and called for consideration of Resolution 07-18-23, providing for the approval of Frazer Lanier Company Incorporated as Underwriter in connection with the proposed issuance by the City of its General Obligation Warrant, Series 2023. Resolution 07-18-23 further provides that should the City, in its sole discretion, elect not to proceed with the issuance, no fees nor expenses shall be charged to the City.

Council Member Rich moved to adopt Resolution 07-18-23. Council Member Johnson seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 07-18-23 duly passed and adopted.

REVIEW & CONSIDER RESOLUTION 07-18-23-A (Procurement of Bond Counsel for 2023 Warrant)

The President introduced and called for consideration of Resolution 07-18-23-A, providing for the approval of Butler Snow LLP as Bond Counsel in connection with the proposed issuance by the City of its General Obligation Warrant, Series 2023. Resolution 07-18-23-A further provides that should the City, in its sole discretion, elect not to proceed with the issuance, no fees nor expenses shall be charged to the City.

CONSIDER RESOLUTION 07-18-23-A (Continued):

Council Member Padgett moved to adopt Resolution 07-18-23-A. Council Member Goolsby seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 07-18-23-A duly passed and adopted.

CONSIDER MOTION TO APPROVE & RATIFY EASEMENT & USE AGREEMENT (Cutts Property)

The President called for a motion to approve and ratify the Easement and Use Agreement between the City of Enterprise and Rick and Liane Cutts related to the property where Cutts Restaurant is located. The agreement provides the City has or will make certain improvements to the Cutts' parking lot in exchange for easement and other rights to the City as to the Cutts' property. The agreement is in furtherance of the planning and construction of the new Recreation Complex.

Council Member Johnson moved to approve and ratify the Mayor's execution of the agreement. Council Member Rich seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REQUEST PERMISSION TO PURCHASE SCOREBOARD (Parks & Recreation/Donaldson Park)

The President introduced and called for consideration of a request from Blake Moore, Parks & Recreation Superintendent, to purchase one (1) multi-sport scoreboard from Electro-Mech Scoreboard Company at a cost of \$9,656.00. The new scoreboard will replace the Donaldson Park Field 1 scoreboard damaged in a storm.

Council Member Goolsby moved to grant the request from Blake Moore. Council Member Padgett seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REQUEST PERMISSION TO CONSTRUCT BALCONY (Navigator International/Bryan Building)

The President introduced and called for consideration of a request from Navigator International to construct a balcony on the new Bryan building downtown that will overhang the public sidewalk.

Council Member Rich moved to grant the request from Navigator International. Council Member Goolsby seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REQUEST PERMISSION TO CONSTRUCT BALCONY (Donofro Architects/WKMX Building)

The President introduced and called for consideration of a request from Donofro Architects to construct a balcony on the WKMX building downtown that will overhang the public sidewalk.

Council Member Padgett moved to grant the request from Donofro Architects. Council Member Johnson seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

COUNCIL MEMBERS COMMENTS

Council Members thanked Mr. Bowman for his comments, meeting attendees, and citizens watching online.

MAYORS REPORT

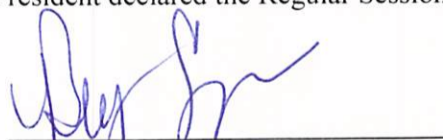
In Mayor Cooper's absence, Council President Townsend provided announcements from various departments and events.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 6:30 p.m.



Turner Townsend  
Council President



Beverly Sweeney  
City Clerk