

## **CITY COUNCIL WORK SESSION MINUTES OF SEPTEMBER 19, 2023**

The Enterprise City Council convened in Work Session at 5:00 p.m., Tuesday, September 19, 2023 in the Council Chambers at City Hall. Notice of the meeting was posted as Per Act 2005-40 (Code of Alabama).

**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.  
City Attorney Rainer Cotter  
Consulting Engineer Glenn Morgan  
City Department Heads

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

The following items were discussed:

### **QUARTERLY GOAL UPDATE**

City Administrator Jonathan Tullos reviewed the 2023 Q3 goals and the progress made to address them.

### **REVIEW OF AGENDA**

Council President Townsend requested a review of the September 19, 2023 Council Meeting agenda. Following review and discussion, Council Members requested no additions, changes, or deletions.

### **EXECUTIVE SESSION**

Council President Townsend informed those in attendance that an Executive Session was needed to discuss issues requiring legal advice and counsel related to economic development, good name and character, and legal issues. City Attorney Rainer Cotter advised the Council it would be appropriate to go into Executive Session to discuss such matters. A motion was made by Council Member Johnson, seconded by Council Member Rich, for the Council to go into Executive Session. All Council Members – Aye. Before moving into Executive Session, Council President Townsend notified attendees that the Council expected to be in Executive Session for approximately 25 minutes.

### **CALL FOR EXECUTIVE SESSION**

At 5:35 p.m., Attorney Rainer Cotter appeared before the Council and stated that items pending before the Council involved issues requiring legal advice related to economic development, reputation and character, and legal issues.

### **MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION PURSUANT TO THE ALABAMA OPEN MEETINGS LAW A05-0145**

WHEREAS, the City Council of the City of Enterprise, Alabama, with a quorum being present, was conducting a meeting on the 19<sup>th</sup> day of September, 2023, the time, date, place, and agenda of which was duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law Act 2005-40 (Act); and,

WHEREAS, the following persons were in attendance: Council Members Rich, Goolsby, Padgett, Johnson, and Townsend. Council President Townsend presided over the meeting. City Administrator and City Attorney Rainer Cotter were present; and,

WHEREAS, during the course of said meeting, a motion was made by Council Member Johnson for the Council to go into Executive Session for the purpose of legal advice and counsel, reputation and character, and economic development, all being one of the following purposes authorized by the Act:

- Reputation and Character
- Legal Advice and Counsel
- Security Plans
- State and/or Federal Law
- Law Enforcement
- Real Estate Transactions
- Trade Secrets
- Public Employee Negotiations
- Quasi-Judicial Deliberations

Which motion was seconded by Council Member Rich; and,

WHEREAS, the Attorney advised the Council that a declaration was required by the Act for an Executive Session if it was in regard to any of the following purposes:

- Legal Advice and Counsel
- Law Enforcement
- Trade Secrets
- Employee Negotiations

WHEREAS, Attorney Rainer Cotter appeared before the Council and stated for the record that he/she was duly qualified and/or had the personal knowledge to provide the requisite declaration for the stated purpose of the Executive Session authorized by the Act and informed the Council that an Executive Session was necessary for the following reason:

Discussion of issues requiring legal advice and counsel related to economic development, reputation and character, and legal issues.

WHEREAS, the President directed the City Clerk to enter into said motion, purpose, and declaration into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the “yeas” and “nays” being recorded into the minutes as follows:

	<u>Yeas</u>	<u>Nays</u>
1.	Rich	
2.	Goolsby	
3.	Padgett	
4.	Johnson	
5.	Townsend	

And the President declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session at 5:35 p.m. for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 25 minutes.

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_

By: \_\_\_\_\_  
Attorney

Attest: \_\_\_\_\_

RECONVENE IN WORK SESSION

The Work Session was recessed into Executive Session at 5:35 p.m. and reconvened into Work Session at 6:00 p.m. after duly made motion and second with all ayes.

ADJOURNMENT

The Work Session was adjourned at 6:00 p.m.

\_\_\_\_\_  
Turner Townsend  
Council President

\_\_\_\_\_  
Beverly Sweeney  
City Clerk