

**CITY COUNCIL MEETING MINUTES OF APRIL 6, 2021**

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, April 6, 2021 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

**ALSO PRESENT:** Mayor William E. Cooper  
Interim 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. Council Member Johnson motioned to approve the agenda of the meeting as submitted, seconded by Council Member Padgett. 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 Meeting Minutes of March 16, 2021
- Accounts Payable (A) for March 2021 in the amount of **\$1,024,139.43** as follows:  
City of Enterprise - \$826,614.28      Water Works Board - \$197,525.15
- Contract Billings in the amount of **\$3,514.15** as follows:

**Barge Design Solutions -**

Invoice No. 186140 - \$3,514.15 – Land Acquisition Services – AIP No. 3-01-0027-022-2020

- Travel Requests as follows:

**Engineering**

Barry Mott  
Staci Hayes  
2021 Annual Airport Conference  
Gulf Shores, Alabama  
October 17-20, 2021  
Estimated Cost: \$1,774.00

**Police Department**

Officer Tina Johnson  
Officer Amber Darbro  
Realistic De-escalation Instructor Course  
Oxford, Alabama  
April 12-13, 2021  
Estimated Cost: \$488.60

Detective Troy Baker  
Sergeant Michael Darbro  
Tactical Narcotics Unit Training  
Fultondale, Alabama  
May 3-6, 2021  
Estimated Cost: \$950.00

Detective Troy Baker  
Officer Diana Baker  
Multijurisdictional Counterdrug Task Force Training  
Fultondale, Alabama  
June 2, 2021  
Estimated Cost: \$290.00

Sergeant Michael Darbro  
Sergeant Mark Anderson  
Managing the Property & Evidence Room Training  
Stapleton, Alabama  
July 28-29, 2021  
Estimated Cost: \$1,130.00

**CONSENT AGENDA (Continued):**

Council Member Rich motioned to approve the Consent Agenda as presented, seconded by Council Member Goolsby. 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)**

No one requested to address the Council.

**OLD BUSINESS****PUBLIC HEARING & CONSIDERATION/ORDINANCE 03-02-21 (Thomaston Company, LLC Rezone)**

The President called for a public hearing prior to consideration of Ordinance 03-02-21 providing for the rezone of 3.28 acres of land owned by Thomaston Company, LLC from R-65 (Residential District) to B-3 (Highway Commercial District) located at the SE intersection of Hwy. 27 and Porter Lunsford Road. Kenneth White, representing Flowers and White Engineering, was present to answer any questions. Seeing no one else come forward, the President closed the hearing and called for consideration of Ordinance 03-02-21.

Council Member Goolsby motioned to adopt Ordinance 03-02-21, seconded by Council Member Padgett. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-02-21 duly passed and adopted.

**PUBLIC HEARING & CONSIDERATION/ABC LICENSE REQUEST (San Marcos Mexican Grill)**

The President called for a public hearing prior to consideration of a request from San Marcos Mexican Grill LLC d/b/a San Marcos Mexican Grill for a Restaurant Retail Liquor (On Premises Only) license located at 1009 Rucker Boulevard. No comments were offered. The President closed the hearing and called for consideration of the ABC license request.

Council Member Johnson motioned to approve the request, seconded by Council Member Rich. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

**PUBLIC HEARING & CONSIDERATION/ABC LICENSE REQUEST (Sidelines Bar and Grill)**

The President called for a public hearing prior to consideration of a request from Sergio Meza LLC d/b/a Sidelines Bar and Grill for a Restaurant Retail Liquor (On Premises Only) license located at 920 Rucker Boulevard. No comments were offered. The President closed the hearing and called for consideration of the ABC license request.

Council Member Rich motioned to approve the request, seconded by Council Member Goolsby. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

**REVIEW & CONSIDER BID RECOMMENDATION (Police Department/Vehicles)**

The President introduced and called for consideration of a recommendation from Police Chief Michael Moore to award the following bids meeting specifications:

- Bid Requisition No. 2021-01 for four (4) 2021 Police PPV Tahoes in the amount of \$139,921.04 to Donohoo Chevrolet. No other bids were received.
- Bid Requisition No. 2021-02 for two (2) 2021 4WD Pickup Trucks in the amount of \$63,350.02 to Donohoo Chevrolet. Other bids received are as follows: Ed Sherling Ford in the amount of \$74,448.56.
- Bid Requisition No. 2021-03 for one (1) 2021 Colorado Crew Cab Pickup Truck in the amount of \$22,518.00 to Donohoo Chevrolet. No other bids were received.

A motion was made by Council Member Johnson, seconded by Council Member Rich, to award the bids as recommended. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

**NEW BUSINESS****OATH OF OFFICE – City Engineer & Department of Public Works**

The President recognized Mayor Cooper who administered the Oath of Office to James “Barry” Mott.

INTRODUCE PLANNING COMMISSION RECOMMENDATION

The President introduced for the record, a recommendation from the Enterprise Planning Commission to approve the following request for the rezone of property:

- A request by The Industrial Development Board of the City of Enterprise for the rezone of 108.18 acres of land from M-2 (General Manufacturing) to M-D (Medical District) located at 3400 Rocky Head Road.

INTRODUCE ORDINANCE 04-06-21 (Industrial Development Board Rezone)

The President introduced Ordinance 04-06-21 providing for the rezone of 108.18 acres of land owned by The Industrial Development Board of the City of Enterprise from M-2 (General Manufacturing) to M-D (Medical District) located at 3400 Rocky Head Road and called for a public hearing to be held at the regular meeting scheduled for May 4, 2021.

PUBLIC HEARING – Amendment No. 772

The President called for a public hearing, as advertised, for consideration and approval of the financing of various capital improvements in the City, including, without limitation, (i) acquisition, construction and equipping of certain public park and recreational facilities in the City and (ii) purchase and/or donation of land and provision of services and funds related directly and indirectly to the location of a Veteran's Home in the City or for other municipal uses, all for the purpose of promoting general economic development in the City, pursuant to Amendment No. 772 to the Constitution of Alabama of 1901 (now codified as Section 94.01 to said Constitution). No comments were offered. The President closed the hearing and called for consideration of Resolution 04-06-21-F, providing to approve the issuance of Series 2021-C Warrants pursuant to Section 94.01 of the Constitution of Alabama of 1901. Council Member Padgett motioned to adopt Resolution 04-06-21-F, seconded by Council Member Johnson. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 04-06-21-F duly passed and adopted.

INTRODUCE ORDINANCE 04-06-21-A (Series 2021-A & Series 2021-B Warrants)

The President introduced Ordinance 04-06-21-A authorizing the issuance of general obligation warrants, Series 2021-A and Series 2021-B, the proceeds of which will be used to finance the costs of road improvements (Series 2021-A) and refinance certain bank loans (taxable Series 2021-B).

A motion was made by Council Member Rich, seconded by Council Member Johnson, to suspend the rules to allow for consideration of Ordinance 04-06-21-A. All Council Members – Aye. The President declared the motion carried and called for consideration of Ordinance 04-06-21-A.

Council Member Rich motioned to adopt Ordinance 04-06-21-A, seconded by Council Member Goolsby. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 04-06-21-A duly passed and adopted.

INTRODUCE ORDINANCE 04-06-21-B (Series 2021-C Warrant)

The President introduced Ordinance 04-06-21-B authorizing the issuance of general obligation warrants, Series 2021-C, the proceeds of which will be used to finance various capital improvements in the City, including without limitation, (i) acquisition, construction and equipping of certain public parks and recreational facilities in the City and (ii) purchase and/or donation of land and provision of services and funds related directly and indirectly to the location of a Veteran's Home in the City and for other municipal uses, all for the purpose of promoting general economic development in the City, pursuant to Amendment No. 772 to the Constitution of Alabama of 1901 (now codified as Section 94.01 to said Constitution).

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to suspend the rules to allow for consideration of Ordinance 04-06-21-B. All Council Members – Aye. The President declared the motion carried and called for consideration of Ordinance 04-06-21-B.

Council Member Rich motioned to adopt Ordinance 04-06-21-B, seconded by Council Member Goolsby. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 04-06-21-B duly passed and adopted.

APPOINTMENT OF CHIEF FINANCIAL OFFICER/TREASURER

The President recognized Mayor Cooper who brought forth his recommendation to appoint LeeAnn Swartz as Chief Financial Officer/Treasurer. Upon hearing the recommendation, the President called for a motion to approve Resolution 04-06-21, appointing LeeAnn Swartz as Chief Financial Officer/Treasurer for the City of Enterprise. A motion was made by Council Member Johnson, seconded by Council Member Rich, to adopt Resolution 04-06-21 providing for the appointment of LeeAnn Swartz as Chief Financial Officer/Treasurer. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 04-06-21 duly passed and adopted.

**REVIEW & CONSIDER RESOLUTION 04-06-21-A (Pay Adjustment/Additional Duties)**

The President introduced and called for consideration of Resolution 04-06-21-A providing to adjust the salaries of Assistant Public Works Director Shannon Roberts and Staci Hayes, Assistant Director of Engineering, for additional duties associated with their respective positions.

A motion was made by Council Member Goolsby, seconded by Council Member Johnson, to adopt Resolution 04-06-21-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 04-06-21-A duly passed and adopted.

**REVIEW & CONSIDER RESOLUTION 04-06-21-B (Tier I Benefits to Tier II Plan Members)**

The President introduced and called for consideration of Resolution 04-06-21-B electing to provide Tier I retirement benefits to Tier II employees of the City of Enterprise, subject to approval by the Employees' Retirement System Board of Control. If approved, such election shall be effective the following fiscal year and is irrevocable.

A motion was made by Council Member Rich, seconded by Council Member Johnson, to adopt Resolution 04-06-21-B. Council President Townsend called for any discussion. Council Member Padgett expressed concern that the salary study would not be completed before the May 8 RSA deadline and those results could drive the city's costs higher. No other comments were offered. The vote being: Rich – Aye; Goolsby – Nay; Padgett – Nay; Johnson – Aye; Townsend – Nay. The President declared the motion denied by a roll call vote of two in favor and three opposed.

**REVIEW & CONSIDER RESOLUTION 04-06-21-C (Authorize Grant Application/Senior Center)**

The President introduced and called for consideration of Resolution 04-06-21-C providing for an application with the Alabama Department of Transportation for Section 5310 funding assistance for the purchase of a fifteen-passenger transit van to be used at the Enterprise Senior Center. If awarded, the grant is an 80/20 match, with the City's portion being approximately \$12,830.00. Resolution 04-06-21-C further authorizes the Mayor to execute, file an award application, and enter into an agreement with the Alabama Department of Transportation for aid in the financing of a Section 5310 transportation assistance project.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to adopt Resolution 04-06-21-C. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 04-06-21-C duly passed and adopted.

**REVIEW & CONSIDER RESOLUTION 04-06-21-D (ALDOT Agreement/Hwy. 27 Roundabout)**

The President introduced and called for consideration of Resolution 04-06-21-D providing for an agreement between the State of Alabama acting by and through the Alabama Department of Transportation and the City of Enterprise for the construction of a roundabout at SR-27 and Shellfield Road. Resolution 04-06-21-D further authorizes the Mayor to approve the final agreement from the State.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to adopt Resolution 04-06-21-D. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 04-06-21-D duly passed and adopted.

**REVIEW & CONSIDER RESOLUTION 04-06-21-E (Fountain Crest Subdivision, Phase V)**

The President introduced and called for consideration of Resolution 04-06-21-E providing to accept for maintenance the streets and other public easements/improvements which are expressly shown on the final plat of Fountain Crest Phase V Subdivision as public dedications, subject to the contingencies and matters as set out in the March 24, 2021 letter from Staci Hayes to the Council.

A motion was made by Council Member Johnson, seconded by Council Member Goolsby, to adopt Resolution 04-06-21-E. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 04-06-21-E duly passed and adopted.

**REVIEW & CONSIDER RESOLUTION 04-06-21-G (Amended Safer at Home Order)**

The President introduced and called for consideration of Resolution 04-06-21-G providing effective April 9, 2021 at 5:00 p.m., to cease the wearing of facial coverings, distancing or other requirements at city buildings/facilities to coincide with the expiration of the Governor's Amended Safer at Home Order dated March 4, 2021. If that order is extended, Resolution 04-06-21-G shall be null and void and shall not take effect.

RESOLUTION 04-06-21-G (Continued):

A motion was made by Council Member Padgett, seconded by Council Member Rich, to adopt Resolution 04-06-21-G. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 04-06-21-G duly passed and adopted.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (Thornton Farish, Inc./Financial Advisor)

The President called for a motion to retain Thornton Farish, Inc. as Financial Advisor to the City of Enterprise for services associated with a potential bond issue and authorize the Mayor to execute the agreement, with expenditures not to exceed \$10,000.00.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to authorize the Mayor to execute an agreement with Thornton Farish, Inc., with expenditures not to exceed \$10,000.00. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (All In Credit Union Car Sale)

The President called for a motion to authorize the Mayor to execute an agreement on behalf of the City of Enterprise with All In Credit Union to hold their annual car sale April 22-24, 2021 on the grounds next to the Enterprise Civic Center.

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to authorize the Mayor to execute an agreement on behalf of the City of Enterprise with All In Credit Union to hold their annual car sale April 22-24, 2021 on the grounds next to the Enterprise Civic Center.

AUTHORIZE MAYOR TO EXECUTE LEASE (South Central Mental Health Board/801 Aviation Blvd.)

The President called for a motion to authorize the Mayor to execute a lease with South Central Mental Health Board as to 801 Aviation Blvd. The lease is for a ten-year term effective April 1, 2021 and is being allowed for nominal consideration due to the public purpose and nature of the services provided by South Central Mental Health Board.

A motion was made by Council Member Johnson, seconded by Council Member Goolsby, to authorize the Mayor to execute a ten-year lease with South Central Mental Health Board as to 801 Aviation Blvd. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REQUEST PERMISSION TO DONATE ITEM (Parks & Recreation/Bread of Life Ministry)

The President called for consideration of a request from Billy Powell, Parks & Recreation Director, to donate the following item submitted for disposal to the Bread of Life Ministry.

- Wooden Podium City ID #01635

A motion was made by Council Member Rich, seconded by Council Member Padgett, to approve the request as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

MAYOR'S REPORT

Mayor Cooper made the following comments:

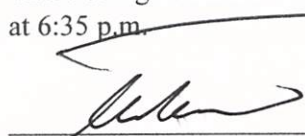
- Thanked Governor Ivey for allowing the Alabama National Guard to assist the Alabama Department of Health in setting up a vaccination clinic in Enterprise.
- Encouraged employees to continue taking safety precautions against COVID-19.
- Congratulated LeeAnn Swartz and Barry Mott on their respective appointments.

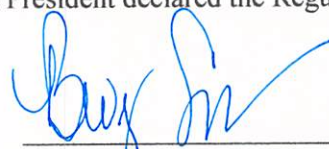
COUNCIL MEMBER COMMENTS

Council Members offered congratulations to LeeAnn Swartz and Barry Mott and thanked all for attending the meeting.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 6:35 p.m.

  
Turner Townsend  
Council President

  
Beverly Sweeney  
Interim City Clerk