

CITY COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2021

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, September 21, 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
City Administrator Jonathan Tullos

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. A motion was made by Council Member Johnson, seconded by Council Member Goolsby, to approve the agenda of the meeting as submitted. 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 September 7, 2021
- City Council Meeting Minutes of September 7, 2021
- Contract Billings in the amount of **\$63,445.10** as follows:
CDG Engineers & Associates, Inc. -
Invoice No. 3 - \$32,355.79 – Engineering Services – AL27/Shellfield Roundabout
Poly, Inc. -
Invoice No. 18890 - \$2,228.74 – Task Order No. 46 – SWPP Plan Update/SSO Response Plan
Invoice No. 18894 - \$28,860.57 – Engineering Services – Hwy 167N Sanitary Sewer Relocation
- Request to Dispose of Inventory as follows:

E-911

(1) HP Photosmart Pro	City ID #6747
(1) Dell Computer	City ID #8590
(1) HP Office Jet Pro	City ID #6748
(1) Dell Computer	City ID #6746
(1) Acer Keyboard	No City ID
(1) Microsoft Keyboard	No City ID
(1) Dell Keyboard	No City ID

A motion was made by Council Member Padgett, seconded by Council Member Rich, to approve the Consent Agenda as presented. 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 Dawn Johnson who requested a collection drive be held at City Hall to dispose of old medicines, needles, and other medical supplies. Police Chief Michael Moore will contact state officials regarding the status of conducting a drive.

STAFF REPORTS

No reports were given.

OLD BUSINESS

PUBLIC HEARING & CONSIDERATION/ORDINANCE 08-17-21 (Bishop Rezone/TH-1)

The President called for a public hearing prior to consideration of Ordinance 08-17-21 providing for the rezone of 21.566 acres of land owned by Robert Bishop from R-75-A (Residential District) and B-3 (Highway Commercial District) to TH-1 (Townhouse District) located at 0 Boll Weevil Circle. No comments were offered. The President closed the hearing and called for consideration of Ordinance 08-17-21.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Ordinance 08-17-21. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 08-17-21 duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/ORDINANCE 08-17-21-A (Bishop Rezone/B-3)

The President called for a public hearing prior to consideration of Ordinance 08-17-21-A providing for the rezone of 4.612 acres of land owned by Robert Bishop from R-75-A (Residential District) and B-3 (Highway Commercial District) to B-3 (Highway Commercial District) located at 0 Boll Weevil Circle. No comments were offered. The President closed the hearing and called for consideration of Ordinance 08-17-21-A.

A motion was made by Council Member Johnson, seconded by Council Member Rich, to adopt Ordinance 08-17-21-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 08-17-21-A duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/ORDINANCE 08-17-21-B (Athletic Edge, LLC Rezone)

The President called for a public hearing prior to consideration of Ordinance 08-17-21-B providing for the rezone of 9.789 acres of land owned by Athletic Edge, LLC from B-3 (Highway Commercial District) to INST (Institutional District) located at 10 Maverick Way. No comments were offered. The President closed the hearing and called for consideration of Ordinance 08-17-21-B.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Ordinance 08-17-21-B. Council Member Johnson indicated he would abstain from voting due to a conflict of interest. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Abstain; Townsend – Aye. The President declared the motion carried and Ordinance 08-17-21-B duly passed and adopted.

INTRODUCE ORDINANCE 08-17-21-C (Implementing New Business License Code)

Council President Townsend noted that Ordinance 08-17-21-C was initially introduced at the August 17, 2021 Council Meeting and was being reintroduced due to a change in the ordinance.

The President introduced Ordinance 08-17-21-C providing for the implementation of a new business license code and schedule for the City of Enterprise as of January 1, 2022, and thereafter.

Council Member Goolsby offered a motion to suspend the rules to allow for immediate consideration of Ordinance 08-17-21-C. Council Member Johnson made the second. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and called for consideration of Ordinance 08-17-21-C.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Ordinance 08-17-21-C. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 08-17-21-C duly passed and adopted.

INTRODUCE ORDINANCE 08-17-21-D (Food Trucks)

Council President Townsend noted that Ordinance 08-17-21-D was initially introduced at the August 17, 2021 Council Meeting and was being reintroduced due to a change in the ordinance.

The President introduced Ordinance 08-17-21-D providing for and regulating Food Trucks in the City of Enterprise.

Council Member Padgett offered a motion to suspend the rules to allow for immediate consideration of Ordinance 08-17-21-D. Council Member Johnson made the second. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and called for consideration of Ordinance 08-17-21-D.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to adopt Ordinance 08-17-21-D. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 08-17-21-D duly passed and adopted.

REVIEW & CONSIDER BID RECOMMENDATIONS (Public Works/Vehicles & Equipment)

The President introduced and called for consideration of a recommendation from Public Works Director/City Engineer Barry Mott to award the following bids meeting specification:

- Bid Requisition No. 2021-07 for one (1) Freightliner Automated Dump Garbage Truck in the amount of \$204,001.00 to GSP Marketing. Other bids received are as follows: Ingram Equipment in the amount of \$250,377.00.
- Bid Requisition No. 2021-08 for one (1) Stationary Garbage Compactor and two (2) Containers to WasteEquip Manufacturing Co. in the amount of \$38,076.40. Other bids received are as follows: ARC Compactors in the amount of \$49,048.25.

BID RECOMMENDATIONS (Continued):

- Bid Requisition No. 2021-09 for one (1) 2022 Dodge ½ Ton Pickup Truck to Mitchell Chrysler, Dodge, Jeep in the amount of \$44,737.00. No other bids were received.
- Bid Requisition No. 2021-10 for one (1) 2022 Ford F-350 Work Truck in the amount of \$39,095.52 to Ed Sherling Ford. Other bids received are as follows: Mitchell Chrysler, Dodge, Jeep in the amount of \$44,155.00.

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, 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

PRESENTATION OF FY 2020 FINANCIAL AUDIT

The President recognized Misty Tindol, representing the firm of Brunson, Wilkerson, Bowden & Associates, P.C. who presented the FY 2020 financial audit.

REVIEW & CONSIDER RESOLUTION 09-21-21 (FY 2022 Operating Budget)

The President introduced and called for consideration of Resolution 09-21-21 providing for the adoption of the Fiscal Year 2022 Operating Budget as follows:

SOURCES	FY 21	FY 2022	CHANGE
<u>GENERAL FUND SOURCES</u>			
AIRPORT INCOME	524,400	421,300	(103,100)
BUSINESS LICENSE FEES	985,766	1,011,422	25,656
BUSINESS PRIVILEGE TAX	54,939	54,939	-
CIVIC CENTER	10,000	10,000	-
DONATIONS	1,550	2,500	950
FARMERS' MARKET RENTAL INCOME	13,500	13,500	-
FEES AND PERMITS	97,900	105,300	7,400
FRANCHISE FEES	2,099,700	1,917,000	(182,700)
HOUSING AUHORITY	15,000	15,000	-
INCUBATOR	-	-	-
INSURANCE CLAIMS	90,000	60,000	(30,000)
JUDICIAL INCOME	252,700	177,600	(75,100)
LANDFILL FEES	-	-	-
OPERATING TRANSFERS IN	828,123	836,623	8,500
PARKS AND RECREATION INCOME	317,500	249,950	(67,550)
SANITATION FEES	2,514,176	2,514,176	-
SCHOOL SRO	269,342	335,213	65,871
TAX INCOME	28,325,189	29,533,004	1,207,815
MISCELLANEOUS INCOME	82,650	43,125	(39,525)
OPERATING GRANTS	1,454,999	2,005,475	550,476
	-	-	-
	-	-	-
TOTAL SOURCES - GENERAL	37,937,434	39,306,127	1,368,693
<u>SEWER/DISPOSAL FUND SOURCES</u>			
SEWER/DISPOSAL FUND - OPERATING REVENUES	1,709,225	1,709,225	-
SEWER/DISPOSAL FUND - ENVIRONMENTAL	1,610,000	1,610,000	-
SEWER/DISPOSAL FUND - GRANTS	-	-	-
SEWER/DISPOSAL FUND - UTILITY RELOCATION	-	-	-
SEWER/DISPOSAL FUND - OTHER FINANCING SOURCES	270,300	270,300	-
SEWER/DISPOSAL FUND - OTHER SOURCES FUND BALANCE			-
TOTAL SEWER/DISPOSAL REVENUES/SOURCES	3,589,525	3,589,525	-

DEBT SERVICE FUNDS SOURCES

TRANSFERS IN - AIRPORT PROJECT	125,878	-	125,878
TRANSFERS IN - DEBT	6,888,978	9,393,101	(2,504,123)

TOTAL DEBT SERVICE FUND SOURCES	7,014,856	9,393,101	(2,378,245)
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OTHER GOVERNMENTAL FUNDS SOURCES

FIRE TOBACCO TAX	18,410	18,350	(60)
E-911	423,561	437,939	14,378
SEVEN CENT GASOLINE TAX	121,750	116,750	(5,000)
FOUR/FIVE CENT GASOLINE TAX	96,500	96,500	-
MOTOR VEHICLE TAX	87,500	87,500	-
ASSET FORFEITURE	1,100	1,100	-
SENIOR CITIZENS CENTER	16,460	16,460	-
INDUSTRIAL DEVELOPMENT BOARD	1,250	600	(650)
FIRE PROTECTION FUND	300,000	300,000	-
10 CENT GASOLINE TAX	159,600	160,000	400
CAPITAL PROJECTS	146,850	-	(146,850)
CAPITAL PROJECTS GRANTS	240,275	250,000	9,725

TOTAL OTHER GOVERNMENTAL FUNDS SOURCES	1,613,256	1,485,199	(128,057)
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TOTAL REVENUES/SOURCES	50,155,071	53,773,952	3,618,881
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EXPENDITURES/USES	FY 21	FY 2022	CHANGE
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GENERAL FUND

GENERAL GOVERNMENT- SCHOOL APPROPRIATION	4,600,481	5,500,000	899,519
ADMINISTRATIVE	3,635,431	3,778,193	142,762
CIVIC CENTER	387,607	500,337	112,730
FARMERS MARKET	58,200	50,875	(7,325)
ENGINEERING	1,561,558	1,130,774	(430,784)
AIRPORT	721,630	787,470	65,840
FLEET MAINTENANCE	591,830	601,893	10,063
STREET DEPARTMENT	1,985,997	1,605,486	(380,511)
SANITATION DEPARTMENT	2,794,995	2,101,902	(693,093)
POLICE	6,892,563	7,293,588	401,025
FIRE	4,101,586	4,320,355	218,769
PARKS & RECREATION	2,495,426	2,668,936	173,510
JUDICIAL	430,547	373,287	(57,260)
CIVIL DEFENSE	67,764	67,600	(164)
HEALTH AND WELFARE	95,243	92,343	(2,900)
CULTURE AND RECREATION	15,400	15,400	0
ECONOMIC DEVELOPMENT/INCUBATOR	450,552	360,552	(90,000)
LIBRARY	216,824	203,133	(13,691)
PUBLIC WORKS	7,000	824,764	817,764
ECONOMIC DEVELOPMENT - TOURISM	244,465	255,477	11,012
DEBT SERVICE	5,883,060	5,999,427	116,367

GENERAL FUND - OPERATING TOTAL	37,238,159	38,531,792	1,293,633
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TOTAL GENERAL FUND EXPENDITURES/USES	37,238,159	38,531,792	1,293,633
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CAPITAL PROJECTS EXPENDITURES/USES

ADMINISTRATIVE - DEBT SERVICE	-	-	-
ADMINISTRATIVE - OTHER	100	-	(100)
ENGINEERING - IMPROVEMENTS	100,000	-	(100,000)
AIRPORT	422,000	-	(422,000)
STREET DEPARTMENT	702,000	-	(702,000)
SANITATION DEPARTMENT	-	-	-
SEWER	200,000	-	(200,000)
PUBLIC WORKS	360,000	-	(360,000)
TOTAL CAPITAL PROJECTS EXPENDITURES/USES	1,784,100	-	(1,784,100)

SEWER/DISPOSAL FUND EXPENDITURES/USES

DISPOSAL FUND - OPERATING EXPENSES	1,546,760	2,184,292	637,532
SEWER OPERATING EXPENSES	1,636,291	1,395,344	(240,947)
TOTAL SEWER/DISPOSAL OPERATING EXPENDITURES/USES	3,183,051	3,579,636	396,585

DEBT SERVICE FUND EXPENDITURES/USES

BOND PAYMENT -2018A (DISPOSAL)	265,696	265,696	-
BOND PAYMENT - 2018A (SEWER)	531,156	531,156	-
TOTAL SEWER/DISPOSAL DEBT SERVICE FUND EXPENDITURES/USES	796,852	796,852	-
TOTAL SEWER/DISPOSAL EXPENDITURES/USED	3,979,903	4,376,488	396,585

DEBT SERVICE FUND EXPENDITURES/USES

BOND PAYMENT - AIRPORT PROJECT	125,878	-	(125,878)
BOND PAYMENT	6,391,699	9,393,101	3,001,402
TOTAL DEBT SERVICE FUND EXPENDITURES/USES	6,517,577	9,393,101	2,875,524

OTHER GOVERNMENTAL FUNDS

E-911	402,832	392,378	(10,454)
SENIOR CITIZENS CENTER	29,564	137,543	107,979
TOBACCO TAX FUND	37,040	26,040	(11,000)
SEVEN CENTS GASOLINE TAX FUND	130,775	130,775	-
FOUR/FIVE CENT GASOLINE TAX FUND	-	-	-
MOTOR VEHICLE	85,000	85,000	-
ASSET FORFEITURE	7,000	3,500	(3,500)
INDUSTRIAL DEVELOPMENT BOARD	-	100,000	100,000
FIRE PROTECTION FUND	80,600	80,600	-
TOTAL OTHER GOVERNMENTAL FUNDS EXPENDITURES/USES	772,811	955,836	(183,025)

TOTAL EXPENDITURES/USES	50,292,550	53,257,217.00	2,964,667
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REVIEW & CONSIDER RESOLUTION 09-21-21 (Continued):

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to adopt Resolution 09-21-21. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 09-21-21 duly passed and adopted.

REVIEW & CONSIDER RESOLUTION 09-21-21-A (Application for Funding Assistance/FY 22 Airport Improvement)

The President introduced and called for consideration of Resolution 09-21-21-A providing for the authorization of an application for airport improvement funding assistance from the State of Alabama Department of Transportation. The funding will be used for the purpose of undertaking a project to make improvements at the Enterprise Municipal Airport. Resolution 09-21-21-A further authorizes the Mayor to execute the application agreements subject to an opinion from the City Attorney that the City is authorized to enter into an agreement.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to adopt Resolution 09-21-21-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 09-21-21-A duly passed and adopted.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (Seay, Seay & Litchfield, P.C./New Recreation Center)

The President called for a motion to authorize the Mayor to execute an agreement, pending City Attorney and Mayor review, with Seay, Seay & Litchfield, P.C. for design, bidding, and construction phase services for a new recreational facility at a not to exceed amount of \$1,181,480.85.

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to authorize the Mayor to execute an agreement, pending City Attorney and Mayor review, with Seay, Seay & Litchfield, P.C. for design, bidding, and construction phase services for a new recreational facility at a not to exceed amount of \$1,181,480.85. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (Seay, Seay & Litchfield, P.C./City Hall Renovations)

The President called for a motion to authorize the Mayor to execute an agreement, pending City Attorney and Mayor review, with Seay, Seay & Litchfield, P.C. for design, bidding, and construction phase services for the renovation of Enterprise City Hall at a total fee of 8.25% of construction cost.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to authorize the Mayor to execute an agreement, pending City Attorney and Mayor review, with Seay, Seay, & Litchfield, P.C. for design, bidding, and construction phase services for the renovation of Enterprise City Hall at a total fee of 8.25% of construction cost. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE POLY, INC. TASK ORDER NO. 49 (Environmental Study/Recreation Center)

The President called for a motion to authorize the Mayor to execute Task Order No. 49 to Poly, Inc. at a cost not to exceed \$7,480.00, for the completion of an environmental study at the existing Enterprise Recreational Center property.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to authorize the Mayor to execute Task Order No. 49 to Poly, Inc. at a cost not to exceed \$7,480.00, for the completion of an environmental study at the existing Enterprise Recreational Center property. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE POLY, INC. TASK ORDER NO. 50 (Design Package/New Soccer Complex)

The President called for a motion to authorize the Mayor to execute Task Order No. 50 to Poly, Inc. at a cost not to exceed \$92,650.00, to complete a 30% design package for the new soccer complex at Peavy Park and adjoining college property.

A motion was made by Council Member Goolsby, seconded by Council Member Johnson, to authorize the Mayor to execute Task Order No. 50 to Poly, Inc. at a cost not to exceed \$92,650.00, to complete a 30% design package for the new soccer complex at Peavy Park and adjoining college property. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE PROPOSAL (CDG Engineers & Associates, Inc./VA Home Access Road)

The President called for a motion to authorize the Mayor to execute a proposal with CDG Engineers & Associates, Inc. to provide geotechnical and surveying services for the proposed VA Nursing Home Access Road Project at a total cost of \$47,510.00.

A motion was made by Council Member Johnson, seconded by Council Member Rich, to authorize the Mayor to execute a proposal with CDG Engineers & Associates, Inc. to provide geotechnical and surveying services for the proposed VA Nursing Home Access Road Project at a total cost of \$47,510.00. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (The Nelson Group LLC)

The President called for a motion to authorize the Mayor to execute an agreement with The Nelson Group LLC to provide supplemental accounting assistance related to debt issuance at a cost not to exceed \$10,000.00.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to authorize the Mayor to execute an agreement with The Nelson Group LLC to provide supplemental accounting assistance related to debt issuance at a cost 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.

INTRODUCE ABC LICENSE REQUEST (Chascorp Capital Inc.)

The President introduced a request from Chascorp Capital Inc. d/b/a The Social on Main for a Lounge Retail Liquor – Class 1 license located at 108 North Main Street and called for a public hearing to be held at the regular meeting scheduled for October 5, 2021.

INTRODUCE ABC LICENSE REQUEST (Dolgencorp LLC)

The President introduced a request from Dolgencorp LLC d/b/a Dollar General Store 22775 for a Retail Beer (Off Premises Only) license and Retail Wine (Off Premises Only) license located at 611 North Main Street and called for a public hearing to be held at the regular meeting scheduled for October 5, 2021.

INTRODUCE ABC LICENSE REQUEST (Tri Star Energy LLC)

The President introduced a request from Tri Star Energy LLC d/b/a Southern Traders 3111 for a Retail Beer (Off Premises Only) license and Retail Wine (Off Premises Only) license located at 1114 Rucker Boulevard and called for a public hearing to be held at the regular meeting scheduled for October 5, 2021.

MAYOR'S REPORT

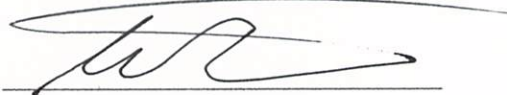
Mayor Cooper provided reports on various departments, projects, and events.

COUNCIL MEMBERS COMMENTS

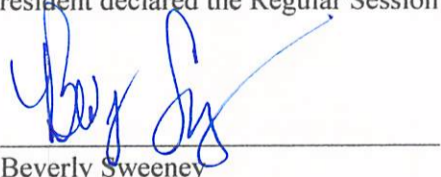
Council Members thanked city staff, meeting attendees, and citizens watching online.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 6:40 p.m.



Turner Townsend
Council President



Beverly Sweeney
City Clerk