

**AGENDA
SEPTEMBER 20, 2022
CITY COUNCIL MEETING**

The Enterprise City Council will convene in Regular Session at 6:00 p.m., Tuesday, September 20, 2022 in the Council Chambers at City Hall.

ROLL CALL.....President

OPENING PRAYER & PLEDGE OF ALLEGIANCE.....President

APPROVAL OF AGENDA.....President

Call for a motion to approve the agenda of the meeting as submitted.

CONSIDERATION OF CONSENT AGENDA.....President

All matters listed within the Consent Agenda have been distributed to each member of the Council for review, are considered to be routine, and will be enacted by one motion of the City Council with no separate discussion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council. Call for a motion to approve the Consent Agenda as presented:

- City Council Work Session Minutes of September 6, 2022
- City Council Meeting Minutes of September 6, 2022
- Contract Billings in the amount of **\$215,640.19** as follows:
 - Wiregrass Construction Company, Inc. -**
Estimate No. 8 - \$129,340.49 – Construction – FY21 Resurfacing/Phase II
 - Poly, Inc. -**
Invoice No. 19415 - \$5,035.39 – Engineering/Design – FY21 Resurfacing/Phase II
 - Invoice No. 19416 - \$68,814.31 – Engineering/Design – FY22 Resurfacing/Phase III (A)
 - Ewing-Conner and Associates, Inc. -**
Invoice No. 2 - \$4,000.00 – Administrative Services – 2021 CDBG Demolition Project
 - Southern Earth Sciences, Inc. -**
Invoice No. P220379-02 - \$8,450.00 – Asbestos Surveys – CDBG Demolition Project/Phase II

SPECIAL PRESENTATION BY THE MAYOR – Marvin Pinckney.....President

Recognize Mayor Cooper for the presentation of a plaque to Marvin Pinckney in recognition of his life-saving heroic actions, September 4, during a residential home fire.

PRESENTATION OF EXTRA MILE AWARD.....President
(Michael Green/Public Works)

Recognize Mayor Cooper for the presentation of an Extra Mile Award to Public Works Employee Michael Green.

OATH OF OFFICE – City Prosecutor.....President

Call upon Municipal Judge Paul Sherling to administer the Oath of Office to City Prosecutor Ashley Marshall.

REQUEST TO ADDRESS COUNCIL/STREET CLOSURE.....President
(Deana Pierce/Lunation Downtown Ghost Tour)

Recognize Deana Pierce, who has requested to address the Council to obtain a permit for the following event:

- Midnight Margaritas Downtown Ghost Tour
Event Time/Date: 5:30 p.m. - 1:00 a.m., Saturday, October 29, 2022
Street Closure: 5:00 p.m. – 1:30 a.m.
Closure Area: West College Street & Railroad Street

*****Refer to Police Chief Michael Moore prior to consideration of the request.**

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

STAFF REPORTS.....President

OLD BUSINESS

REVIEW & CONSIDER ORDINANCE 09-06-22-A.....President
(Implement Additional Garbage/Sanitation Fees)

Call for a public hearing prior to consideration of Ordinance 09-06-22-A, providing effective October 1, 2022, garbage fees for all residential and business customers shall increase to \$23.46 per month, and beginning October 1, 2023, and each year thereafter, said garbage fee shall increase by the amount equal to the percentage increase of the Consumer Price Index for All Urban Customers (CPI-U) over the then-last 12-month period (before seasonal adjustment) as published by the U.S. Bureau of Labor Statistics as of August 1 in each year. Unless there is an increase in the CPI-U, there shall be no adjustment to the garbage fee then in existence for a given year unless Council implements any change by ordinance or other appropriate act.

At the close of the hearing, call for consideration of Ordinance 09-06-22-A.

REVIEW & CONSIDER ORDINANCE 09-06-22-B.....President
(Implement Additional Sanitary Sewer Fees)

Call for a public hearing prior to consideration of Ordinance 09-06-22-B, providing effective October 1, 2022, sanitary sewer rate fees for all residential and business customers shall increase by a flat fee of \$2.50 per month for all accounts, plus a 15% increase in each category of water usage over 2000 gallons per month/billing period. Thereafter, beginning October 1, 2023, and each year thereafter, said sewer fee shall automatically increase by the amount equal to the percentage increase of the Consumer Price Index for All Urban Customers (CPI-U) over the then-last 12-month period (before seasonal adjustment) as published by the U.S. Bureau of Labor Statistics as of August 1 in each year. Unless there is an increase in the CPI-U, there shall be no adjustment to the sewer fee then in existence for a given year unless Council implements any change by ordinance or other appropriate act.

At the close of the hearing, call for consideration of Ordinance 09-06-22-B.

REVIEW & CONSIDER ORDINANCE 09-06-22-C.....President
(Implement Additional Engineering/Public Works Fees)

Call for a public hearing prior to consideration of Ordinance 09-06-22-C, related to an adjustment of sewer tap, building permit and building inspection fees, specifically as follows:

- a. Sewer tap fees shall be adjusted to \$350.00 for each residential sewer tap as of January 1, 2023; thereafter, the said residential sewer tap fee shall be \$600.00 as of October 1, 2023; and, such residential sewer tap fee shall be \$850.00 plus cost of materials as of October 1, 2024, and thereafter, until altered by Council action. The sewer tap fee shall be adjusted to \$450.00 for each commercial sewer tap as of January 1, 2023; thereafter, the said commercial sewer tap fee shall be \$650.00 as of October 1, 2023; and, such commercial sewer tap fee shall be \$850.00 plus cost of materials as of October 1, 2024, and thereafter, until if and when altered by Council action; and,
- b. As to building permit fees, effective January 1, 2023, there shall be a minimum fee of \$50.00 as to any total building project \$5,000.00 or less; building projects with an estimated total cost of over \$5,000.00 shall require a fee of \$50.00 plus an additional \$3.00 per \$1,000.00 in total construction costs; specifically for commercial building projects, there shall be added to the permit fees as set out above a charge of \$1.00 per \$1,000.00 in total construction costs for the State of Alabama Craft Fee; and,
- c. As to building inspection fees, said fees shall be included in the cost of building permits as set out above, except, each required re-inspection shall require an additional fee as follows: \$50.00 for the first re-inspection; and for each inspection after the first re-inspection, the permittee shall pay twice the previous amount paid (As an example, for the second re-inspection, an additional cost of \$100.00 shall be due; for the third re-inspection, an additional cost of \$200.00 shall be due, and so on depending on the number of re-inspections).

At the close of the hearing, call for consideration of Ordinance 09-06-22-C.

REVIEW & CONSIDER ORDINANCE 09-06-22-E.....President
(Ratify & Confirm Appointment of Building Official)

Call for consideration of Ordinance 09-06-22-E, ratifying and confirming that the City Engineer and Director of Public Works is the building official of the City, and the alternate building official is the Assistant Director of Engineering Services.

REVIEW & CONSIDER ORDINANCE 09-06-22-F.....President
(Re-Establish Reserve Law Enforcement Officer Program)

Call for consideration of Ordinance 09-06-22-F, providing for the re-establishment of a law enforcement reserve officer program within the Enterprise Police Department.

REVIEW & CONSIDER ORDINANCE 09-06-22-G.....President
(City School Funding)

Call for consideration of Ordinance 09-06-22-G, providing for school funding. The ordinance repeals Section 11, paragraph (d) of Ordinance 07-01-14 related to a formularized percentage funding basis from which the City has been allocating and paying certain adjusted net sales tax receipts to the City Board of Education, and all prior portions of any ordinances which call for the same action as said Section, and to implement a funding procedure in lieu of said formularized percentage basis which will grant the Enterprise City Board of Education a \$5,900,000.00 allocation from said sales tax receipts collected for fiscal year 2022-2023. Said funding shall take place by payments over 12 months. The allocation for fiscal year 2022-2023 takes into account that the City does not seek a refund of the portion of the State of Alabama Simplified Seller's Use Tax which has been inadvertently paid to said Board. The ordinance provides that future grants of funding from the adjusted net sales tax receipts to the Board by the City will be considered each budget year of the City.

NEW BUSINESS

INTRODUCE ORDINANCE 09-20-22.....President
(Unsafe Building Board of Adjustment & Appeals)

Introduce Ordinance 09-20-22, providing to establish the Unsafe Building Board of Adjustment and Appeals and appoint its Board Members.

REVIEW & CONSIDER RESOLUTION 09-20-22.....President
(FY 2023 Operating Budget)

Introduce and call for consideration of Resolution 09-20-22, providing for the adoption of the Fiscal Year 2023 Operating Budget as follows:

SOURCES	FY 2022	FY 2023	CHANGE
GENERAL FUND SOURCES			
AIRPORT INCOME	421,300	561,300	140,000
BUSINESS LICENSE FEES	1,011,422	1,225,000	213,578
BUSINESS PRIVILEGE TAX	54,939	55,000	61
CIVIC CENTER	10,000	15,000	5,000
DONATIONS	2,500	3,500	1,000
FARMERS' MARKET RENTAL INCOME	13,500	13,500	-
FEES AND PERMITS	105,300	116,300	11,000
FRANCHISE FEES	1,917,000	1,917,000	-
HOUSING AUHORITY	15,000	15,000	-
INCUBATOR	-	-	-
INSURANCE CLAIMS	60,000	50,000	(10,000)
JUDICIAL INCOME	177,600	202,600	25,000
LANDFILL FEES	-	-	-
OPERATING TRANSFERS IN	836,623	836,623	-
PARKS AND RECREATION INCOME	249,950	173,200	(76,750)
SANITATION FEES	2,514,176	2,735,000	220,824
SCHOOL SRO	335,213	335,213	-
TAX INCOME	29,533,004	31,816,000	2,282,996
MISCELLANEOUS INCOME	43,125	28,375	(14,750)
OPERATING GRANTS	2,005,475	115,475	(1,890,000)
OTHER SOURCES: FUND BALANCE	-	4,921,904	(4,921,904)
TOTAL SOURCES - GENERAL	39,306,127	45,135,990	5,829,863
CAPITAL PROJECTS SOURCES			
INTEREST		12,000	12,000
GRANTS: FAA		1,140,000	1,140,000
DONATIONS: RECREATION		25,000	25,000
GRANTS: CDBG DEMOLITION PROJECT		250,000	250,000
OPERATING SOURCES:			-
TRANSFERS IN - DEBT		8,000,000	8,000,000
FUND BALANCE - GENERAL FUND		2,750,000	2,750,000
FUND BALANCE - CAPITAL		25,338,900	25,338,900
TOTAL CAPITAL PROJECTS SOURCES		37,515,900	37,515,900
SEWER/DISPOSAL FUND SOURCES			
SEWER/DISPOSAL FUND - OPERATING REVENUES	1,709,225	2,216,950	507,725
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	1,067,150	796,850
SEWER/DISPOSAL FUND - OTHER SOURCES FUND BALANCE			-
TOTAL SEWER/DISPOSAL REVENUES/SOURCES	3,589,525	4,894,100	(1,304,575)
DEBT SERVICE FUNDS SOURCES			
TRANSFERS IN - AIRPORT PROJECT	-	-	-
TRANSFERS IN - DEBT	9,393,101	9,393,101	-
TOTAL DEBT SERVICE FUND SOURCES	9,393,101	9,393,101	-

OTHER GOVERNMENTAL FUNDS SOURCES

FIRE TOBACCO TAX	18,350	18,350	-
E-911	437,939	427,928	(10,011)
SEVEN CENT GASOLINE TAX	116,750	116,750	-
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	600	100,600	100,000
FIRE PROTECTION FUND	300,000	300,000	-
10 CENT GASOLINE TAX	160,000	160,000	-
CAPITAL PROJECTS	-	-	-
CAPITAL PROJECTS GRANTS	250,000	-	(250,000)
TOTAL OTHER GOVERNMENTAL FUNDS SOURCES	1,485,199	1,325,188	(160,011)
TOTAL REVENUES/SOURCES	53,773,952	98,264,279	44,490,327

EXPENDITURES/USES	FY 2022	FY 2023	CHANGE
GENERAL FUND			
GENERAL GOVERNMENT- SCHOOL APPROPRIATION	5,500,000	5,900,000	400,000
ADMINISTRATIVE	3,778,193	6,774,575	2,996,382
CIVIC CENTER	500,337	389,745	(110,592)
FARMERS MARKET	50,875	50,060	(815)
ENGINEERING	1,130,774	1,190,280	59,506
AIRPORT	787,470	844,985	57,515
FLEET MAINTENANCE	601,893	582,745	(19,148)
STREET DEPARTMENT	1,605,486	1,490,285	(115,201)
SANITATION DEPARTMENT	2,101,902	2,394,230	292,328
POLICE	7,293,588	6,310,670	(982,918)
FIRE	4,320,355	4,559,915	239,560
PARKS & RECREATION	2,668,936	2,525,880	(143,056)
JUDICIAL	373,287	451,280	77,993
CIVIL DEFENSE	67,600	67,600	0
HEALTH AND WELFARE	92,343	62,343	(30,000)
CULTURE AND RECREATION	15,400	15,400	0
ECONOMIC DEVELOPMENT/INCUBATOR	360,552	860,552	500,000
LIBRARY	203,133	225,750	22,617
PUBLIC WORKS	824,764	760,185	(64,579)
ECONOMIC DEVELOPMENT - TOURISM	255,477	299,510	44,033
DEBT SERVICE	5,999,427	9,380,000	3,380,573
GENERAL FUND - OPERATING TOTAL	38,531,792	45,135,990	6,604,198
TOTAL GENERAL FUND EXPENDITURES/USES	38,531,792	45,135,990	6,604,198
CAPITAL PROJECTS EXPENDITURES/USES			
ADMINISTRATIVE - DEBT SERVICE	-	-	-
ADMINISTRATIVE - OTHER	-	5,000,000	5,000,000
ENGINEERING - IMPROVEMENTS	-	-	-
CIVIC CENTER	-	165,000	-
FARMERS MARKET	-	15,800	-
AIRPORT	-	357,000	357,000
POLICE DEPARTMENT	-	15,000	-
FIRE DEPARTMENT	-	64,250	-
PARKS & RECREATION	-	21,183,850	-
STREET DEPARTMENT	-	8,000,000	8,000,000
SANITATION DEPARTMENT	-	-	-
SEWER	-	2,715,000	2,715,000
PUBLIC WORKS	-	-	-
TOTAL CAPITAL PROJECTS EXPENDITURES/USES	-	37,515,900	37,515,900

SEWER/DISPOSAL FUND EXPENDITURES/USES			
DISPOSAL FUND - OPERATING EXPENSES	2,184,292	1,917,880	(266,412)
SEWER OPERATING EXPENSES	1,395,344	2,179,370	784,026
TOTAL SEWER/DISPOSAL OPERATING EXPENDITURES/USES	3,579,636	4,097,250	517,614
DEBT SERVICE FUND EXPENDITURES/USES			
BOND PAYMENT -2018A (DISPOSAL)	265,696	265,695	1
BOND PAYMENT - 2018A (SEWER)	531,156	531,155	1
TOTAL SEWER/DISPOSAL DEBT SERVICE FUND EXPENDITURES/USES	796,852	796,850	2
TOTAL SEWER/DISPOSAL EXPENDITURES/USES	4,376,488	4,894,100	517,612
DEBT SERVICE FUND EXPENDITURES/USES			
BOND PAYMENT - AIRPORT PROJECT	-	-	-
BOND PAYMENT	9,393,101	9,393,101	-
TOTAL DEBT SERVICE FUND EXPENDITURES/USES	9,393,101	9,393,101	-
OTHER GOVERNMENTAL FUNDS			
E-911	392,378	388,928	(3,450)
SENIOR CITIZENS CENTER	137,543	40,800	(96,743)
TOBACCO TAX FUND	26,040	26,040	-
SEVEN CENTS GASOLINE TAX FUND	130,775	130,775	-
FOUR/FIVE CENT GASOLINE TAX FUND	-	-	-
MOTOR VEHICLE	85,000	85,000	-
ASSET FORFEITURE	3,500	3,500	-
INDUSTRIAL DEVELOPMENT BOARD	100,000	100,000	-
FIRE PROTECTION FUND	80,600	550,145	469,545
TOTAL OTHER GOVERNMENTAL FUNDS EXPENDITURES/USES	955,836	1,325,188	(369,352)
TOTAL EXPENDITURES/USES	53,257,217	98,264,279	45,007,062

TEMPORARY CLOSURE OF PORTIONS OF ROADS.....President
(Hickman Road & Dozier Road)

The City and/or Consulting Engineer make request for temporary closure of portions of Hickman Road and Dozier Road as shown on the attached map until such time as the City and/or Consulting Engineer inform the Police Chief that the portion of roads closed may again be opened. This is in association with the VA Home Project. It is expected this temporary closure will last approximately 90 days or longer. However, it is the intention of the City to permanently close the portions of those roads as identified on the attached map in the near future. Call for a motion, second and vote concerning granting these road closures.

REQUEST TO HOLD YOUNG EAGLE FLIGHT RALLY.....President
(Enterprise Municipal Airport)

Introduce and call for consideration of a request on behalf of EAA Chapter 351 to hold a Young Eagle Flight Rally at the Enterprise Municipal Airport on Saturday, October 22, 2022, with a rain date of October 29. The rally will feature free airplane rides for children ages 8-17.

MAYOR’S REPORT.....President

COUNCIL MEMBERS COMMENTS.....President

ADJOURNMENT: September 20, 2022 E-911 Board Meeting.....President

ADDENDUM:

TO: MAYOR AND CITY COUNCIL
FROM: BEVERLY SWEENEY, CITY CLERK
RE: CONSENT AGENDA FOR SEPTEMBER 20, 2022 COUNCIL MEETING
DATE: SEPTEMBER 16, 2022

By approving the Consent Agenda, you will cumulatively approve the following items as presented in your packets:

A. The minutes of the September 6, 2022 Work Session.

B. The minutes of the September 6, 2022 Regular Session.

C. Contract Billings in the amount of \$215,640.19 as follows:

Wiregrass Construction Company, Inc. -

Estimate No. 8 - \$129,340.49 – Construction – FY21 Resurfacing/Phase II

Poly, Inc. -

Invoice No. 19415 - \$5,035.39 – Engineering/Design – FY21 Resurfacing/Phase II

Invoice No. 19416 - \$68,814.31 – Engineering/Design – FY22 Resurfacing/Phase III (A)

Ewing-Conner and Associates, Inc.-

Invoice No. 2 - \$4,000.00 – Administrative Services – 2021 CDBG Demolition Project

Southern Earth Sciences, Inc. -

Invoice No. P220379-02 - \$8,450.00 – Asbestos Surveys – CDBG Demolition Project/Phase II

CITY COUNCIL WORK SESSION MINUTES OF SEPTEMBER 6, 2022

The Enterprise City Council convened in Work Session at 5:00 p.m., Tuesday, September 6, 2022 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

ALSO PRESENT: Mayor William E. Cooper
City Administrator Jonathan Tullos
City Clerk Beverly Sweeney was present and kept the minutes.
City Attorney Rainer Cotter
Glenn Morgan, Consulting Engineer
City Department Heads
Michelle Mann, Enterprise Ledger

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

The following items were discussed:

QUARTERLY GOALS UPDATE

City Administrator Jonathan Tullos reviewed the list of Q3 goals and updated the Council on the progress made to address them.

REVIEW OF AGENDA

Council President Townsend requested a review of the September 6, 2022 Council Meeting agenda. During review, the following items were discussed:

PHASE III (A) STREET RESURFACING

A recommendation was made by Consulting Engineer Glenn Morgan to award the bid for FY22 Resurfacing Improvements, Phase III (A) to Wiregrass Construction Company, Inc. in the amount of \$3,995,328.50. The project, if awarded, is expected to start the first week in October.

PROPOSED FEE INCREASES

City Administrator Jonathan Tullos discussed proposed ordinances adjusting sanitation, sewer, building permit, and sewer tap fees, making services more cost-neutral. Consideration will layover until the regular meeting scheduled for September 20, 2022 to allow for public comment.

UNSAFE BUILDING BOARD

Council Members reviewed proposed Ordinance 09-06-22-D, providing to establish the Unsafe Building Board of Adjustment and Appeals and appoint its Board Members. Council Members requested City Engineer/Public Works Director Barry Mott to designate Board Members and terms of service prior to introduction on September 20.

RESERVE OFFICER PROGRAM

Police Chief Michael Moore briefed Council on proposed Ordinance 09-06-22-F, providing for the re-establishment of a law enforcement reserve officer program within the Enterprise Police Department.

CREATE POSITION – Police Corporal

Police Chief Michael Moore provided an overview of proposed Resolution 09-06-22-A, creating the position of Police Corporal, Pay Grade 8. All existing persons with the current titles of Field Training Officer or Investigator will now hold the title of Police Corporal in the same scale and be assigned to either the Field Training or Criminal Investigations division.

SS4A GRANT APPLICATION

City Administrator Jonathan Tullos briefed Council on proposed Resolution 09-06-22-B, providing for the approval of a Safe Streets for All Action Plan grant application related to the assessment and possible implementation of road safety measures. If obtained, the grant will require a 20% match.

LEASE AGREEMENT – Incubator Building

Wiregrass Economic Development Corporation Director Jesse Quillen presented a recommendation on behalf of the Incubator Advisory Committee to approve a three-year agreement with Kelvin Seldon and Advantage Consulting and Solutions, LLC for lease of office space within the Enterprise Business Incubator.

INTERNET SERVICES

Jeremy Nagy, M4 Technology, advised of an upcoming change in the City's internet provider, resulting in a monthly savings of \$9,966.00.

REQUEST TO PURCHASE - Access Control Hardware/Installation

Jeremy Nagy, M4 Technology, discussed a request to purchase access control hardware and installation from Miller Alarm & Electronics, Inc. at a cost of \$66,324.74. U.S. Department of Homeland Security grant funds, through ALEA, of \$45,000 will be applied toward the purchase of the equipment, with the \$21,324.74 balance to be paid by the City.

REQUEST TO SEEK BIDS - Modular Furniture/Civic Center

Jeremy Nagy, M4 Technology, presented a request on behalf of Billy Powell, Director of Community Services and Recreation, to seek bids for the purchase of seven modular desk-type credenzas for use at the Enterprise Civic Center.

REQUEST TO SEEK BIDS - Recreation/Aquatic Complex & City Hall Renovation

City Engineer/Public Works Director Barry Mott informed Council that final design plans for construction of the new Recreation/Aquatic Complex and City Hall Renovation Project will be completed by the end of the month, with bids to be let in October.

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 and good name and character. City Attorney Rainer Cotter advised the Council that it would be appropriate to go into Executive Session to discuss such matters. A motion was made by Council Member Goolsby, 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 20 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 and counsel.

**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 6th day of September, 2022, 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. Mayor William E. Cooper and City Administrator Jonathan Tullos were present. City Attorney Rainer Cotter was present; and,

WHEREAS, during the course of said meeting, a motion was made by Council Member Goolsby for the Council to go into Executive Session for the purpose of reputation and character, and legal advice and counsel, both 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 and reputation and character.

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:

Yeas

Nays

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 20 minutes.

By: _____
President

By: _____
Attorney

Attest: _____

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

There being no further business before the Council, the President declared the Work Session adjourned at 6:00 p.m.

Turner Townsend
Council President

Beverly Sweeney
City Clerk

CITY COUNCIL MEETING MINUTES OF SEPTEMBER 6, 2022

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, September 6, 2022 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
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 delete the following item under New Business:

- **ORDINANCE 09-06-22-D (Unsafe Building Board of Adjustment & Appeals)**

A motion was made by Council Member Johnson, seconded by Council Member Rich, to approve the agenda of the meeting as amended. 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 August 2, 2022
- City Council Work Session Minutes of August 16, 2022
- City Council Work Session Minutes of August 25, 2022
- City Council Meeting Minutes of August 16, 2022
- Accounts Payable (A) for August 2022 in the amount of **\$1,427,967.12** as follows:
City of Enterprise - \$1,142,059.41 Water Works Board - \$285,907.71
- Accounts Payable (B) for August 2022 in the amount of **\$185.58** as follows:
City of Enterprise - \$123.96 Water Works Board - \$61.62
- Contract Billings in the amount of **\$26,637.60** as follows:
KPS Group -
Invoice No. 5 - \$7,887.60 – Contract Planning Services – July 2022
Fine, Geddie & Associates, LLC -
Invoice No. 1509 - \$6,250.00 – Contract Legislative Services – June 2022
Invoice No. 1569 - \$6,250.00 – Contract Legislative Services – July 2022
Invoice No. 1629 - \$6,250.00 – Contract Legislative Services – September 2022
- Travel Requests as follows:

<u>Administrative</u>	<u>Police Department</u>
Sandra DeTora	Detective Diana Baker
Laura Miller	FTO Amber Darbro
AMROA Training Institute	Sexual Assault Investigation Course
Tuscaloosa, Alabama	Pensacola, Florida
October 4-7, 2022	October 5-7, 2022
Estimated Cost: \$2,315.00	Estimated Cost: \$1,656.42
- Request to Dispose of Inventory as follows:
Civic Center
(1) Emerson Microwave City ID #10666

A motion was made by Council Member Padgett, seconded by Council Member Rich, to approve the Consent Agenda as presented. Council President Townsend indicated that Accounts Payable (B) included payments to Townsend Building Supply, a company in which he has an interest, and noted he would abstain from voting. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Abstain. The President declared the motion carried.

SPECIAL PRESENTATION BY THE MAYOR (Dixie Youth Baseball State Championship Teams)

The President recognized Mayor Cooper and Blake Moore, Parks and Recreation Superintendent, for the presentation of certificates to members and coaches of the 6U, 8U and 11U Dixie Youth State Championship Baseball Teams.

REQUEST TO ADDRESS COUNCIL (Judy Penuel/Imagination Library of Coffee County)

The President recognized Judy Penuel, Director, Imagination Library of Coffee County, who provided information on the organization's literacy-based book-giving program for children birth to five years old and requested the city to consider funding of \$15,000 in the next budget cycle. The request was taken under advisement.

REQUEST TO ADDRESS COUNCIL (Persons allowed 3 minutes to address the Council)

None

STAFF REPORTS

None

OLD BUSINESSREVIEW & CONSIDER BID RECOMMENDATION (FY22 Resurfacing Improvements, Phase III (A))

The President introduced and called for consideration of a recommendation from Consulting Engineer Glenn Morgan to award the bid for FY22 Resurfacing Improvements, Phase III (A) to Wiregrass Construction Company, Inc. in the total bid amount of \$3,995,328.50. Other bids received are as follows:

- Midsouth Paving, Inc. \$4,992,553.00

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to award the bid for FY22 Resurfacing Improvements, Phase III (A) to Wiregrass Construction Company, Inc. in the total bid amount of \$3,995,328.50. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

NEW BUSINESSINTRODUCE 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 Reeves Engineering & Construction, LLC and Galanco, Inc. on behalf of Kathryn Kirkland for the rezone of 72 acres of land from R-100 (Residential District) and AGRIC-2 (Agricultural District) to R-65 (Residential District) located at 1607 West College Street.

INTRODUCE ORDINANCE 09-06-22 (Kirkland Rezone)

The President introduced Ordinance 09-06-22, providing for the rezone of 72 acres of land owned by Kathryn Kirkland from R-100 (Residential District) and AGRIC-2 (Agricultural District) to R-65 (Residential District) located at 1607 West College Street and called for a public hearing to be held at the regular meeting scheduled for October 4, 2022.

INTRODUCE ORDINANCE 09-06-22-A (Implement Additional Garbage/Sanitation Fees)

The President introduced Ordinance 09-06-22-A, providing effective October 1, 2022, garbage fees for all residential and business customers shall increase to \$23.46 per month, and beginning October 1, 2023, and each year thereafter, said garbage fee shall increase by the amount equal to the percentage increase of the Consumer Price Index for All Urban Customers (CPI-U) over the then-last 12 month period (before seasonal adjustment) as published by the U.S. Bureau of Labor Statistics as of August 1 in each year. Unless there is an increase in the CPI-U, there shall be no adjustment to the garbage fee then in existence for a given year unless Council implements any change by ordinance or other appropriate act. Ordinance 09-06-22-A will layover until the regular meeting scheduled for September 20, 2022 to allow for public comment.

INTRODUCE ORDINANCE 09-06-22-B (Implement Additional Sanitary Sewer Fees)

The President introduced Ordinance 09-06-22-B, providing effective October 1, 2022, sanitary sewer rate fees for all residential and business customers shall increase by a flat fee of \$2.50 per month for all accounts, plus a 15% increase in each category of water usage over 2000 gallons per month/billing period. Thereafter, beginning October 1, 2023, and each year thereafter, said sewer fee shall automatically increase by the amount equal to the percentage of the Consumer Price Index for All Urban Customers (CPI-U) over the then-last 12 month period (before seasonal adjustment) as published by the U.S. Bureau of Labor Statistics as of August 1 in each year. Unless there is an increase in the CPI-U, there shall be no adjustment to the sewer fee then in existence for a given year unless Council implements any change by ordinance or other appropriate act. Ordinance 09-06-22-B will layover until the regular meeting scheduled for September 20, 2022 to allow for public comment.

INTRODUCE ORDINANCE 09-06-22-C (Implement Additional Engineering/Public Works Fees)

The President introduced Ordinance 09-06-22-C, related to adjustment of sewer tap, building permit and building inspection fees, specifically as follows:

- a. Sewer tap fees shall be adjusted to \$350.00 for each residential sewer tap as of January 1, 2023; thereafter, the said residential sewer tap fee shall be \$600.00 as of October 1, 2023; and, such residential sewer tap fee shall be \$850.00 plus cost of materials as of October 1, 2024, and thereafter, until altered by Council action. The sewer tap fee shall be adjusted to \$450.00 for each commercial sewer tap as of January 1, 2023; thereafter, the said commercial sewer tap shall be \$650.00 as of October 1, 2023; and, such commercial sewer tap fee shall be \$850.00 plus cost of materials as of October 1, 2024, and thereafter, until if and when altered by Council action; and,
- b. As to building permit fees, effective January 1, 2023, there shall be a minimum fee of \$50.00 as to any total building project \$5,000.00 or less; Building projects with an estimated total cost of over \$5,000.00 shall require a fee of \$50.00 plus an additional \$3.00 per \$1,000.00 in total construction costs; specifically for commercial building projects, there shall be added to the permit fees as set out above a charge of \$1.00 per \$1,000.00 in total construction costs for the State of Alabama Craft Fee; and,
- c. As to building inspection fees, said fees shall be included in the cost of building permits as set out above, except, each required re-inspection shall require an additional fee as follows: \$50.00 for the first re-inspection; and for each inspection after the first re-inspection, the permittee shall pay twice the previous amount paid (As an example, for the second re-inspection, an additional cost of \$100.00 shall be due; for the third re-inspection, an additional cost of \$200.00 shall be due, and so on depending on the number of re-inspections). Ordinance 09-06-22-C will layover until the regular meeting scheduled for September 20, 2022 to allow for public comment.

INTRODUCE ORDINANCE 09-06-22-E (Ratify & Confirm Appointment of Building Official)

The President introduced Ordinance 09-06-22-E, ratifying and confirming that the City Engineer and Director of Public Works is the building official of the city, and the alternate building official is the Assistant Director of Engineering Services.

INTRODUCE ORDINANCE 09-06-22-F (Re-Establish Reserve Law Enforcement Officer Program)

The President introduced Ordinance 09-06-22-F, providing for the re-establishment of a law enforcement reserve officer program within the Enterprise Police Department.

INTRODUCE ORDINANCE 09-06-22-G (City School Funding)

The President introduced Ordinance 09-06-22-G, providing for school funding. The ordinance repeals Section 11, paragraph (d) of Ordinance 07-01-14 related to a formularized percentage funding basis from which the City has been allocating and paying certain adjusted net sales tax receipts to the City Board of Education, and all prior portions of any ordinances which call for the same action as said Section, and to implement a funding procedure in lieu of said formularized percentage basis which will grant the Enterprise City Board of Education a \$5,900,000.00 allocation from said sales tax receipts collected for Fiscal Year 2022-2023. Said funding shall take place by payments over 12 months. The allocation for Fiscal Year 2022-2023 takes into account that the City does not seek a refund of the portion of the State of Alabama Simplified Seller's Use Tax which has been inadvertently paid to said Board. The ordinance provides that future grants of funding from the adjusted net sales tax receipts to the Board by the City will be considered each budget year of the City.

APPOINTMENT OF PUBLIC INFORMATION MANAGER

Council President Townsend recognized Mayor Cooper who brought forth his recommendation to appoint Emily Glasscock as Public Information Manager.

The President called for a motion to approve Resolution 09-06-22, appointing Emily Glasscock as Public Information Manager for the City of Enterprise. A motion was made by Council Member Johnson, seconded by Council Member Rich, to adopt Resolution 09-06-22, providing to appoint Emily Glasscock as Public Information Manager for the City of Enterprise. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 09-06-22 duly passed and adopted.

OATH OF OFFICE – Emily Glasscock

The President recognized Mayor Cooper who administered the Oath of Office to Public Information Manager Emily Glasscock.

REVIEW & CONSIDER RESOLUTION 09-06-22-A (Amend Employee Classification Plan/Salary Schedule)

The President introduced and called for consideration of Resolution 09-06-22-A, providing for an amendment to Ordinance 10-16-01 which establishes the Employee Classification Plan/Salary Schedule. The amendment calls for the creation of Police Corporal, Pay Grade 8, and deletes the positions of Field Training Officer and Police Investigator. All existing persons with the current titles of Field Training Officer or Investigator will now hold the title of Police Corporal in the same scale and assigned to either the Field Training or Criminal Investigations divisions.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to adopt Resolution 09-06-22-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 09-06-22-A duly passed and adopted.

REVIEW & CONSIDER RESOLUTION 09-06-22-B (Authorize SS4A Grant Application)

The President introduced and called for consideration of Resolution 09-06-22-B, authorizing the Mayor and/or City Staff to execute and cause the filing of a Safe Streets for All Action Plan grant related to the assessment and possible implementation of road safety measures. If obtained, the grant would require a 20% match from the City.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to adopt Resolution 09-06-22-B. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 09-06-22-B duly passed and adopted.

AUTHORIZE MAYOR TO EXECUTE LEASE AGREEMENT (Enterprise Business Incubator/102 Commerce Drive)

The President called for a motion to authorize the Mayor to execute an agreement on behalf of the City of Enterprise with Kelvin Seldon and Advantage Consulting and Solutions, LLC for lease of the Enterprise Business Incubator located at 102 Commerce Drive as per the terms of the lease agreement.

A motion was made by Council Member Johnson, seconded by Council Member Rich, to authorize the Mayor to execute an agreement with Kelvin Seldon and Advantage Consulting and Solutions, LLC for lease of the Enterprise Business Incubator located at 102 Commerce Drive as per the terms of the lease agreement. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REQUEST PERMISSION TO PURCHASE EQUIPMENT (Access Control Hardware/Miller Alarm)

The President introduced and called for consideration of a request to purchase access control hardware plus installation from Miller Alarm & Electronics, Inc. at a cost of \$66,324.74. U.S. Department of Homeland Security grant funds, through ALEA, totaling \$45,000.00 will be applied toward the purchase, with the \$21,324.74 balance to be paid by the City.

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

REQUEST PERMISSION TO SEEK BIDS (New Recreation/Aquatic Center)

The President introduced and called for consideration of a request to seek bids for construction of the Enterprise Recreation and Aquatic Center Complex.

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

REQUEST PERMISSION TO SEEK BIDS (City Hall Renovations)

The President introduced and called for consideration of a request to seek bids for the renovation of Enterprise City Hall.

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

REQUEST PERMISSION TO SEEK BIDS (AV & Modular Furniture/Civic Center)

The President introduced and called for consideration of a request from Billy Powell, Director of Community Services and Recreation, to seek bids for new audio-visual and modular furniture for use during City Council meetings at the Enterprise Civic Center.

A motion was made by Council Member Padgett, seconded by Council Member Goolsby, to approve the request to seek bids 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 provided reports and updates from various departments, projects, and events.

COUNCIL MEMBERS COMMENTS

Council Members offered congratulations to members and coaches of the Dixie Youth State Championship Baseball Teams and welcomed Emily Glasscock to the City of Enterprise.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 7:00 p.m.

Turner Townsend
Council President

Beverly Sweeney
City Clerk

CONTRACT BILLINGS REGISTER
SEPTEMBER 20, 2022

1. Wiregrass Construction Company, Inc. -

Estimate No. 8 - \$129,340.49 – Construction – FY21 Resurfacing/Phase II

2. Poly, Inc. -

Invoice No. 19415 - \$5,035.39 – Engineering/Design – FY21 Resurfacing/Phase II

Invoice No. 19416 - \$68,814.31 – Engineering/Design – FY22 Resurfacing/Phase III (A)

3. Ewing-Conner and Associates, Inc. -

Invoice No. 2 - \$4,000.00 – Administrative Services – 2021 CDBG Demolition Project

4. Southern Earth Sciences, Inc. -

Invoice No. P220379-02 - \$8,450.00 – Asbestos Surveys – CDBG Demolition Project/Phase II

TOTAL CONTRACT BILLINGS - \$215,640.19


(A) Original Contract Amount	\$3,596,710.35
(B) Plus: Additions Scheduled in Change Orders	
(C) Less: Deductions Scheduled in Change Order	
(D) Adjusted Contract Amount to Date.	\$3,596,710.35

(A) Cost of original contract work performed to date.	\$3,433,335.83
(B) Change Order work performed to date.	
(C) Total Cost of work performed to date	\$3,433,335.83
(D) Stored Materials.	
(E) Subtotal of Items (c) and (d).	\$3,433,335.83
(F) Less: Amount retained in accordance with contract terms	\$343,333.58
(G) Net amount earned on contract work to date	\$3,090,002.25
(H) Less: Amount of previous payments.	\$2,960,661.76
(I) BALANCE DUE THIS PAYMENT.	\$129,340.49


Joseph Hoekenga, Estimator

9-15-22
Date

supplied to date.



C. Glenn Morgan, F.E., Poly, Inc.

09/15/22
Date



INVOICE

Poly, Inc.

P.O. Box 837 - Dothan, AL 36302

1935 Headland Ave. - Dothan, AL 36303

Telephone: 334.793.4700

Fax: 334.793.9015

www.poly-inc.com

The City of Enterprise
PO Box 311000
Enterprise, Alabama 36331-1000

Attn: Mrs. Beverly Sweeney, City Clerk

INVOICE : 19415
DATE: 09/15/22
TERMS: NET 30 Days
JOB NO.: 11-448

FOR PROFESSIONAL SERVICES RENDERED AS FOLLOWS:

Re: FY21 Resurfacing Improvements - Phase II

Engineering design services rendered under Task Order No. 45 for FY21 Resurfacing Improvements:

Contract Amount - \$3,596,710.00

Contractor - Wiregrass Construction Co., Inc.

Amount Due Preliminary Design Phase:

$\$3,596,710.00 \times .50\% \times 100\%$ \$17,983.55

Amount Due Final Design Phase:

$\$3,596,710.00 \times 3.25\% \times 100\%$ \$116,893.08

Amount Due Bidding Phase:

$\$3,596,710.00 \times .25\% \times 100\%$ \$8,991.78

Amount Due Construction Administration and Observation:

$\$3,596,710.00 \times 3.50\% \times 94\%$ \$118,331.76

Total Amount \$262,200.17

Less Previous Payments \$257,164.78

Amount Due This Invoice \$5,035.39

Please Remit To: Poly, Inc., P.O. Box 837, Dothan, AL 36302

THANK YOU FOR YOUR BUSINESS!



INVOICE

Poly, Inc.

P.O. Box 837 - Dothan, AL 36302

1935 Headland Ave. - Dothan, AL 36303

Telephone: 334.793.4700

Fax: 334.793.9015

www.poly-inc.com

The City of Enterprise
PO Box 311000
Enterprise, Alabama 36331-1000

INVOICE : 19416
DATE: 09/16/22
TERMS: NET 30 Days
JOB NO.: 11-460

Attn: Mrs. Beverly Sweeney, City Clerk

FOR PROFESSIONAL SERVICES RENDERED AS FOLLOWS:

Re: FY22 Resurfacing Improvements - Phase III (A)

Engineering design services rendered under Task Order No. 51 for FY22 Resurfacing Improvements:

Construction Amount - \$3,995,328.50
Wiregrass Construction, Inc.

Amount Due Preliminary Design Phase:

$\$3,995,328.50 \times .50\% \times \underline{100\%}$ \$19,976.64

Amount Due Final Design Phase:

$\$3,995,328.50 \times 3.25\% \times \underline{100\%}$ \$129,848.18

Amount Due Bidding Phase:

$\$3,995,328.50 \times .25\% \times \underline{90\%}$ \$8,989.49

Total Amount \$158,814.31

Less Previous Payments \$90,000.00

Amount Due This Invoice \$68,814.31

Please Remit To: Poly, Inc., P.O. Box 837, Dothan, AL 36302

THANK YOU FOR YOUR BUSINESS!

EWING-CONNER AND ASSOCIATES, INC.

Post Office Drawer 6805
Dothan, Alabama 36302-6805
(334) 793 - 7695

INVOICE

Honorable William E. Cooper, Sr., Mayor
City of Enterprise
Post Office Box 311000
Enterprise, Alabama 36331-1000

Invoice Number 2

September 13, 2022

RE: Contract For Professional Administrative Service(s) - Project Number LR-CE-PF-21-002.

In accordance with Part I; Subsection 2(A) and 5 of our contractual agreement for Program Management Service(s) entered into on the 07th day of February, 2022; please remit the sum of **Four Thousand Dollars and No Cents** for project management service(s) rendered relative to the "Scope of Services" section in conjunction with CDBG Project LR-CE-PF-21-002.

DESCRIPTION	CONTRACT	% COMPLETE	PRIOR AMOUNT (\$)	CURRENT %	TOTAL %	AMOUNT DUE (\$)
SATISFACTION OF LCC	\$ 8,700.00	100.00%	4,000.00	22.99%	68.97%	2,000.00
DEMOLITION DESIGN FEE	\$ 10,000.00	20.00%	0.00	20.00%	20.00%	2,000.00
ON-GOING ADMINISTRATION	\$ 16,400.00	20.00%	0.00	0.00%	0.00%	0.00
PROGRAM CLOSE-OUT	\$ 3,900.00	0.00%	0.00	0.00%	0.00%	0.00
CONTRACT TOTAL	\$ 39,000.00	*****	\$4,000.00	*****		\$ 4,000.00

Respectfully Submitted,

EWING-CONNER AND ASSOCIATES, INC.

David W. Ewing

David W. Ewing,
President



**SOUTHERN
EARTH SCIENCES**

Southern Earth Sciences, Inc.

P.O. Box 160745
Mobile, AL 36616-1745
251-445-4354

CITY OF ENTERPRISE
P.O. BOX 311000
ENTERPRISE, AL 36331-1000

Invoice number P220379-02
Date 09/08/2022

Project **P22-0379 THE CITY OF ENTERPRISE,
AL ASBESTOS SURVEYS**

For Professional Services provided through September 08,2022

ASBESTOS SURVEYS FOR THE CITY OF ENTERPRISE

CDBG Program #: LR-CE-PF-21-002 Phase 2

13 Properties @ \$ 650.00/each

Total Invoice \$ 8,450.00

Description	Current Billed
THE CITY OF ENTERPRISE, AL ASBESTOS SURVEYS	8,450.00
Total	8,450.00

Invoice total **8,450.00**

For questions regarding the services performed, contact the branch office. For questions concerning payment, call Debbie: Corporate Accounts Receivable 251-445-4370. We accept Checks, Visa, MasterCard, American Express, Discover and ACH payments. Please include the invoice number on payments and do NOT staple or tape payments to documents.

Finance charges will be assessed at the rate of 1% per month on account balances over 30 days. You will be responsible for payment of all attorney's fee and other costs of collection on this account.

STATEMENT FOR MARVIN PINCKNEY

Earlier this month, Mr. Pinckney was in his garage and noticed flames coming from his neighbor's home. He called 911 and selflessly entered the home to rescue the resident and her care giver. Unable to enter out the back or front door, Mr. Pinckney located a bedroom window and with the help of passersby, he was able to safely remove them from the home. By the time Mr. Pinckney was able to exit himself he could already feel the extreme heat from the fire.

If it had not been for his swift actions, these 2 occupants would have not survived as one was immobile.

Mr. Pinckney, I know you do not want to be recognized as a Hero but you truly are. The City Council, the Fire Chief, Christopher Davis, and I, commend you on your unwavering regards to your own safety and for jumping into action without hesitation. What you did definitely changed the outcome of a situation that could have been tragic.

Please accept this Plaque and Key to the City for your heroic actions

EXTRA MILE AWARD FOR MICHAEL GREEN

Today we are recognizing Michael Green for going above and beyond his duties for the City of Enterprise.

For approximately 3 ½ months, Michael stepped up and took over cleaning the Administrative building to include all offices and restrooms while performing his role for housekeeping at the Public Works Facility. This was an extraordinary feat as these buildings are considerable in size. This level of commitment is astounding.

Michael, the City Council and I commend you on your outstanding abilities and remarkable attention that you give to your commitment to your job duties when called to step up.

We are proud to have such an outstanding individual representing our Public Works Department.

Beverly Sweeney

From: Carol Lane <clane@enterpriseal.gov>
Sent: Thursday, September 8, 2022 8:24 AM
To: Beverly Sweeney
Cc: Tammy Stuckey
Subject: Ashley Marshall

Please add her for swearing in by Judge Sherling to the September 20th Council Meeting for City Prosecutor.

Carolyn A. Lane, Executive Assistant
Office of the Mayor
City of Enterprise
P.O. Box 311000
Enterprise, Alabama 36331
Office (334) 348-2602
Fax (334) 348-2607
clane@enterpriseal.gov

CITY OF ENTERPRISE, ALABAMA

OATH OF OFFICE

**“I, Ashley Marshall, do solemnly swear (or affirm) that I will support the
Constitution of the United States and the Constitution of the State of
Alabama, so long as I continue a citizen thereof; and I will faithfully and
honestly discharge the duties of the office upon which I am about to enter, to
the best of my ability, so help me God.”**

CITY OF ENTERPRISE
APPLICATION FOR A PARADE/PUBLIC EVENT/ DEMONSTRATION PERMIT

DATE: 09/12/2022

NAME OF ORGANIZATION: Lunation - Deana Pierce

PHONE: 334-494-3484

**PERSON/ORGANIZATION
RESPONSIBLE:**

Deana Pierce

PHONE: 334-494-3484

MAILING ADDRESS: 117 N Main St, Enterprise, AL 36330

It is respectfully submitted that a public assembly permit be issued to the above-named person or organization. The following items of information are submitted:

(1) The purpose of the public assembly is: Midnight Margaritas Downtown Ghost Tour

An adult Halloween event. Includes adult beverages and food, walking ghost tours, selfie stations, and more. The event was well attended last year and is expected to grow. In order to have food trucks and a safe gathering spot for participants, it is requested to close West College Street and Railroad Street for this event. Event organizers intend to place food trucks on Railroad Street and to utilize West College as a tour line - up location as well as a gathering space.

(2) Date of Assembly: 10/29/2022

(3) Hours:

W. College & Railroad Street

Begin Closure: 5:00PM

End Closure: 1:30AM

Event Starts: 5:30PM

Event Ends: 1:00AM

(4) Number of Persons: 300 + Number of Animals: 0 Number of Floats: 0

(5) Route of parade: If not a Parade, please describe N/A
function in detail: (Attach map if needed)

Requesting closure of West College Street from 5PM -1:30AM. Requesting closure of Railroad Street from 5PM - 1:30AM

This requested permit is hereby () Granted () Denied

DATE: _____

William E. Cooper Mayor
Enterprise, Alabama

Your permit must be submitted at least five (5) days before the event is to take place.

**Please use a separate sheet of paper for further information.

ORDINANCE 09-06-22-A
IMPLEMENTATION OF ADDITIONAL
GARBAGE/SANITATION FEES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA AS FOLLOWS:

Whereas, by Ordinance 09-04-18-A, the City Council implemented an increase in garbage fees to \$15.50 per month for residential customers and \$17.50 per month for business customers, with subsequent increases up to \$21.50 per month for residential and business customers as of October 1, 2021;

Whereas, Ordinance 09-04-18-A further provided that as of October 1, 2022, a study would be performed to determine if the implemented garbage fees were helping to make sanitation services more cost neutral and whether it was proper to tie the garbage fees to a consumer price index adjustment;

Whereas, through its Sanitation Department and City Engineer, studies have been performed indicating that garbage fees should be tied to consumer price index adjustments to make the service more cost neutral and effective;

Now, therefore, the City Council does ordain and implement the following:

Section 1. Increase in Garbage Fees. Garbage fees for all residential and business customers beginning October 1, 2022, shall increase to \$23.46 per month, and beginning October 1, 2023, and each year thereafter, said garbage fee shall increase by the amount equal to the percentage increase of the Consumer Price Index for All Urban Customers (CPI-U) (or the next similar index if the CPI-U is no longer published) over the then-last 12 month period (before seasonal adjustment) as published by the United States Bureau of Labor Statistics as of August 1 in each year. (For illustration purposes only, if the CPI index as of August 1, 2023 is 2.00%, then the garbage fee would be increased as of October 1, 2023 by \$0.47 to \$23.93 per month and so on. Note: a 2.00% increase in the above-example would equal \$0.4666. For simplicity purposes, this ordinance authorizes the rounding up to the nearest whole number (hence, the example above shows \$0.47). Unless there is an increase in the CPI-U, there shall be no adjustment to the garbage fee then in existence for a given year unless by ordinance or other appropriate act the Council implements any change.

Section 2. Charge on Water Bills. Instead of having separate charges for garbage and landfill fees on water bills, those fees shall be combined as "garbage fee" and shown on the water bills as such.

Section 3. Other fees/service charges imposed remain in effect. All other separately charged fees related to sanitation, solid waste/garbage, landfill, wastewater treatment, environmental, etc. that are now charged will remain in effect and are ratified and affirmed as proper charges related to defraying the costs of services, for capital recovery, and supporting the necessary capital and labor-related expenditure which from time to time are incurred or associated with the provision of services related to those programs.

Section 4. Conflicting Ordinances/Resolutions. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations in conflict with this Ordinance, are the extent of such conflict, hereby repealed. Otherwise, unless in such conflict with any ordinance, resolution or regulation of the City, this Ordinance supplements such ordinance, resolution or regulation.

Section 5. Provisions Severable. The provisions of this Ordinance are severable. If any section, subsection or provision shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection or provision of this Ordinance.

Section 6. This Ordinance shall take effect upon its approval by the City Council, or upon its otherwise becoming law, but shall nevertheless be published as required by law.

Duly Passed and Adopted this _____ day of _____, 2022.

COUNCIL:

Council President Turner Townsend
District #5

Council Member Sonya W. Rich
District #1

Council Member Eugene Goolsby
District #2

Council Member Greg Padgett
District #3

Council Member Scotty Johnson
District #4

ATTEST:

Beverly Sweeney
City Clerk

Transmitted to the Mayor this _____ day of _____, 2022.

Beverly Sweeney
City Clerk

ACTION OF THE MAYOR:

Approved this _____ day of _____, 2022.

William E. Cooper
Mayor

ATTEST:

Beverly Sweeney
City Clerk

ORDINANCE 09-06-22-B
IMPLEMENTATION OF ADDITIONAL SANITARY SEWER FEES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA AS FOLLOWS:

Whereas, the City Council finds that due to rising costs, the provision of sanitary sewer services to City residents continues to operate in a deficit for the City;

Whereas, in order to defray said rising costs and in an attempt to make sewer services more cost neutral, the Council finds an increase in sanitary sewer fees is appropriate;

Now, therefore, the City Council does ordain and implement the following:

Section 1. Increase in Sewer Fees. Sanitary sewer rate fees for all residential and business customers beginning October 1, 2022, shall increase by a flat fee of \$2.50 per month for all accounts, plus a 15% increase in each category of water usage over 2000 gallons per month/billing period. Thereafter, beginning October 1, 2023, and each year thereafter, said sewer fee shall automatically increase by the amount equal to the percentage increase of the Consumer Price Index for All Urban Customers (CPI-U) (or the next similar index if the CPI-U is no longer published) over the then-last 12 month period (before seasonal adjustment) as published by the United States Bureau of Labor Statistics as of August 1 in each year. Unless there is an increase in the CPI-U, there shall be no adjustment to the sewer fee then in existence for a given year unless by ordinance or other appropriate act the Council implements any change.

Section 2. Other fees/service charges imposed remain in effect. All other separately charged fees related to sewer, sanitation, solid waste/garbage, landfill, wastewater treatment, environmental, etc. that are now charged will remain in effect and are ratified and affirmed as proper charges related to defraying the costs of services, for capital recovery, and supporting the necessary capital and labor-related expenditure which from time to time are incurred or associated with the provision of services related to those programs.

Section 3. Conflicting Ordinances/Resolutions. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations in conflict with this Ordinance, are the extent of such conflict, hereby repealed. Otherwise, unless in such conflict with any ordinance, resolution or regulation of the City, this Ordinance supplements such ordinance, resolution or regulation.

Section 4. Provisions Severable. The provisions of this Ordinance are severable. If any section, subsection or provision shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection or provision of this Ordinance.

Section 5. This Ordinance shall take effect upon its approval by the City Council, or upon its otherwise becoming law, but shall nevertheless be published as required by law.

Duly Passed and Adopted this _____ day of _____, 2022.

COUNCIL:

Council President Turner Townsend, District #5

Council Member Sonya W. Rich, District #1

Council Member Eugene Goolsby, District #2

Council Member Greg Padgett, District #3

Council Member Scotty Johnson, District #4

ATTEST:

Beverly Sweeney, City Clerk

Transmitted to the Mayor this _____ day of _____, 2022.

Beverly Sweeney, City Clerk

ACTION OF THE MAYOR:

Approved this _____ day of _____, 2022.

William E. Cooper, Mayor

ATTEST:

Beverly Sweeney, City Clerk

ORDINANCE 09-06-22-C
IMPLEMENTING ADDITIONAL ENGINEERING AND PUBLIC WORKS FEES
INCLUDING BUILDING PERMIT FEES, RE-INSPECTION FEES,
AND SEWER TAP FEES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA:

Whereas, the City Engineer has reported to the Council that there is lacking a reasonable relationship between the cost of services related to the charges by the City for building permits, building inspection fees and sewer tap fees, and the amount of fees charged and collected, such that the City operates at a deficit in relation to the time and resources expended on said items by City personnel;

Whereas, there has been no increase in the aforesaid fees in many years and the current fees have failed to keep up with the cost of services;

Therefore, be it ordained and implemented as follows:

Section 1. Sewer Tap Fees. The sewer tap fee shall be adjusted to \$350.00 for each residential sewer tap as of January 1, 2023; thereafter, the said residential sewer tap fee shall be \$600.00 as of October 1, 2023; and, such residential sewer tap fee shall be \$850.00 plus cost of materials as of October 1, 2024. Thereafter, beginning October 1, 2025, and each year thereafter, said residential sewer tap fee shall automatically increase by the amount equal to the percentage increase of the Consumer Price Index for All Urban Customers (CPI-U) (or the next similar index if the CPI-U is no longer published) over the then-last 12 month period (before seasonal adjustment) as published by the United States Bureau of Labor Statistics as of August 1 in each year. Unless there is an increase in the CPI-U, there shall be no adjustment to the residential sewer tap fee then in existence for a given year unless by ordinance or other appropriate act the Council implements any change.

The sewer tap fee shall be adjusted to \$450.00 for each commercial sewer tap as of January 1, 2023; thereafter, the said commercial sewer tap fee shall be \$650.00 as of October 1, 2023; and, such commercial sewer tap fee shall be \$850.00 plus cost of materials as of October 1, 2024. Thereafter, beginning October 1, 2025, and each year thereafter, said commercial sewer tap fee shall automatically increase by the amount equal to the percentage increase of the Consumer Price Index for All Urban Customers (CPI-U) (or the next similar index if the CPI-U is no longer published) over the then-last 12 month period (before seasonal adjustment) as published by the United States Bureau of Labor Statistics as of August 1 in each year. Unless there is an increase in the CPI-U, there shall be no adjustment to the commercial sewer tap fee then in existence for a given year unless by ordinance or other appropriate act the Council implements any change.

Section 2. Building Permit Fees. Effective January 1, 2023, building permit fees shall be as follows. Thereafter, beginning October 1, 2023, and each year thereafter, said building permit fees shall automatically increase by the amount equal to the percentage increase of the Consumer Price Index for All Urban Customers (CPI-U) (or the next similar index if the CPI-U is no longer published) over then then-last 12 month period (before seasonal adjustment) as published by the United States Bureau of Labor Statistics as of August 1 in each year. Unless there is an increase in the CPI-U, there shall be no adjustment to the building permit fees then in existence for a given year unless by ordinance or other appropriate act the Council implements any change.

a. Minimum fee of \$50.00. In no case, shall a building permit fee be less than \$50.00 and any total building project cost of \$5,000.00 or less, shall require a \$50.00 fee;

b. Building projects with an estimated total cost of over \$5,000.00 shall require a fee of \$50.00 plus an additional \$3.00 per \$1,000.00 in total construction costs;

c. For commercial building projects, there shall be added to the permit fees as set above a charge of \$1.00 per \$1,000.00 in total construction costs for the State of Alabama Craft Fee; and,

d. Building inspection fees are included in the cost of building permits as set out above, except, each required re-inspection shall require an additional fee as follows: \$50.00 for the first reinspection; and for each inspection after the first re-inspection, the permittee shall pay twice the previous amount paid (As an example, for the second re-inspection, an additional cost of \$100.00 shall be due; for the third re-inspection, an additional cost of \$200.00 shall be due, and so on depending on the number of re-inspections).

Section 3. Conflicting Ordinances/Resolutions. All ordinances, resolutions and regulations or parts of ordinances, resolutions or regulations in conflict with this Ordinance, are the extent of such conflict, hereby repealed. Otherwise, unless in such conflict with any ordinance, resolution or regulation of the City, this Ordinance supplements such ordinance, resolution or regulation.

Section 4. Provisions Severable. The provisions of this Ordinance are severable. If any section, subsection or provision shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection, or provision of this Ordinance.

Section 5. This Ordinance shall take effect upon its approval by the City Council, or upon it otherwise becoming law, but shall nevertheless be published as required by law.

Duly Passed and Adopted this _____ day of _____, 2022.

COUNCIL:

Council President Turner Townsend, District #5

Council Member Sonya W. Rich, District #1

Council Member Eugene Goolsby, District #2

Council Member Greg Padgett, District #3

Council Member Scotty Johnson, District #4

ATTEST:

Beverly Sweeney, City Clerk

Transmitted to the Mayor this _____ day of _____, 2022.

Beverly Sweeney, City Clerk

ACTION OF THE MAYOR:

Approved this _____ day of _____, 2022.

William E. Cooper, Mayor

ATTEST:

Beverly Sweeney, City Clerk

**ORDINANCE 09-06-22-E
RATIFICATION AND CONFIRMATION
OF APPOINTMENT OF BUILDING OFFICIAL**

LET IT BE ORDAINED AS FOLLOWS:

Whereas, the City Council desires to confirm and ratify that the City Engineer and Public Works Director is the building official of the City and that the alternate building official is the Assistant Director of Engineering Services.

Now, therefore, the City Council does hereby ordain, ratify and confirm the following:

Section 1. It is ratified, confirmed, and stated that the person in the position of City Engineer and Director of Public Works is deemed the City's building official, and in all ordinances, resolutions, rules and regulations of the City, now or hereafter, where there is referenced "building official," said person/position shall so act in that capacity.

Section 2. In the event of absence of the City Engineer and Director of Public Works or upon City Engineer and Director of Public Works' oral or written designation, the person in the position of Assistant Director of Engineering Services may act as the building official as stated above and for said purposes.

Section 3. The provisions of this Ordinance are severable. If any section, subsection or provision shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection or provision of this Ordinance.

Section 4. This Ordinance shall take effect upon its approval by the City Council, or upon its otherwise becoming law, but shall nevertheless be published as required by law.

Duly Passed and Adopted this _____ day of _____, 2022.

COUNCIL:

Council President Turner Townsend, District #5

Council Member Sonya W. Rich, District #1

Council Member Eugene Goolsby, District #2

Council Member Greg Padgett, District #3

ATTEST:

Council Member Scotty Johnson, District #4

Beverly Sweeney, City Clerk

Transmitted to the Mayor this _____ day of _____, 2022.

Beverly Sweeney, City Clerk

ACTION OF THE MAYOR:

Approved this _____ day of _____, 2022.

William E. Cooper, Mayor

ATTEST:

Beverly Sweeney, City Clerk

ORDINANCE 09-06-22-F
RE-ESTABLISHMENT OF
RESERVE LAW ENFORCEMENT OFFICER PROGRAM

Whereas, the Chief of Police has advised the Council that reserve police officers can provide needed assistance and support to the Police Department for various tasks;

Whereas, the City Council finds that the reserve officer program would benefit public services and safety;

Now, therefore, let it be ordained and enacted by the City Council of the City of Enterprise, Alabama, as follows:

1. There is hereby established within the police department, a law enforcement reserve program ("Reserve Program"). The appointing authority for the reserve program shall be the Chief of Police.

2. The Reserve Program shall be composed of volunteers who meet the qualification as prescribed by the "Peace Officers Standards and Training Commission Act of 1981," as may be amended. Any exception to this requirement shall be as prescribed by the Chief of Police or his designee to the extent allowed by law. One (1) Reserve Officer shall be authorized for each duly sworn police officer in regular force.

3. Service performed as a member of the Reserve Program shall be without compensation or receipt of any fringe benefits.

4. Applicants for the Reserve Program shall provide proof of their own health and life insurance satisfactory to the Chief of Police.

5. The Chief of Police shall be the appointing authority for the Reserve Program. The operational guidelines, which prescribe the policies and procedures for selection and operation of the Reserve Program, and which is prepared by the Chief of Police, as are follows:

a. Purpose: To involve citizens in the operation of the police department, increase public relations, and to increase effectiveness for the police department, and have a ready pool of manpower resources to draw on in case of emergency or disaster, either natural or manmade. Reserve law enforcement officers assist or aid full-time or part-time certified law enforcement officers as defined by Alabama Code § 22-43-210. Reserve law enforcement officers appointed pursuant to this Resolution shall serve at the pleasure of the appointing authority.

b. Qualifications: The qualifications for a Reserve Officer of the City shall be the same as regular Police Officers of the City, as set forth in the Peace Officer Standards and Training Commission Act, as amended, § 36-21-40 thru § 36-21-50, with exceptions in specialized fields as allowed by law. Additionally, pursuant to Ala. Code § 11-43-210: Any person desiring appointment as a reserve law enforcement officer shall submit a written application to the appointing authority certifying the applicant is 19 years of age or older, of good moral character and reputation, and that he or she has never been convicted of a felony or a misdemeanor involving force, violence or moral turpitude. The applicant must also consent in writing to a fingerprint and background search.

c. Applications: In addition to the application required in subparagraph b. above, applicants, standard City employment applications shall be submitted for each individual requesting appointment to the Reserve Program. (Said applications may be combined into one application).

6. Equipment: All equipment will be issued in accordance with the Police Department reserve officer policy as prescribed by the Chief of Police.

7. Assignments: Reserve Officers shall be required to complete the prescribed department field training program. Upon completion of the field training program, each Reserve Officer shall be required to perform a minimum of sixteen (16) hours of duty per quarter and of this sixteen (16) hours, four (4) may be in training. These hours must be performed to retain status as Reserve Officer. Scheduling of the Reserve Officers shall be the responsibility of the Reserve Program coordinator, in conjunction with the Patrol Division Commander.

8. The terms of this Ordinance shall supersede and repeal any previously adopted law enforcement reserve or like program, including, but not necessarily limited to, Section 15-116 thru Section 15-119 of the Enterprise Code of Ordinances.

Duly Passed and Adopted this _____ day of _____, 2022.

COUNCIL:

Council President Turner Townsend
District #5

Council Member Sonya W. Rich
District #1

Council Member Eugene Goolsby
District #2

Council Member Greg Padgett
District #3

Council Member Scotty Johnson
District #4

ATTEST:

Beverly Sweeney
City Clerk

Transmitted to the Mayor this _____ day of _____, 2022.

Beverly Sweeney
City Clerk

ACTION OF THE MAYOR:

Approved this _____ day of _____, 2022.

William E. Cooper
Mayor

ATTEST:

Beverly Sweeney
City Clerk

**ORDINANCE 09-06-22-G
RELATED TO CITY SCHOOL FUNDING**

BE IT ORDAINED BY THE ENTERPRISE CITY COUNCIL:

Whereas, the City of Enterprise ("City") has, pursuant to Section 11, paragraph (d) of Ordinance 07-01-14, heretofore allocated and paid funds to the Enterprise City Board of Education ("Board") from specific sales tax receipts of the City on a formularized, percentage funding basis;

Whereas, after consultation between City personnel and Board personnel, the City Council finds it appropriate to make an allocation to the Board each fiscal year instead of per the terms of Section 11, paragraph (d) of Ordinance 07-01-14;

Whereas, after investigation by City personnel, and after consultation between City personnel and Board personnel, it has been determined that the City has paid the Board, due to inadvertent error, substantial funds from the City's allocated share of the State of Alabama's Simplified Seller Use Tax ("SSUT"). Instead of attempting to require any refund from the Board which may be due the City related to this error, the allocation stated below to the Board reflects a limited, one-time adjustment for the 2022-2023 fiscal year due to the mistake as to SSUT tax issue;

Now, therefore, let it be ordained and enacted as follows:

Section 1- Repealer. Section 11, paragraph (d) of Ordinance No. 07-01-14, related to allocation and paying funds to the Enterprise City Board of Education based on a formularized percentage basis, is repealed as are any existing sections of any existing ordinance which call for the same action as Section 11, paragraph (d) of Ordinance No. 07-01-14. Otherwise, the other existing and non-conflicting provisions/sections of said Ordinance No. 07-01-14 and of said other existing ordinances remain in effect.

Section 2- School Allocation, 2022-2023. In lieu of Section 11, paragraph (d) of Ordinance 07-01-14, or any section/provision of any existing ordinance which calls for the same action as said Section, the City Council does hereby pledge, grant, allocate and direct payment of a total amount of Five Million Nine Hundred Thousand and No/100 Dollars (\$5,900,000.00) to the Enterprise City Board of Education for the fiscal year beginning October 1, 2022 and ending on September 30, 2023, said sum payable in twelve (12) equal, monthly installments. It is noted and directed that since City monthly sales taxes are collected and paid to the City in the month after that they are incurred, payments will begin November 30, 2022 and paid to October 30, 2023 (which will be for sales taxes incurred in October of 2022 through September of 2023). Said funds shall be paid from the City's adjusted net receipts of a portion of its sales tax revenues collected for fiscal year 2022-2023. Hereafter, the City shall budget each year that portion of its said sales tax to be paid to the Board.

Section 3- Severability. The provisions of this Ordinance are severable. If any section, subsection or provision shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection or provision of this Ordinance.

Section 4- This Ordinance shall take effect upon its approval by the City Council, or upon its otherwise becoming law, but shall nevertheless be published as required by law.

Duly Passed and Adopted this _____ day of _____, 2022.

COUNCIL:

Council President Turner Townsend
District #5

Council Member Sonya W. Rich
District #1

Council Member Eugene Goolsby
District #2

Council Member Greg Padgett
District #3

ATTEST:

Beverly Sweeney
City Clerk

Council Member Scotty Johnson
District #4

Transmitted to the Mayor this _____ day of _____, 2022.

Beverly Sweeney
City Clerk

ACTION OF THE MAYOR:

Approved this _____ day of _____, 2022.

William E. Cooper
Mayor

ATTEST:

Beverly Sweeney
City Clerk

ORDINANCE 09-20-22
IMPLEMENTATION AND APPOINTMENT
OF THE UNSAFE BUILDING BOARD OF ADJUSTMENT AND APPEALS
PURSUANT TO THE STANDARD UNSAFE BUILDING ABATEMENT CODE

LET IT BE ORDAINED AS FOLLOWS:

Whereas, the City Council has previously adopted the 1985 Standard Unsafe Building Code (“Code”), related to the abatement of nuisance properties;

Whereas, the City Council finds it proper to establish and appoint an Unsafe Building Board of Adjustments and Appeals pursuant to the Code in order to further implement the purposes of the Code;

Now, therefore, the City Council does hereby ordain and implement the following:

Section 1. The Unsafe Building Board of Adjustments and Appeals (“Board”) is hereby created, ratified and/or confirmed with all duties, authority, and powers set out in said Code and its members shall be appointed by the Council.

Section 2. The Board shall be composed of five (5) members who are not employees of the City, and of the members first appointed, two shall be appointed for a term of one (1) year; two for a term of two (2) years, one for a term of three (3) years, and thereafter Board members shall be appointed for terms of four (4) years. The building official, as defined in the Code, shall serve as an ex-officio member of the Board and act as secretary to the Board. The Board shall consist of one engineer, one architect, and three members at large from the construction industry. Board members shall be eligible for reappointment.

Section 3. All procedural rules not inconsistent with the Code shall be adopted by the Board and as to other matters related to the Board, including, but not limited to, what constitutes a quorum, how voting may occur, and the powers and authority of the Board, the Code shall govern.

Section 4. The following individuals are appointed as Board members and their corresponding terms are as follows:

_____	One (1) year term
_____	One (1) year term
_____	Two (2) year term
_____	Two (2) year term
_____	Three (3) year term

The above-appointments shall be effective as of September 20, 2022.

Section 5. Provisions Severable. The provisions of this Ordinance are severable. If any section, subsection or provision shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection or provision of this Ordinance.

Section 6. Nothing in this Ordinance is intended to, and does not, limit the Council or City’s rights, powers, rules, regulations and remedies under applicable ordinances, resolutions or state law related in any manner to nuisance or unsafe buildings and properties.

Section 7. This Ordinance shall take effect upon its approval by the City Council, or upon its otherwise becoming law, but shall nevertheless be published as required by law.

Duly Passed and Adopted this _____ day of _____, 2022.

COUNCIL:

Council President Turner Townsend
District #5

Council Member Sonya W. Rich
District #1

Council Member Eugene Goolsby
District #2

Council Member Greg Padgett
District #3

Council Member Scotty Johnson
District #4

ATTEST:

Beverly Sweeney
City Clerk

Transmitted to the Mayor this _____ day of _____, 2022.

Beverly Sweeney
City Clerk

ACTION OF THE MAYOR:

Approved this _____ day of _____, 2022.

William E. Cooper
Mayor

ATTEST:

Beverly Sweeney
City Clerk

**RESOLUTION 09-20-22
FISCAL YEAR 2023 BUDGET**

WHEREAS: The Mayor and the Chief Financial Officer/Treasurer of the City of Enterprise, Alabama have heretofore submitted to the City Council a proposed budget for Fiscal Year 2023 for the City of Enterprise; and,

WHEREAS: The City Council of the City of Enterprise, Alabama has reviewed the anticipated income and the proposed expenses for the various departments and functions of the City for said fiscal year, to include special appropriations.

WHEREAS: The City Council of the City of Enterprise, Alabama has heretofore caused to be prepared a budget showing the anticipated revenues and has received advance copies of the proposed expenditures of such funds; and,

WHEREAS: The City Council further authorizes the Mayor, or Chief Financial Officer/Treasurer in the absence of the Mayor, and upon recommendation from the Director of Tourism and Community Relations, to expend lodging tax funds as budgeted for special events related to tourism activities upon receipt of an application from a local organization outlining the purpose of the event, budget, proposed economic impact, and benefit to the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA, that the Council does hereby recognize and adopt the attached budget summarized by the separate document and filed by the Council with the Chief Financial Officer/Treasurer in greater detail as the budget approved for the operation of the City during Fiscal Year 2023.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA, that department heads are authorized to make purchases as an agent of the City in the execution of and within the limits of said budget. Further, that if the amounts budgeted for specific items or purposes are not required to be utilized for such items or purposes, then these amounts may be transferred between accounts, within the same department, with the approval of the Chief Financial Officer/Treasurer. The Chief Financial Officer/Treasurer is authorized, directed, and empowered to invest funds not required for immediate needs and to effect transfers between the various accounts in accordance with current statutes to meet the recurring needs of the City.

BE IT FUTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENTERPRISE, ALABAMA, that any expenditure which will exceed the total in each and every department of the entity as shown by the budget filed with the Chief Financial Officer/Treasurer as herein authorized for each department must have prior approval of the Council. No obligation or services shall be purchased or contracted for or paid on behalf of the City of Enterprise contrary to this section without prior approval of the Council. The Mayor is authorized to approve expenditures to meet the requirements of extreme circumstances or emergency needs. Such adjustments or expenditures shall be reported at the next regular meeting of the City Council.

Approved and Adopted this _____ day of _____, 2022.

COUNCIL:

Council President Turner Townsend
District #5

Council Member Sonya W. Rich
District #1

Council Member Eugene Goolsby
District #2

Council Member Greg Padgett
District #3

ATTEST:

Beverly Sweeney
City Clerk

Council Member Scotty Johnson
District #4

Transmitted to the Mayor this _____ day of _____, 2022.

Beverly Sweeney
City Clerk

ACTION OF THE MAYOR:
Approved this _____ day of _____, 2022.

William E. Cooper
Mayor

ATTEST:

Beverly Sweeney
City Clerk

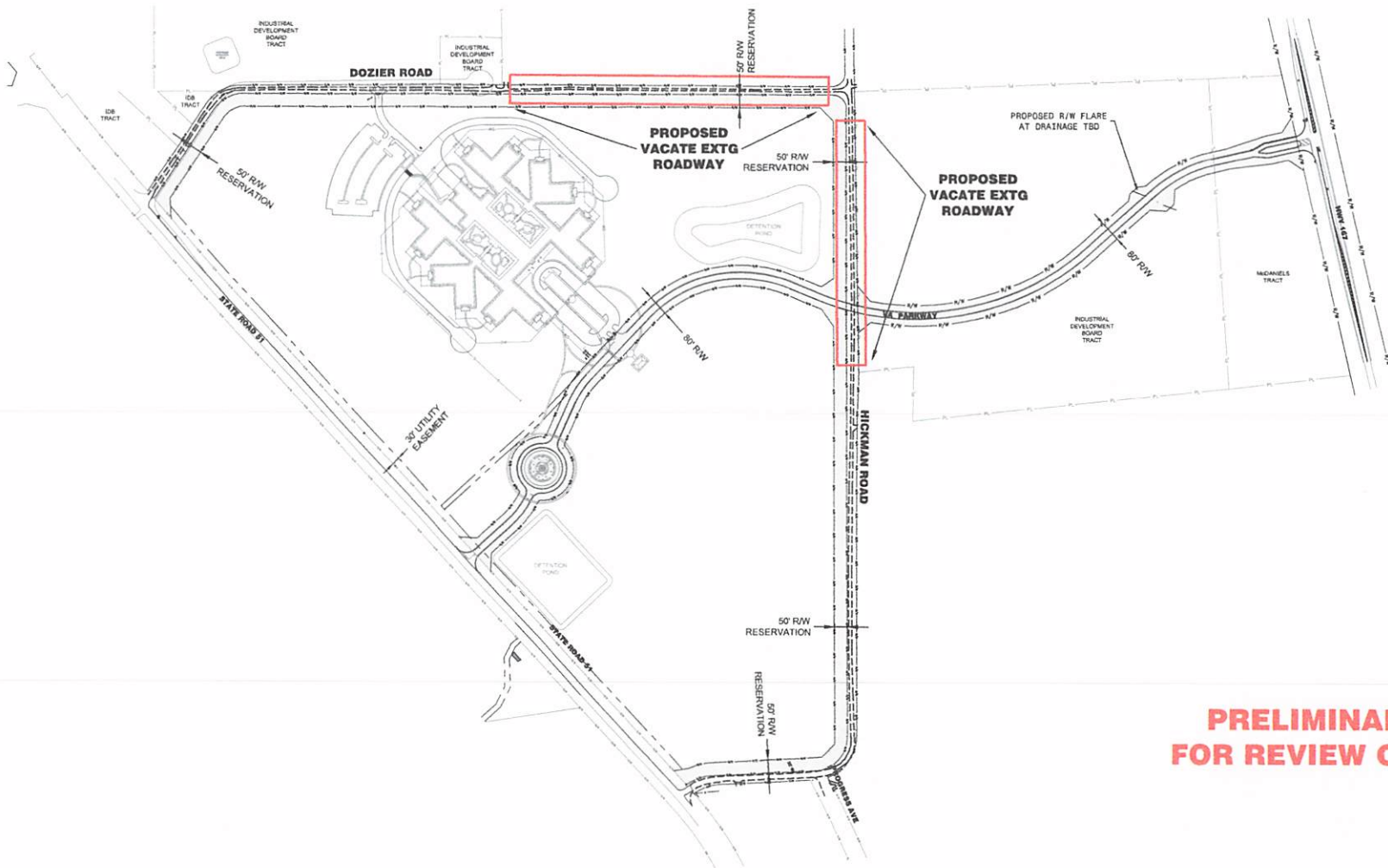
SOURCES	FY 2022	FY 2023	CHANGE
GENERAL FUND SOURCES			
AIRPORT INCOME	421,300	561,300	140,000
BUSINESS LICENSE FEES	1,011,422	1,225,000	213,578
BUSINESS PRIVILEGE TAX	54,939	55,000	61
CIVIC CENTER	10,000	15,000	5,000
DONATIONS	2,500	3,500	1,000
FARMERS' MARKET RENTAL INCOME	13,500	13,500	-
FEES AND PERMITS	105,300	116,300	11,000
FRANCHISE FEES	1,917,000	1,917,000	-
HOUSING AUHORITY	15,000	15,000	-
INCUBATOR	-	-	-
INSURANCE CLAIMS	60,000	50,000	(10,000)
JUDICIAL INCOME	177,600	202,600	25,000
LANDFILL FEES	-	-	-
OPERATING TRANSFERS IN	836,623	836,623	-
PARKS AND RECREATION INCOME	249,950	173,200	(76,750)
SANITATION FEES	2,514,176	2,735,000	220,824
SCHOOL SRO	335,213	335,213	-
TAX INCOME	29,533,004	31,816,000	2,282,996
MISCELLANEOUS INCOME	43,125	28,375	(14,750)
OPERATING GRANTS	2,005,475	115,475	(1,890,000)
OTHER SOURCES: FUND BALANCE	-	4,921,904	(4,921,904)
	-	-	-
TOTAL SOURCES - GENERAL	39,306,127	45,135,990	5,829,863
CAPITAL PROJECTS SOURCES			
INTEREST		12,000	12,000
GRANTS: FAA		1,140,000	1,140,000
DONATIONS: RECREATION		25,000	25,000
GRANTS: CDBG DEMOLITION PROJECT		250,000	250,000
OPERATING SOURCES:			-
TRANSFERS IN - DEBT		8,000,000	8,000,000
FUND BALANCE - GENERAL FUND		2,750,000	2,750,000
FUND BALANCE - CAPITAL		25,338,900	25,338,900
TOTAL CAPITAL PROJECTS SOURCES		37,515,900	37,515,900

SOURCES	FY 2022	FY 2023	CHANGE
SEWER/DISPOSAL FUND SOURCES			
SEWER/DISPOSAL FUND - OPERATING REVENUES	1,709,225	2,216,950	507,725
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	1,067,150	796,850
SEWER/DISPOSAL FUND - OTHER SOURCES FUND BALANCE	-	-	-
TOTAL SEWER/DISPOSAL REVENUES/SOURCES	3,589,525	4,894,100	(1,304,575)
DEBT SERVICE FUNDS SOURCES			
TRANSFERS IN - AIRPORT PROJECT	-	-	-
TRANSFERS IN - DEBT	9,393,101	9,393,101	-
TOTAL DEBT SERVICE FUND SOURCES	9,393,101	9,393,101	-
OTHER GOVERNMENTAL FUNDS SOURCES			
FIRE TOBACCO TAX	18,350	18,350	-
E-911	437,939	427,928	(10,011)
SEVEN CENT GASOLINE TAX	116,750	116,750	-
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	600	100,600	100,000
FIRE PROTECTION FUND	300,000	300,000	-
10 CENT GASOLINE TAX	160,000	160,000	-
CAPITAL PROJECTS	-	-	-
CAPITAL PROJECTS GRANTS	250,000	-	(250,000)
TOTAL OTHER GOVERNMENTAL FUNDS SOURCES	1,485,199	1,325,188	(160,011)
TOTAL REVENUES/SOURCES	53,773,952	98,264,279	44,490,327

EXPENDITURES/USES	FY 2022	FY 2023	CHANGE
<hr/>			
GENERAL FUND			
<hr/>			
GENERAL GOVERNMENT- SCHOOL APPROPRIATION	5,500,000	5,900,000	400,000
ADMINISTRATIVE	3,778,193	6,774,575	2,996,382
CIVIC CENTER	500,337	389,745	(110,592)
FARMERS MARKET	50,875	50,060	(815)
ENGINEERING	1,130,774	1,190,280	59,506
AIRPORT	787,470	844,985	57,515
FLEET MAINTENANCE	601,893	582,745	(19,148)
STREET DEPARTMENT	1,605,486	1,490,285	(115,201)
SANITATION DEPARTMENT	2,101,902	2,394,230	292,328
POLICE	7,293,588	6,310,670	(982,918)
FIRE	4,320,355	4,559,915	239,560
PARKS & RECREATION	2,668,936	2,525,880	(143,056)
JUDICIAL	373,287	451,280	77,993
CIVIL DEFENSE	67,600	67,600	0
HEALTH AND WELFARE	92,343	62,343	(30,000)
CULTURE AND RECREATION	15,400	15,400	0
ECONOMIC DEVELOPMENT/INCUBATOR	360,552	860,552	500,000
LIBRARY	203,133	225,750	22,617
PUBLIC WORKS	824,764	760,185	(64,579)
ECONOMIC DEVELOPMENT - TOURISM	255,477	299,510	44,033
DEBT SERVICE	5,999,427	9,380,000	3,380,573
<hr/>			
GENERAL FUND - OPERATING TOTAL	38,531,792	45,135,990	6,604,198
<hr/>			
TOTAL GENERAL FUND EXPENDITURES/USES	38,531,792	45,135,990	6,604,198
<hr/>			

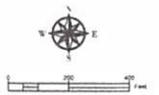
EXPENDITURES/USES	FY 2022	FY 2023	CHANGE
CAPITAL PROJECTS EXPENDITURES/USES			
ADMINISTRATIVE - DEBT SERVICE	-	-	-
ADMINISTRATIVE - OTHER	-	5,000,000	5,000,000
ENGINEERING - IMPROVEMENTS	-	-	-
CIVIC CENTER		165,000	
FARMERS MARKET		15,800	
AIRPORT	-	357,000	357,000
POLICE DEPARTMENT		15,000	
FIRE DEPARTMENT		64,250	
PARKS & RECREATION		21,183,850	
STREET DEPARTMENT	-	8,000,000	8,000,000
SANITATION DEPARTMENT	-	-	-
SEWER	-	2,715,000	2,715,000
PUBLIC WORKS	-	-	-
	-	-	-
TOTAL CAPITAL PROJECTS EXPENDITURES/USES	-	37,515,900	37,515,900
SEWER/DISPOSAL FUND EXPENDITURES/USES			
DISPOSAL FUND - OPERATING EXPENSES	2,184,292	1,917,880	(266,412)
SEWER OPERATING EXPENSES	1,395,344	2,179,370	784,026
TOTAL SEWER/DISPOSAL OPERATING EXPENDITURES/USES	3,579,636	4,097,250	517,614
DEBT SERVICE FUND EXPENDITURES/USES			
BOND PAYMENT -2018A (DISPOSAL)	265,696	265,695	1
BOND PAYMENT - 2018A (SEWER)	531,156	531,155	1
TOTAL SEWER/DISPOSAL DEBT SERVICE FUND EXPENDITURES/USE	796,852	796,850	2
TOTAL SEWER/DISPOSAL EXPENDITURES/USED	4,376,488	4,894,100	517,612
DEBT SERVICE FUND EXPENDITURES/USES			
BOND PAYMENT - AIRPORT PROJECT	-	-	-
BOND PAYMENT	9,393,101	9,393,101	-
TOTAL DEBT SERVICE FUND EXPENDITURES/USES	9,393,101	9,393,101	-
OTHER GOVERNMENTAL FUNDS			
E-911	392,378	388,928	(3,450)
SENIOR CITIZENS CENTER	137,543	40,800	(96,743)
TOBACCO TAX FUND	26,040	26,040	-
SEVEN CENTS GASOLINE TAX FUND	130,775	130,775	-
FOUR/FIVE CENT GASOLINE TAX FUND	-	-	-
MOTOR VEHICLE	85,000	85,000	-

EXPENDITURES/USES	FY 2022	FY 2023	CHANGE
ASSET FORFEITURE	3,500	3,500	-
INDUSTRIAL DEVELOPMENT BOARD	100,000	100,000	-
FIRE PROTECTION FUND	80,600	550,145	469,545
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TOTAL OTHER GOVERNMENTAL FUNDS EXPENDITURES/USES	955,836	1,325,188	(369,352)
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TOTAL EXPENDITURES/USES	53,257,217	98,264,279	45,007,062



**PRELIMINARY
FOR REVIEW ONLY**

**RIGHT OF WAY MAP
CSM BENNIE G. ADKINS STATE VETERANS HOME
ENTERPRISE, ALABAMA
SEPTEMBER 2022**



Beverly Sweeney

From: Kim Hughes <khughes@enterpriseal.gov>
Sent: Wednesday, September 7, 2022 11:38 AM
To: 'Beverly Sweeney'
Cc: 'Barry Mott'; 'Thomas Hardy'
Subject: Young Eagle Flight Rally
Attachments: 2022-10-22_Young Eagles Flight Rally request.pdf

Beverly,

Please add this request to the next Council agenda. Chapter 351 of the Experimental Aircraft Association (EAA) is requesting permission to hold a Young Eagle Flight Rally at the Enterprise Municipal Airport on 10-22-2022.

Thank you!

Kim Hughes
Engineering/Public Works
City of Enterprise
334-348-2671, ext. 8510

The Experimental Aircraft Association
Chapter 351
Enterprise, AL 36330

6 September 2022

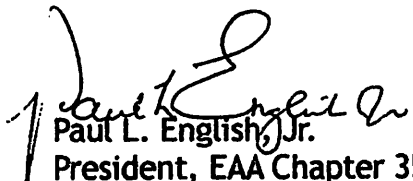
Memorandum For: Mr. Barry Mott, Public Works Director/City Engineer, Enterprise, AL 36330

Subject: EAA Young Eagle Flight Rally, 22 October 2022

Members of Enterprise Chapter 351 of the Experimental Aircraft Association (EAA) propose to conduct a Young Eagle Flight Rally with free aircraft flights for youngsters between the ages of 8 and 17 at the Enterprise Airport on Saturday, 22 October 2022. We plan to use the Airport Terminal for all administrative operations. Set up for the event will begin at 7:30 am, registration at 8 am, and flight operations at 9 am. The event will end not later than 3 pm. Flights operations are contingent upon satisfactory weather such that all flights can be conducted under visual flight rule (VFR) conditions. If weather conditions preclude VFR operations on 22 October, we propose to slip the event one week until 29 October.

Chapter 351 members have conducted a number of similar events over the past few years, with events held at the Enterprise and Ozark Municipal Airports. Insurance for Enterprise events is underwritten by The Experimental Aircraft Association with the City of Enterprise name as co-insured. When the date for our proposed 22 October Rally is approved, we will secure insurance for the event and provide a copy of the policy to you.

We are excited about continuing our Young Eagle Flight Rally program. In past events, we have attracted between 60 and 168 Young Eagles - and their families - to the airport. Going forward, we anticipate holding two events per year, alternating between Enterprise and Ozark. Your support in our endeavor is greatly appreciated as we seek to introduce our young citizens to the wonders of personal aviation - and to our fine Municipal Airport.


Paul L. English, Jr.
President, EAA Chapter 351
804-381-1244