

CITY COUNCIL MEETING MINUTES OF JULY 5, 2022

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, July 5, 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

ABSENT: 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 – All Council Members were present, with the exception of Council Member Johnson.

APPROVAL OF AGENDA

The President called for a motion to approve the agenda of the meeting as submitted. A motion was made by Council Member Padgett, seconded by Council Member Rich, to approve the agenda of the meeting as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried.

CONSIDERATION OF CONSENT AGENDA

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

- City Council Work Session Minutes of June 21, 2022
- City Council Meeting Minutes of June 21, 2022
- Accounts Payable (A) for June 2022 in the amount of **\$770,628.37** as follows:
City of Enterprise - \$627,605.47 Water Works Board - \$143,022.90
- Accounts Payable (B) for June 2022 in the amount of **\$178.97** as follows:
Water Works Board - \$178.97
- Contract Billings in the amount of **\$20,497.81** as follows:
Poly, Inc. -
Invoice No. 19268 - \$18,719.42 – Preliminary Engineering – Peavy Park/ESCC Sports Complex
Invoice No. 19273 - \$1,778.39 – Engineering/Technical Services – ADVA Home
- Travel Requests as follows:
Main Street
Mariah Montgomery
(1) Main Street Board/Committee Member
Main Street Alabama LAB Conference
Opelika, Alabama
August 16-19, 2022
Estimated Cost: \$1,690.00

A motion was made by Council Member Rich, seconded by Council Member Goolsby, 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; Townsend – Abstain. The President declared the motion carried.

CONSIDER PERMIT/STREET CLOSURE REQUEST (Main Street Enterprise/Boll Weevil Block Party)

The President called for a motion to approve the following permit request as submitted:

Boll Weevil Block Party
Event Time/Date: 4:00 p.m. – 7:00 p.m., Friday, July 22, 2022
Street Closure: 3:00 p.m. – 8:00 p.m.
Closure Area: East College Street
Street Closure: 12:00 p.m. – 8:00 p.m.
Closure Area: West College Street

Billy Powell, Director of Community Services and Recreation, provided a brief overview of the request. A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to approve the permit request as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried.

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

No one requested to address the Council.

STAFF REPORTS

No reports were presented.

OLD BUSINESS**PUBLIC HEARING & CONSIDERATION/ORDINANCE 06-07-22 (Annexation & Zoning/New Enterprise, LLC)**

The President called for a public hearing prior to consideration of Ordinance 06-07-22, providing for the annexation and zoning of .67 acres of land owned by New Enterprise, LLC into the city limits and to establish zoning of R-75-A. Phillip Santora of Northstar Engineering presented on behalf of M4 Development, LLC. Mr. Santora explained that the development proposed for the property is not an apartment complex but is single family residential. Thomas Hardy, Assistant Director of Engineering, explained that staff had reviewed the request and it does meet the city's minimum requirements; it's aligned with the city's Comprehensive Plan and the requested zoning is contiguous with adjacent zoning. The recommendation of the Enterprise Planning Commission is to approve the request. There being no further comments, the President closed the hearing and called for consideration of Ordinance 06-07-22.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Ordinance 06-07-22. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 06-07-22 duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/ORDINANCE 06-07-22-A (New Enterprise, LLC Rezone)

The President called for a public hearing prior to consideration of Ordinance 06-07-22-A, providing for the rezone of 40.13 acres of land owned by New Enterprise, LLC from R-65 (Residential District) to R-75-A (Residential District) located off County Road 711. Phillip Santora of Northstar Engineering presented on behalf of M4 Development, LLC. He explained again that M4 Development has no plans for an apartment complex but plans a development of small individual homes. Thomas Hardy, Assistant Director of Engineering, advised that staff had reviewed the request and it does meet the city's minimum requirements; it's aligned with the city's Comprehensive Plan and the requested zoning is contiguous with adjacent zoning. The recommendation of the Enterprise Planning Commission is to approve the request. Cassie Onorato, a resident of 108 Brookstone Drive, spoke in opposition to the request, citing increased traffic, safety, and diminished property values. Ms. Onorato questioned if there were plans to connect the new development with the dead-end road on Brookstone Drive. Mr. Santora stated at this time, there were no plans to connect the development with Brookstone Drive. There being no further comments, the President closed the hearing and called for consideration of Ordinance 06-07-22-A.

A motion was made by Council Member Rich, seconded by Council Member Padgett, to adopt Ordinance 06-07-22-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 06-07-22-A duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/ORDINANCE 06-07-22-B (Axton Rezone)

The President called for a public hearing prior to consideration of Ordinance 06-07-22-B, providing for the rezone of 14.19 acres of land owned by Kevin Axton from R-75-A (Residential District) to R-65 (Residential District) located at 2550 Porter Lunsford Road. Thomas Hardy, Assistant Director of Engineering, explained the proposed zoning change from R-75-A to R-65. He advised that staff had reviewed the request and it does meet the city's minimum requirements; it's aligned with the city's Comprehensive Plan and the requested zoning is contiguous with adjacent zoning. The recommendation of the Enterprise Planning Commission is to approve the request. There being no further comments, the President closed the hearing and called for consideration of Ordinance 06-07-22-B.

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to adopt Ordinance 06-07-22-B. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 06-07-22-B duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/ORDINANCE 06-07-22-C (Establish Airport Zoning)

The President called for a public hearing prior to consideration of Ordinance 06-07-22-C, providing to amend the Enterprise Zoning Ordinance(s) to establish a zoning jurisdiction of the city to include the area lying within two miles of the boundary of the Enterprise Municipal Airport. Thomas Hardy, Assistant Director of Engineering, provided an overview of the proposed ordinance. John Funk, a resident of 117 Pratt Drive, inquired if the new zoning area takes into consideration the FAA safety zones. Public Works Director/City Engineer Barry Mott responded, noting that the city owns and maintains the property for the current safety areas and is in the process of acquiring the land for the new safety areas as the airport goes from a Class B to a Class C airport. There being no further comments, the President closed the hearing and called for consideration of Ordinance 06-07-22-C.

A motion was made by Council Member Padgett, seconded by Council Member Rich, to adopt Ordinance 06-07-22-C. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 06-07-22-C duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/ORDINANCE 06-07-22-D (Certain Honeybees in Certain Zoning Districts)

The President called for a public hearing prior to consideration of Ordinance 06-07-22-D, providing to amend Ordinance 10-05-21 and the existing Enterprise Zoning Ordinance(s) to allow for the keeping of certain honeybees in certain zoning districts in the City of Enterprise. Thomas Hardy, Assistant Director of Engineering, explained that proposed Ordinance 06-07-22-D if adopted, provides changes to the existing honey bee ordinance clarifying land size requirements and the definition of bodies of water. Richard Woodham, a resident of 32 Breckenridge Court, spoke in favor of the proposed updates and recommended approval of the ordinance. There being no further comments, the President closed the hearing and called for consideration of Ordinance 06-07-22-D.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to adopt Ordinance 06-07-22-D. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 06-07-22-D duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 06-21-22 (Set Certain Department Head & Employee Hiring)

The President called for consideration of Ordinance 06-21-22, providing to set procedures for the appointment and hiring of certain department head and city positions.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Ordinance 06-21-22. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 06-21-22 duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/ABC LICENSE REQUEST (Ciscos Bourbon and Cigar Club)

The President called for a public hearing prior to consideration of a request from Dukes Business Group LLC d/b/a Ciscos Bourbon and Cigar Club for a Lounge Retail Liquor – Class 1 license located at 621 Boll Weevil Circle, Suite 25. No comments were offered. The President closed the hearing and called for consideration of the ABC license request.

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

NEW BUSINESS**INTRODUCE PLANNING COMMISSION RECOMMENDATION**

The President introduced for the record, a letter from the Enterprise Planning Commission that offered no recommendation for or against the following rezone request:

- A request by Boyd Engineering, LLC on behalf of Tony Hundley for the rezoning of 32 acres of land from R-100 (Residential District) to R-75-A (Residential District) and B-3 (Highway Commercial District) located at the corner of Dauphin Street Extension and Highway 27.

INTRODUCE ORDINANCE 07-05-22 (Hundley Rezone)

The President introduced Ordinance 07-05-22, providing for the rezone of 32 acres of land owned by Tony Hundley from R-100 (Residential District) to R-75-A (Residential District) and B-3 (Highway Commercial District) located at the corner of Dauphin Street Extension and Highway 27 and called for a public hearing to be held at the regular meeting scheduled for August 2, 2022.

INTRODUCE PLANNING COMMISSION RECOMMENDATION

The President introduced for the record, a letter from the Enterprise Planning Commission to approve the following request:

- A request by Longleaf Engineering, LLC on behalf of Shang and Faye Howell for the annexation and zoning of 71.85 acres of land to TH-3 (Townhouse District) and 112.23 acres of land to AGRIC (Agricultural District) located off County Road 622 on the south side of the Enterprise Municipal Airport.

INTRODUCE ORDINANCE 07-05-22-A (Annexation & Zoning/Howell)

The President introduced Ordinance 07-05-22-A, providing for the annexation and zoning of 184.08 acres of land owned by Shang and Faye Howell into the city limits and to establish zoning of TH-3 (Townhouse District) and AGRIC (Agricultural District) and called for a public hearing to be held at the regular meeting scheduled for August 2, 2022.

REVIEW & CONSIDER RESOLUTION 07-05-22 (Create Position of Public Information Manager)

The President introduced and called for consideration of Resolution 07-05-22, providing for the creation of the position of Public Information Manager under the authority of Title 11-43-47, Code of Alabama, 1975, for a term determined at the pleasure of the Mayor.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Resolution 07-05-22. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried and Resolution 07-05-22 duly passed and adopted.

REVIEW & CONSIDER AGREEMENT (Revize LLC/Website Services)

The President introduced and called for consideration of an agreement with Revize LLC for software, hosting, technical support and maintenance services related to an update of the city's website. The total cost of the four-year agreement is \$30,200.00, with \$17,150.00 to be paid in Fiscal Year 2022, and \$4,350.00 each year for an additional three years. Or the total contract amount can be paid in annual installments of \$8,618.00 the first year, \$8,616.00 for years two and three, and \$4,350.00 in year four.

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

AUTHORIZE GRANT APPLICATION & FUNDING (Defense Community Infrastructure Pilot Program)

The President called for a motion to authorize the City Administrator to submit a proposal to the Defense Community Infrastructure Pilot Program (DCIP) for improvements and amendments to the Enterprise Community Recreation Center and to apply for assistance in the amount of \$2 million; further, the City Council acknowledges that funding for the city's \$28 million match will be derived from 2021 General Obligation Warrant Series C funds.

Council Member Goolsby motioned to authorize the City Administrator to submit a proposal to the Defense Community Infrastructure Pilot Program (DCIP) for funding assistance in the amount of \$2 million for amendments and improvements to the Enterprise Community Recreation Center and further acknowledged that funding for the city's \$28 million match will be derived from 2021 General Obligation Warrant Series C funds. Council Member Padgett seconded the motion. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Townsend – Aye. The President declared the motion carried.

REVIEW & CONSIDER STREET LIGHTING MODIFICATION (Bella Woods Subdivision)

The President introduced and called for consideration of a request from Thomas Hardy, Assistant Director of Engineering, to install the following new street lights at an annual cost of \$1,280.40:

- (10) Aluminum Poles and (10) 45w Colonial LED fixtures at Bella Woods Subdivision

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

MAYOR'S REPORT

In his report, Mayor Cooper:


- Provided reports from various departments, projects, and events.
- Read a letter on behalf of the Alabama State Games Foundation in which they expressed gratitude to the city for its assistance and support of the annual games.
- Acknowledged the Boy Scouts who were in attendance.

COUNCIL MEMBERS COMMENTS

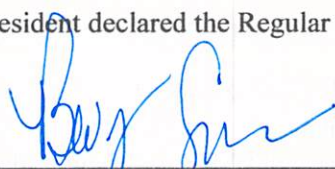
Council Members commended all parties involved in the decommissioning ceremony for the "Jug" Brown Recreation Center and VA Home groundbreaking and thanked city staff and meeting attendees.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 6:45 p.m.



Turner Townsend
Council President



Beverly Sweeney
City Clerk