

CITY COUNCIL MEETING MINUTES OF FEBRUARY 7, 2023

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, February 7, 2023 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. A motion was made by Council Member Johnson, seconded by Council Member Rich, to approve the agenda of the meeting as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

CONSIDERATION OF CONSENT AGENDA

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

- City Council Work Session Minutes of January 17, 2023
- City Council Meeting Minutes of January 17, 2023
- Accounts Payable (A) for January 2023 in the amount of **\$1,067,241.18** as follows:
City of Enterprise - \$849,483.03 Water Works Board - \$217,758.15
- Accounts Payable (B) for January 2023 in the amount of **\$260.91** as follows:
City of Enterprise - \$143.94 Water Works Board - \$116.97
- Contract Billings in the amount of **\$364,706.21** as follows:
Blankenship Contracting, Inc. -
Estimate No. 7 - \$97,615.89 – Construction – Hwy 167N Sewer Utilities Relocation
Poly, Inc. -
Invoice No. 19591 - \$6,917.72 – Engineering Services – Hwy 167N Sewer Utilities Relocation
Invoice No. 19602 - \$2,093.47 – Engineering/Technical Services – ADVA Home
Invoice No. 19603 - \$152,000.00 – Design/Bid Services – Multipurpose Sports Complex/Phase I
Invoice No, 19604 - \$99,829.13 – Engineering/Design – FY22 Resurfacing/Phase III (B)
Fine, Geddie & Associates, LLC -
Invoice No. 1866 - \$6,250.00 – Contract Services – January 2023
- Travel Requests as follows:

<u>Administrative</u> Christina Meissner IPMA Southern Region Conference Flowood, Mississippi April 16-19, 2023 Estimated Cost: \$1,675.00	<u>Police Department</u> Chief Michael Moore AACOP Winter Conference Montgomery, Alabama February 12-16, 2023 Estimated Cost: \$659.80
<u>Engineering</u> Thomas Hardy Justin Tolbert 2023 COAA Education Conference Orange Beach, Alabama May 1-5, 2023 Estimated Cost: \$2,900.00	Corporal Jason Childers Officer Evan Sweeney Advanced Traffic Crash Investigation Course Jacksonville, Florida March 26-April 7, 2023 Estimated Cost: \$5,037.00
- Request to Dispose/Sell Equipment & Supplies as follows:
Parks & Recreation – Sell on GovDeals
(31) overhead light fixtures (removed from Moose Hope Gym)

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

PRESENTATION OF EXTRA MILE AWARDS

The President recognized Mayor Cooper, who presented Extra Mile Awards to Cynthia Adams and Tangi Hill.

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

The President recognized George Lane, 100 Beverly Drive, and David Moreland, 111 Kimberly Drive, who addressed the Council to register a complaint against Troy Cable (C-Spire) for yard damage caused during the installation of underground fiber optic cable within their neighborhood.

The President recognized Alfredo Portela, 107 Pinecrest Loop, who addressed the Council regarding the timing of stoplights at various intersections throughout the City.

STAFF REPORTS

Police Chief Michael Moore recognized K-9 Caddie, who is being retired after eight years of dedicated service to the department.

City Engineer/Public Works Director Barry Mott informed Council Members of a two-week delay in the bid opening for the renovation of City Hall. The bid opening, originally scheduled for February 9, has been moved to February 23.

City Administrator Jonathan Tullos informed the Council of upcoming appointments to the Main Street Board. Nominations will be considered at the February 21, 2023 Council Meeting.

OLD BUSINESS**PUBLIC HEARING & CONSIDERATION/RESOLUTION 02-07-23 (Notice to Vacate Portion of East Brunson Street)**

Council President Townsend called for a public hearing as advertised, posted, and served prior to consideration of Resolution 02-07-23 related to the partial vacation of East Brunson Street. The President opened the public hearing for public comment from anyone wishing to speak on the matter, and there were none. The President closed the public hearing and inquired of the City Clerk, Mayor, City Council and City Staff present as to if the City had received any written objection to the proposed partial vacation request. Hearing none, the President called for consideration of Resolution 02-07-23, providing to vacate the portion of East Brunson Street described as follows:

That portion of the street and right of way (approximately 50 feet in width) known as East Brunson Street from the intersection of East Brunson Street and Hollis Street to the eastern boundary line of the real property owned currently by Walter H. Hermsmeier and Sarah R. Hermsmeier located at 307 East Brunson Street, Enterprise, Alabama 36330.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to adopt Resolution 02-07-23. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 02-07-23 duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/RESOLUTION 02-07-23-A (Notice to Vacate Portion of Hollis Street)

Council President Townsend called for a public hearing as advertised, posted, and served prior to consideration of Resolution 02-07-23-A related to the partial vacation of Hollis Street. The President opened the public hearing for public comment from anyone wishing to speak on the matter, and there were none. The President closed the public hearing and inquired of the City Clerk, Mayor, City Council and City Staff present as to if the City had received any written objection to the proposed partial vacation request. Hearing none, the President called for consideration of Resolution 02-07-23-A, providing to vacate the portion of Hollis Street described as follows:

That portion of the street and right of way (approximately 40'-50' in width) from the westerly boundary line of the real property currently owned by Enterprise Rescue, Inc. at 519 East Lee Street, Enterprise, Alabama 36330, to the City of Enterprise's real property behind the Moose Hope Gymnasium.

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to adopt Resolution 02-07-23-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 02-07-23-A duly passed and adopted.

PUBLIC HEARING & CONSIDERATION/RESOLUTION 02-07-23-B (Notice to Vacate Portion of Swenson Street)

Council President Townsend called for a public hearing as advertised, posted, and served prior to consideration of Resolution 02-07-23-B related to the partial vacation of Swenson Street. The President opened the public hearing for public comment from anyone wishing to speak on the matter, and there were none. The President closed the public hearing and inquired of the City Clerk, Mayor, City Council and City Staff present as to if the City had received any written objection to the proposed partial vacation request. Hearing none, the President called for consideration of Resolution 02-07-23-B, providing to vacate the portion of Swenson Street described as follows:

That portion of the street and right of way (approximately 50'-60' in width) from the intersection of East Lee Street and Swenson Street to the property currently owned by John L. Thomas at 210 Swenson Street, Enterprise, Alabama 36330.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Resolution 02-07-23-B. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 02-07-23-B duly passed and adopted.

REVIEW & CONSIDER BID RECOMMENDATION (2021 CDBG Demolition Project/Phase IV)

The President introduced and called for consideration of a recommendation from David Ewing, Project Consultant, to award the bid for the 2021 CDBG Demolition Project, Phase IV, to Hopper-Moore, Inc. d/b/a BMI, in the amount of \$29,980.00. Upon review of the bids submitted, it was determined that the low bid of \$28,893.00 from Lewis, Inc. failed to meet the requirements for bid submission and was therefore rejected. Other bids received are as follows:

- McClain Contracting \$48,000.00

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to award the bid for the 2021 CDBG Demolition Project, Phase IV, to Hopper-Moore, Inc. d/b/a BMI, in the amount of \$29,980.00. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REVIEW & CONSIDER BID RECOMMENDATION (Fire Department/Bay Doors)

The President introduced and called for consideration of a recommendation from Fire Chief Christopher Davis to award Bid Requisition No. 2023-01 for the complete removal and installation of nine (9) roll-up steel doors at Central Fire Station to Southern Door Company in the amount of \$18,000.00. Other bids received are as follows:

- All Access Overhead Door LLC \$21,780.00
- BCS, LLC \$39,798.00

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to award Bid Requisition No. 2023-01 for the complete removal and installation of nine (9) roll-up steel doors at Central Fire Station to Southern Door Company in the amount of \$18,000.00. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

NEW BUSINESS**REVIEW & CONSIDER RESOLUTION 02-07-23-C (Set Public Hearing/Adoption of Building Codes)**

The President introduced and called for consideration of Resolution 02-07-23-C, providing to set a public hearing for March 7, 2023, to determine whether or not the City Council shall pass an ordinance adopting the provisions of the International Code Council, 2021 Edition.

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to adopt Resolution 02-07-23-C. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 02-07-23-C duly passed and adopted.

REVIEW & CONSIDER RESOLUTION 02-07-23-D (Sewer Utilities Relocation/Hwy 167N)

The President introduced and called for consideration of Resolution 02-07-23-D, providing to approve Supplemental Agreement No. 3 for utility relocation costs with the State of Alabama, acting by and through the Alabama Department of Transportation, for the relocation of sewer utilities on Hwy 167N in conflict with the state's construction of Project No. STPAA-A115(900). Resolution 02-07-23-D further authorizes the Mayor to execute the agreement contingent upon ALDOT approval.

CONSIDER RESOLUTION 02-07-23-D (Continued):

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Resolution 02-07-23-D. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 02-07-23-D duly passed and adopted.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (ALDOT/Southern Bypass Lighting)

The President called for a motion to authorize the Mayor to execute an agreement with the Alabama Department of Transportation related to the installation, operation, and maintenance of roadway lighting along the Southern Bypass.

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

CONSIDERATION OF MOTION TO APPROVE REAL ESTATE PURCHASE (RAM 1717, LLC)

The President called for a motion to approve the purchase of real estate owned by RAM 1717, LLC, located at the corner of Boll Weevil Circle and County Road 606, Enterprise, Alabama 36330, and further authorize the Mayor to execute the necessary closing documents. A portion of this parcel is the subject of a pending condemnation proceeding. However, the City and property owner were able to agree on the purchase of the entire parcel acreage of approximately 30 acres for \$675,510.00.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to approve the purchase of real estate owned by RAM 1717, LLC located at the corner of Boll Weevil Circle and County Road 606, Enterprise, Alabama, 36330, and further authorize the Mayor to execute the necessary closing documents. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REQUEST PERMISSION TO PURCHASE OUTDOOR LIGHTING SYSTEM (Recreation & Aquatic Center)

The President introduced and called for consideration of a request from City Engineer/Public Works Director Barry Mott to purchase the outdoor lighting system for the new Recreation & Aquatic Center from Musco Sports Lighting, LLC through Sourcewell at a cost of \$211,000.00.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, 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 PURCHASE OUTDOOR LIGHTING SYSTEM (Enterprise Multipurpose Recreational Complex, Phase 1)

The President introduced and called for consideration of a request from Consulting Engineer Glenn Morgan to purchase outdoor lighting system materials for the Enterprise Multipurpose Recreational Complex, Phase 1, from Musco Sports Lighting, LLC through Sourcewell at a cost of \$450,000.00.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, 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 TO RETIRE POLICE K-9

The President introduced and called for consideration of a request from Police Chief Michael Moore to retire Police K-9 Caddie. She will be placed in a happy healthy home to live out the remainder of her days relaxed.

A motion was made by Council Member Johnson, seconded by Council Member Goolsby, to approve the request to retire Police K-9 Caddie. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

MAYORS REPORT

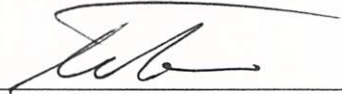
Mayor Cooper provided reports and updates from various departments, projects, and events.

COUNCIL MEMBERS COMMENTS

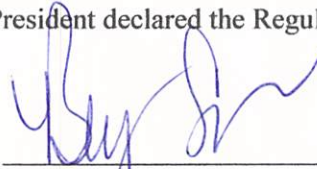
Council Members congratulated award recipients and thanked meeting attendees and citizens watching online.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 6:50 p.m.



Turner Townsend
Council President



Beverly Sweeney
City Clerk