

CITY COUNCIL WORK SESSION MINUTES OF FEBRUARY 1, 2022

The Enterprise City Council convened in Work Session at 5:00 p.m., Tuesday, February 1, 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
City Department Heads
Glenn Morgan, Consulting Engineer
Michelle Mann, Southeast Sun
Morgan Usry, Enterprise Ledger
Nick Brooks, WTVY

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

The following items were discussed:

REVIEW OF AGENDA

Council President Townsend requested a review of the February 1, 2022 Council Meeting agenda. Following review and discussion, Council Members requested no additions, deletions, or changes.

PERMIT REQUESTS

Tourism Director Tammy Doerer provided an overview of the following permit/street closure requests:

- Downtown Spring Festival on Saturday, April 9, 2022, with a rain date of April 16, 2022. Further request was made by Ms. Doerer to approve the request contingent upon ALDOT approval for the closure of Main Street.
- A request on behalf of The Rawls Restaurant to close Railroad Street on Saturday, April 9, 2022 from 12:00 p.m. until 12:00 a.m.

ANNEXATION/ZONING

City Engineer/Public Works Director Barry Mott discussed a recommendation from the Enterprise Planning Commission to deny a request from Shang and Faye Howell for annexation and zoning to TH-3 (Townhouse District) of 184 acres of land located on County Road 622 adjacent to the Enterprise Municipal Airport. Noted concerns discussed by Mr. Mott include potential noise complaints due to residential dwellings abutting the existing airport, possible road improvements, and future maintenance of roads by the city should the annexation be approved. A public hearing will be held on March 1, 2022, prior to consideration by the Council.

CDBG DEMO PROJECT

City Engineer/Public Works Director Barry Mott provided information on the upcoming CDBG Demolition Project.

REQUEST TO PURCHASE EQUIPMENT

City Engineer/Public Works Director Barry Mott presented a request to purchase a SCADA control system from Deep South Automation LLC at a cost not to exceed \$28,118.32. The equipment, to be used for the remainder of the city-maintained pump stations, is a budgeted item within the FY 2022 budget.

BOARD VACANCY

Council President Townsend announced a vacancy to Seat 5 of the Zoning Board of Adjustment. Following announcement, Council Member Padgett recommended that Robin Foy be appointed to fill the position created by the resignation of Becky Hancock. Council Members will consider nominations at the February 15, 2022 Council Meeting.

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 real estate and economic development. City Attorney Rainer Cotter advised the Council that it would be appropriate to discuss such matters. A motion was made by Council Member Goolsby, seconded by Council Member Padgett, 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 30 minutes.

CALL FOR EXECUTIVE SESSION

At 5:20 p.m., Attorney Rainer Cotter appeared before the Council and stated that issues pending before the Council involved issues requiring legal advice and counsel related to economic development and real estate.

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 1st day of February, 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 legal advice and counsel and real estate transactions, 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 Padgett; 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:

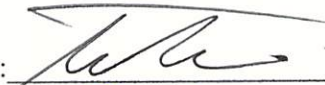
Discussion of issues requiring legal advice and counsel related to real estate.

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,

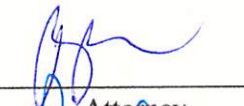
WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows:

- | <u>Yeas</u> | <u>Nays</u> |
|-------------|-------------|
| 1. Rich | |
| 2. Goolsby | |
| 3. Padgett | |
| 4. Johnson | |
| 5. Townsend | |

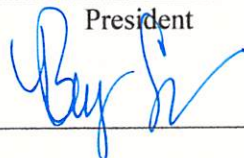
And the President declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session at 5:20 p.m. for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 30 minutes.

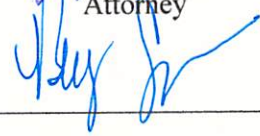
By: 

President

By: 

Attorney

Attest: 

Attest: 

RECONVENE IN WORK SESSION

The Work Session was recessed into Executive Session at 5:20 p.m. and reconvened into Work Session at 5:50 p.m. after duly made motion and second with all Ayes.

COMPREHENSIVE PLAN

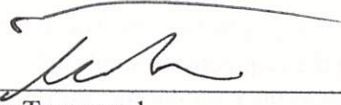
City Administrator Jonathan Tullos reviewed with the Council three proposals for developing a Comprehensive Plan for the City of Enterprise. Following review, Council President Townsend requested Council Members provide feedback prior to consideration at the February 15, 2022 meeting.

CONSULTING SERVICES – Government Affairs


City Administrator Jonathan Tullos briefed the Council on a proposed agreement with Fine, Geddie and Associates, LLC for government affairs and legislative consulting services for the City of Enterprise. Council Members will consider the proposed agreement at an upcoming meeting.

ADJOURNMENT

There being no further business before the Council, the President declared the Work Session adjourned at 5:55 p.m.



Turner Townsend
Council President



Beverly Sweeney
City Clerk