

## **CITY COUNCIL WORK SESSION MINUTES OF FEBRUARY 7, 2023**

The Enterprise City Council convened in Work Session at 5:00 p.m., Tuesday, February 7, 2023 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  
Consulting Engineer Glenn Morgan  
City Department Heads  
Brenden McTear, ALDOT

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

The following items were discussed:

- Review of Agenda
- Strategic Planning Update
- Intergovernmental Service Agreement
- ESCC/Pickleball Agreement
- Main Street Agreement – Pop Up Incubator
- National Fitness Campaign Application

### **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 security and real estate. City Attorney Rainer Cotter advised the Council 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 Johnson, 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 5:40 p.m., Attorney Rainer Cotter appeared before the Council and stated that items pending before the Council involved issues requiring legal advice and counsel related to security 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 7<sup>th</sup> day of February, 2023, 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, security plans, and real estate transactions, all 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 Johnson; 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:


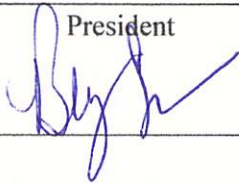
Discussion of issues requiring legal advice and counsel related to security and real estate.



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 5:40 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  
Attest: 

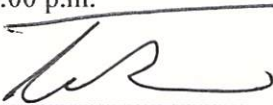
By:   
Attorney  
Attest: 

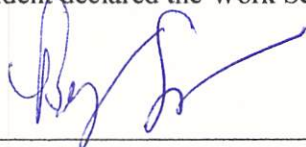
RECONVENE IN WORK SESSION

The Work Session was recessed into Executive Session at 5:40 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