

CITY COUNCIL MEETING MINUTES OF MARCH 21, 2023

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, March 21, 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 March 7, 2023
- City Council Meeting Minutes of March 7, 2023
- Contract Billings in the amount of **\$1,848,363.48** as follows:
 - Whaley Construction Co., Inc. -**
Application No. 2 - \$332,042.26 – Construction – Recreation & Aquatics Center
 - Seay, Seay & Litchfield, P.C. -**
Invoice No. 2 - \$254,100.00 – Contract Services – Recreation & Aquatics Center
 - Wiregrass Construction Co., Inc. -**
Estimate No. 5 - \$464,050.35 – Construction – FY22 Resurfacing/Phase III (A)
Estimate No. 2 - \$737,901.67 – Construction – FY23 Resurfacing/Phase III (B)
 - Poly, Inc. -**
Invoice No. 19658 – \$675.00 - Environmental Services – Asbestos Survey/Moose Hope Gym
Invoice No. 19663 - \$17,221.40 – Engineering/Design – FY22 Resurfacing/Phase III (A)
Invoice No. 19664 - \$33,472.80 – Engineering/Design – FY23 Resurfacing/Phase III (B)
 - Ewing-Conner and Associates, Inc. -**
Invoice No. 6 - \$5,000.00 – Contract Administrative Services – 2021 CDBG Demo Project
 - Southern Earth Sciences, Inc. -**
Invoice No. P220379-04 - \$3,900.00 – Asbestos Surveys – 2021 CDBG Demo Project/Phase 5

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

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

Jeff Howell, Southeast Construction, informed Council Members of a transition in the haul route by dump trucks using David Road to help alleviate the damage.

Jacob Parmer registered a complaint regarding a noise violation citation written by the Enterprise Police Department.

Paula Fleming, Johnny Hutcherson, and Ruby Rocha addressed the Council regarding conditions on David Road and thanked the City for their efforts thus far.

STAFF REPORTS

Police Chief Michael Moore discussed the City's Noise Ordinance.

Fire Chief Christopher Davis presented options for Main Street fire risk reduction. Further discussion will be held at an upcoming meeting.

Public Works Director Barry Mott announced that a portion of Swenson Street will be closed starting Friday, March 24, 2023, adjacent to the construction site of the new Recreation and Aquatic Center near Lee Street. The road will remain closed until further notice.

CFO/Treasurer Leeann Swartz urged taxpayers to call City Hall with any questions regarding the filing of Sales & Use Taxes with the Alabama Department of Revenue.

OLD BUSINESS**REVIEW & CONSIDER ORDINANCE 03-07-23 (Adopt International Building Code, 2021 Edition with appendices)**

The President called for consideration of Ordinance 03-07-23, providing to adopt the International Building Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Goolsby, seconded by Council Member Johnson, to adopt Ordinance 03-07-23. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23 duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-A (Adopt International Residential Code, 2021 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-A, providing to adopt the International Residential Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Rich, seconded by Council Member Padgett, to adopt Ordinance 03-07-23-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-A duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-B (Adopt National Electrical Code, 2020 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-B, providing to adopt the National Electrical Code, 2020 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to adopt Ordinance 03-07-23-B. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-B duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-C (Adopt International Fire Code, 2021 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-C, providing to adopt the International Fire Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to adopt Ordinance 03-07-23-C. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-C duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-D (Adopt International Fuel Gas Code, 2021 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-D, providing to adopt the International Fuel Gas Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Rich, seconded by Council Member Johnson, to adopt Ordinance 03-07-23-D. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-D duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-E (Adopt International Existing Building Code, 2021 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-E, providing to adopt the International Existing Building Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Rich, seconded by Council Member Johnson, to adopt Ordinance 03-07-23-E. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-E duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-F (Adopt International Swimming Pool and Spa Code, 2021 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-F, providing to adopt the International Swimming Pool and Spa Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Padgett, seconded by Council Member Rich, to adopt Ordinance 03-07-23-F. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-F duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-G (Adopt International Property Maintenance Code, 2021 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-G, providing to adopt the International Property Maintenance Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to adopt Ordinance 03-07-23-G. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-G duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-H (Adopt International Plumbing Code, 2021 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-H, providing to adopt the International Plumbing Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Goolsby, seconded by Council Member Johnson, to adopt Ordinance 03-07-23-H. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-H duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 03-07-23-I (Adopt International Mechanical Code, 2021 Edition with appendices)

The President called for consideration of Ordinance 03-07-23-I, providing to adopt the International Mechanical Code, 2021 Edition, by reference as provided by Title 11-45-8 Code of Alabama 1975, as amended.

A motion was made by Council Member Padgett, seconded by Council Member Rich, to adopt Ordinance 03-07-23-I. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 03-07-23-I duly passed and adopted.

NEW BUSINESS

INTRODUCE PLANNING COMMISSION RECOMMENDATION

The President introduced, for the record, a recommendation from the Enterprise Planning Commission to approve the following request for the rezoning of property:

- A request by Northstar Engineering Services, Inc. on behalf of Nerak, LLC, for the rezoning of .624 acres of land from B-1 (Business District) and R-100 (Residential District) to B-1 (Business District) located at 309 Sylvan Drive.

INTRODUCE ORDINANCE 03-21-23 (Nerak, LLC Rezone)

The President introduced Ordinance 03-21-23, providing for the rezone of .624 acres of land owned by Nerak, LLC from B-1 (Business District) and R-100 (Residential District) to B-1 (Business District) located at 309 Sylvan Drive, and called for a public hearing to be held at the regular meeting scheduled for April 18, 2023.

REVIEW & CONSIDER RESOLUTION 03-21-23 (Appoint Board of Directors/Public Building Authority)

The President introduced and called for consideration of Resolution 03-21-23, providing to appoint the Board of Directors of The Public Building Authority of the City of Enterprise as follows:

- Whit Armstrong, for a two-year term, beginning April 10, 2023, and ending April 10, 2025
- Joe Paul Stewart, for a two-year term, beginning April 10, 2023, and ending April 10, 2025
- Robbin Thompson, for a four-year term, beginning April 10, 2023, and ending April 10, 2027
- Mary Merritt, for a four-year term, beginning April 10, 2023, and ending April 10, 2027
- Julian Boyd, for a six-year term, beginning April 10, 2023, and ending April 10, 2029
- Rodney Thornton, for a six-year term, beginning April 10, 2023, and ending April 10, 2029

A motion was made by Council Member Johnson, seconded by Council Member Goolsby, to approve the slate of nominees as submitted. All Council Members – Aye. The President called for motion to adopt Resolution 03-21-23. A motion was made by Council Member Johnson, seconded by Council Member Padgett, to adopt Resolution 03-21-23. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 03-21-23 duly passed and adopted.

REVIEW & CONSIDER RESOLUTION 03-21-23-A (Covington Electric Agreement/Speculative Building)

The President introduced and called for consideration of Resolution 03-21-23-A, providing to authorize the Mayor and City Clerk to execute a promissory note and loan agreement with Covington Electric Cooperative, Inc. in the amount of \$1,350,000.00 related to the construction of a hangar building at the Enterprise Municipal Airport. If the loan is paid back according to its terms, the loan is a no interest loan.

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to adopt Resolution 03-21-23-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 03-21-23-A duly passed and adopted.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (All In Credit Union Car Sale)

The President called for a motion to authorize the Mayor to execute an agreement on behalf of the City of Enterprise with All In Credit Union to hold their annual car sale April 20-22, 2023 on the grounds next to the Enterprise Civic Center.

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

AUTHORIZE POLICE CHIEF TO EXECUTE AGREEMENT (Alabama Power/Flock Safety Equipment)

The President called for a motion to authorize the Police Chief to execute an agreement with Alabama Power Company for Flock Safety equipment at an estimated monthly cost of \$1,604.19, with a one-time upfront payment of \$750.00.

A motion was made by Council Member Johnson. The motion died due to a lack of a second.

AUTHORIZE MAYOR TO EXECUTE POLY, INC. TASK ORDER NO. 53 (Multipurpose Recreational Complex/Phase I)

The President called for a motion to authorize the Mayor to execute Task Order No. 53 to Poly, Inc. for construction phase services for the Enterprise Multipurpose Recreational Complex, Phase I.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to authorize the Mayor to execute Task Order No. 53 to Poly, Inc. as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE POLY, INC. TASK ORDER NO. 54 (Peavy Park Multipurpose Sports Complex/Phase II)

The President called for a motion to authorize the Mayor to execute Task Order No. 54 to Poly, Inc. for engineering design and bidding phase services for the Peavy Park Multipurpose Sports Complex, Phase II.

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to authorize the Mayor to execute Task Order No. 54 to Poly, Inc. 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 (Pickleball Complex, Phase I)

The President introduced and called for consideration of a request from Billy Powell, Director of Community Services and Recreation, to seek bids for Phase I construction of the new pickleball complex on George C. Wallace Drive. Phase I of the complex will include eight (8) new pickleball courts.

A motion was made by Council Member Rich, 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 (Storage Hangar/Enterprise Municipal Airport)

The President introduced and called for consideration of a request from City Engineer/Public Works Director Barry Mott to seek bids on a new aircraft storage hangar to be located at the Enterprise Municipal Airport. The new hangar will have dimensions of 130' x 105'.

A motion was made by Council Member Johnson, 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 (Police Department/Vehicles)

The President introduced and called for consideration of a request from Police Chief Michael Moore to seek bids for three (3) 2023 Dodge Durango Pursuit Package AWD vehicles or three (3) 2023 Dodge Charger Police Package AWD vehicles or a combination of both.

A motion was made by Council Member Rich, seconded by Council Member Johnson, 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.

REVIEW & CONSIDER VOLUNTEER POLICE ROSTER APPROVAL

The President introduced and called for consideration of a request from Human Resources Director Christina Meissner to approve the following list of volunteer police officers and chaplains as required by the city's liability insurance carrier:

- Reserve Officers: Jun Ma, Jason Barnes, Matthew Lee, Jonathan Oldham, Albert Mitchell
- Chaplains: Fox Fleming, Leon Adams

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

REQUEST PERMISSION TO REINITIATE ROAD CLOSURE (Simmons Street)

The President introduced and called for consideration of a request from Police Chief Michael Moore to reinitiate the road closure of a portion of Simmons Street from 7:30 a.m. until 3:30 p.m. during the dates that school is in session to facilitate the safe crossing of students at the Enterprise Career and Technical Center.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to reinitiate the road closure of a portion of Simmons Street from 7:30 a.m. until 3:30 p.m. during the dates that school is in session. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

CONSIDER STREET CLOSURE REQUEST (Public Works)

The President introduced and called for consideration of a request from City Engineer/Public Works Director Barry Mott to temporarily close the following city streets for maintenance and repairs:

- East College Street from Main Street to the alley for sewer repairs, March 27-31, 2023
- Main Street from Dauphin Street to Pittman Street, for railroad track repair, March 27-31, 2023

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

CONSIDER APPROVAL OF ART CONCEPT (Main Street Incubator)

The President introduced and called for consideration of a request from Main Street Director Mariah Montgomery to approve the art concept for the Main Street Enterprise Pop-Up Incubator as submitted.

A motion was made by Council Member Padgett, seconded by Council Member Rich, to approve the art concept as submitted. 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 announcements from various departments, projects, and events.

COUNCIL MEMBER COMMENTS

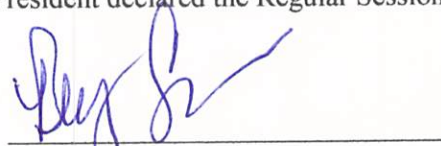
Council Members thanked city staff, meeting attendees, and citizens watching online.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 7:05 p.m.



Turner Townsend
Council President



Beverly Sweeney
City Clerk