

CITY COUNCIL MEETING MINUTES OF JULY 6, 2021

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, July 6, 2021, 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
Interim 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, with amendment to add the following item under New Business:

- Review & Consider Resolution 07-06-21-A (Implement City Holiday)

A motion was made by Council Member Padgett, seconded by Council Member Goolsby, to approve the agenda of the meeting as amended. 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 June 15, 2021
- City Council Meeting Minutes of June 15, 2021
- Accounts Payable (A) for June 2021 in the amount of **\$689,177.64** as follows:
City of Enterprise - \$520,111.56 Water Works Board - \$169,066.08
- Accounts Payable (B) for June 2021 in the amount of **\$422.66** as follows:
City of Enterprise - \$259.70 Water Works Board - \$162.96
- Contract Billings in the amount of **\$3,951.82** as follows:
Barge Design Solutions -
Invoice No. 189066 - \$3,951.82 – Land Acquisition Services – AIP No. 3-01-0027-022-2020
- Travel Requests as follows:

Engineering

Justin Tolbert
2021 COAA Annual Education Conference
Orange Beach, Alabama
August 16-20, 2021
Estimated Cost: \$1,106.85

Tourism/Main Street

Tammy Doerer
Cassidi Kendrick
Main Street Board Member
Main Street Alabama State Conference & Awards Banquet
Gadsden, Alabama
August 17-20, 2021
Estimated Cost: \$2,155.08

Tammy Doerer
2021 Alabama Governor’s Conference on Tourism
Gulf Shores, Alabama
August 29-31, 2021
Estimated Cost: \$1,144.20

CONSENT AGENDA (Continued):

A motion was made by Council Member Rich, 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.

PROCLAMATION – Parks & Recreation Month

The President recognized Mayor Cooper who read a proclamation designating July as Parks & Recreation Month in the City of Enterprise.

REQUEST TO ADDRESS COUNCIL/PERMIT REQUEST (Main Street “Back to School Bash”)

The President recognized Main Street Director Cassidi Kendrick who requested to address the Council to obtain a permit to hold the Main Street Enterprise “Back to School Bash” on Saturday, July 17, 2021, from 9:00 a.m. until 3:00 p.m. The following street was requested to be closed for the event: East College Street from Main Street to Edwards Street. Police Chief Michael Moore indicated he was okay with the request. 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)

The City Council, which serves as the E-911 Board, accepted the recommendation of Police Chief Michael Moore to name Tangi Hill as E-911 Coordinator for the City of Enterprise. Under current city guidelines, the operations of the E-911 Department are under the direct supervision of the Chief of Police.

OLD BUSINESS**REVIEW & CONSIDER ORDINANCE 06-01-21 (Spectrum Southeast, LLC Franchise)**

The President called for consideration of Ordinance 06-01-21 providing for the granting of a nonexclusive cable television franchise to Spectrum Southeast, LLC to construct, operate, and maintain a cable television system in the City of Enterprise. The agreement is for a term of ten (10) years with a franchise fee of 5% of the annual gross revenues.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Ordinance 06-01-21. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 06-01-21 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 rezone of property:

- A request by Dura-Cast, Inc. for the rezone of 8.92 acres of land from M-2 (General Manufacturing District) to B-3 (Highway Commercial District) located at 101 North Industrial Park Road.

INTRODUCE ORDINANCE 07-06-21 (Dura-Cast, Inc. Rezone)

The President introduced Ordinance 07-06-21 providing for the rezone of 8.92 acres of land owned by Dura-Cast, Inc. from M-2 (General Manufacturing District) to B-3 (Highway Commercial District) located at 101 North Industrial Park Road and called for a public hearing to be held at the regular meeting scheduled for August 3, 2021.

INTRODUCE ORDINANCE 07-06-21-A (Troy Cablevision, Inc. Franchise)

The President introduced Ordinance 07-06-21-A providing for the granting of a nonexclusive cable television franchise to Troy Cablevision, Inc. to construct, operate, and maintain a cable television system in the City of Enterprise. The franchise agreement is for a term of ten (10) years with a franchise fee of 5% of the annual gross revenues. The President announced that consideration of Ordinance 07-06-21-A would layover until the regular meeting held on July 20, 2021.

INTRODUCE ORDINANCE 07-06-21-B (Prohibit Parking/Certain Downtown Events)

The President introduced Ordinance 07-06-21-B providing for the prohibition of parking on certain downtown streets before, during, and after certain downtown events where the City Council has previously approved a road closure as to said event. The President announced that consideration of Ordinance 07-06-21-B would layover until the regular meeting held on July 20, 2021.

INTRODUCE ORDINANCE 07-06-21-C (Establish Entertainment District)

The President introduced Ordinance 07-06-21-C providing to establish an entertainment district within the City of Enterprise and set forth certain rules and regulations governing the district. The President announced that consideration of Ordinance 07-06-21-C would layover until the regular meeting held on July 20, 2021.

REVIEW & CONSIDER RESOLUTION 07-06-21 (Stonechase Subdivision, Phase III)

The President introduced and called for consideration of Resolution 07-06-21 providing to accept for maintenance the streets and other public easements/improvements which are expressly shown on the final plat of Stonechase Phase III Subdivision as public dedications, subject to the contingencies and matters as set out in the June 23, 2021 letter from Staci Hayes to the Council.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Resolution 07-06-21. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared Resolution 07-06-21 duly passed and adopted.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (Poly, Inc./Master Services)

The President called for a motion to authorize the Mayor to execute an agreement on behalf of the City of Enterprise with Poly, Inc. for general engineering planning and consulting services on an on-going and on-call basis for miscellaneous tasks and projects as assigned. The agreement calls for monthly compensation of \$6,000 per month for a period of five (5) years and will become effective upon completion of signatures by both parties.

A motion was made by Council Member Johnson, seconded by Council Member Rich, to authorize the Mayor to execute a five-year agreement with Poly, Inc. to provide general engineering planning and consulting services on an on-going and on-call basis at a cost of \$6,000 per month. The President recognized Consulting Engineer Glenn Morgan who provided an overview of the agreement. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REVIEW & CONSIDER POLY, INC. TASK ORDER NO. 47 (General Technical Assistance)

The President introduced and called for consideration of the approval of Task Order No. 47 to Poly, Inc. for general technical assistance outside the on-going scope of services. Services shall be rendered on an as-needed annual basis as directed by the City's Designated Representative. The total annual compensation, based on the City's fiscal year, allotted for all sub-task services under this Task Order shall not exceed \$50,000.00. This total allotted amount shall be renewed annually, regardless of the amount utilized in the previous fiscal year, beginning October 1 for the term of the Master Services Agreement.

A motion was made by Council Member Goolsby, seconded by Council Member Johnson, to approve Task Order No. 47 to Poly, Inc. for general technical assistance outside the on-going scope of services in an amount not to exceed \$50,000.00 annually. The President recognized City Engineer/Public Works Director Barry Mott who recommended approval of the Task Order. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (University of South Alabama/Internship Program)

The President called for a motion to authorize the Mayor to execute an agreement on behalf of the City of Enterprise with the University of South Alabama for the purpose of providing a jointly supervised internship program for students of the University. The agreement is for a term of five (5) years and will automatically renew for additional one-year terms unless it is altered or terminated by either or both of the parties.

A motion was made by Council Member Johnson, seconded by Council Member Rich, to authorize the Mayor to execute a five (5) year agreement with the University of South Alabama to provide a jointly supervised internship program for students of the University. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (Seay, Seay & Litchfield, P.C./City Hall Renovations)

The President called for a motion to authorize the Mayor to enter into an agreement in the amount of \$20,000.00 with Seay, Seay, & Litchfield, P.C. for programming and conceptual design services related to the proposed renovation of Enterprise City Hall.

AUTHORIZE AGREEMENT (Continued):

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to authorize the Mayor to execute an agreement in the amount of \$20,000.00 with Seay, Seay, & Litchfield, P.C. for programming and conceptual design services related to the proposed renovation of Enterprise City Hall. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (Barge Design Solutions, Inc./ESCC Pool Assessment)

The President called for a motion to authorize the Mayor to enter into an agreement with Barge Design Solutions, Inc. for professional services associated with an assessment of the existing pool at Enterprise State Community College at a cost of \$10,500.00.

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to authorize the Mayor to enter into an agreement in the amount of \$10,500.00 with Barge Design Solutions, Inc. for professional services associated with an assessment of the existing pool at Enterprise State Community College. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

AUTHORIZE MAYOR TO EXECUTE AGREEMENT (3NP/Downtown Parking Lot)

The President called for a motion to authorize the Mayor to enter into an agreement in the amount of \$7,750.00 with Three Notch Partners for engineering design and survey services associated with the construction of a parking lot adjacent to East Lee Street.

A motion was made by Council Member Goolsby, seconded by Council Member Rich, to authorize the Mayor to enter into an agreement in the amount of \$7,750.00 with Three Notch Partners for engineering design and survey services associated with the construction of a parking lot adjacent to East Lee Street. 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 (Benchmark Analytics)

The President called for a motion to authorize the Police Chief to enter into an agreement with Benchmark Analytics for licensing, management, training, and technical support of a software enabled program to assist with the tracking of various data associated with the Enterprise Police Department. Total cost of the program is \$9,150.00 annually for a three-year period.

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to authorize the Police Chief to enter into a three-year agreement with Benchmark Analytics for licensing, management, training and technical support of a software enabled program at an annual cost of \$9,150.00. The President recognized Police Chief Michael Moore who discussed the program. 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 (InTime Services)

The President called for a motion to authorize the Police Chief to enter into an agreement with InTime Services for workforce management software, hosting, and technical support in the amount of \$10,455.00. The agreement is for a term of one (1) year with options to renew the agreement for additional one-year periods at an annual cost of \$7,680.00.

A motion was made by Council Member Rich, seconded by Council Member Johnson, to authorize the Police Chief to enter into an agreement with InTime Services for workforce management software, hosting, and technical support in the amount of \$10,455.00. The President recognized Police Chief Michael Moore who provided an overview of the program. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – 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 amendments and improvements to the Enterprise Community Recreation Center and to apply for assistance in the amount of \$8 million; further, the City Council acknowledges that funding for the City's \$16,532,959.00 match will be derived from 2021 General Obligation Warrant Series C funds.

AUTHORIZE GRANT APPLICATION & FUNDING (Continued):

Council Member Rich 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 \$8 million for amendments and improvements to the Enterprise Community Recreation Center and further acknowledge that funding for the \$16,532,959.00 match will be derived from the 2021 General Obligation Warrant Series C funds. Council Member Johnson made the second. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

INTRODUCE ABC LICENSE REQUEST (Ruby Tuesday 3743)

The President introduced a request from Ruby Tuesday Operations LLC d/b/a Ruby Tuesday 3743 for a Restaurant Retail Liquor (On Premises Only) license located at 625 Boll Weevil Circle and called for a public hearing to be held at the regular meeting scheduled for July 20, 2021 prior to consideration of the request.

INTRODUCE ABC LICENSE REQUEST (Legacy Foodmart 6)

The President introduced a request from Heer Management LLC d/b/a Legacy Foodmart 6 for a Retail Beer (Off Premises Only) license and Retail Wine (Off Premises Only) license located at 6001 Boll Weevil Circle and called for a public hearing to be held at the regular meeting scheduled for July 20, 2021 prior to consideration of the request.

REVIEW & CONSIDER RESOLUTION 07-06-21-A (Implement City Holiday)

The President introduced and read at length, out loud, Resolution 07-06-21-A providing to declare Juneteenth, June 19, an official city holiday and grant city employees one paid personal day to be utilized by December 31, 2021, with prior approval from the employee's department head or supervisor. With the one-day notice from the federal and state government declaring Juneteenth a holiday, city employees were unable to observe the holiday this June 19.

A motion was made by Council Member Goolsby, seconded by Council Member Johnson, to adopt Resolution 07-06-21-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 07-06-21-A duly passed and adopted.

MAYOR'S REPORT

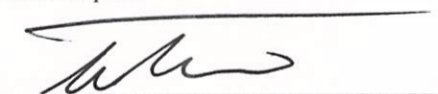
Mayor Cooper provided reports and updates from various departments, projects and events.

COUNCIL MEMBERS COMMENTS

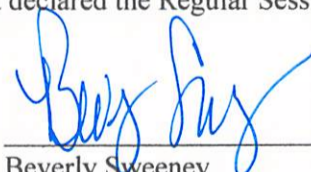
Council Members congratulated Tangi Hill on her new position as E-911 Coordinator, welcomed Main Street Intern Katie Sawyer to the City of Enterprise, and thanked everyone for their attendance.

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
Interim City Clerk