

CITY COUNCIL MEETING MINUTES OF OCTOBER 4, 2022

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, October 4, 2022 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 September 20, 2022
- City Council Meeting Minutes of September 20, 2022
- Accounts Payable (A) for September 2022 in the amount of **\$706,132.18** as follows
City of Enterprise - \$580,389.10 Water Works Board - \$125,743.08
- Contract Billings in the amount of **\$64,717.04** as follows:
Brunson, Wilkerson, Bowden & Associates, P.C. -
Invoice No. 61959 - \$50,000.00 – Contract Services – FY 2021 Financial Audit
Poly, Inc. -
Invoice No. 19423 - \$2,661.76 – Engineering/Technical Services – ADVA Home
Invoice No. 19424 - \$2,868.73 – Design - Boxwood/Wildwood Drive Drainage Improvements
KPS Group -
Invoice No. 6 - \$9,186.55 – Contract Planning Services – August 2022
- Travel Requests as follows:

<u>E-911</u> Tangi Hill 2022 County Government Education Institute Prattville, Alabama October 18-20, 2022 Estimated Cost: \$637.02	<u>Main Street</u> Mariah Montgomery Main Street Quarterly Training Gadsden, Alabama October 18-19, 2022 Estimated Cost: \$1,040.00
<u>Police Department</u> Captain Billy Haglund Lieutenant Kyle Hale Detective Will Ezell Patrol Officer Taylor Boettcher First Responder Medical Train-the-Trainer Course Clarksdale, Mississippi October 31-November 3, 2022 Estimated Cost: \$1,532.48	
Captain Louis Kent Management of the K-9 Unit Training Altamonte Springs, Florida November 6-11, 2022 Estimated Cost: \$1,553.75	K-9 Officer Tyler McPhail Underwater Criminal Investigator Course Pelham, Alabama November 11-15, 2022 Estimated Cost: \$1,473.60
Corporal Madison Nichols Alabama DRE In-Service & Recertification Training Orange Beach, Alabama November 27-29, 2022 Estimated Cost: \$406.24	

CONSENT AGENDA (Continued):

- Request to Dispose of Inventory/Equipment as follows:

Fire Department

35' Extension Ladder

24" Extension Ladder

12' Roof Ladder

Set of Emergency Lights (2)

Fire Nozzles

8 hp Briggs Generator

Honda PPV Fan

Tear Drop Light Set

5.5 hp Honda Motor

Desk Extension

Misc. Radio Units (4)

Engine Tires

"Rescue Randy" Manikin

Fire Engine Bumper

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.

SPECIAL PRESENTATION BY THE MAYOR – Jeremy Mitchell

Mayor Cooper, joined by Municipal Judge Paul Sherling, presented a Certificate of Appreciation to Jeremy Mitchell in recognition of his contribution and service to the City of Enterprise as City Prosecutor.

CONSIDER PERMIT REQUEST (Pinedale Elementary School/Red Ribbon Parade)

The President introduced a request on behalf of Loree Cox, Pinedale Elementary School, to obtain a permit to hold the school's annual "Say No to Violence and Be Drug Free" Red Ribbon Parade on Friday, October 28, 2022, from 1:30 p.m. until 2:30 p.m. Parade participants will line up on Sequoia Street. All participants will enter the school driveway from Sequoia Street/Shady Lane and Sequoia Street/Plaza Drive and exit from the school driveway onto Plaza Drive.

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

REQUEST TO ADDRESS COUNCIL/PERMIT REQUEST (Mariah Montgomery/Downtown Spooky Stop)

The President recognized Main Street Director Mariah Montgomery who requested to address the Council to obtain permission to have Railroad Street blocked off as a one-way street and partial closure of West Grubbs Street on Friday, October 28, 2022, as part of the "Spooky in the City" event.

A motion was made by Council Member Johnson, seconded by Council Member Rich, to approve the request as submitted. 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)

No one requested to address the Council.

STAFF REPORTS

Police Chief Michael Moore informed Council of the following:

Enterprise Police Department Officers will wear pink patches on their uniforms throughout October in honor of Breast Cancer Awareness Month. In addition, EPD is raising money through its "Pink Patch" program, where members of the public can purchase a patch for \$10. All proceeds from the sale of the patch will benefit the department's Community Fund Program.

The Enterprise Police Department is raising money through a raffle to help one of its own during their fight against breast cancer. Tickets may be purchased at the Police Department for \$10, with the drawing to be held October 12. 100% of the funds raised will go to help the employee and her family with ongoing medical expenses.

City Engineer/Public Works Director Barry Mott advised that Phase III(A) of the Street Resurfacing Project is expected to begin on Thursday, October 6, with several neighborhood roads on the list for resurfacing. Approximately 60 streets, totaling roughly 16 miles of roadway, are included in the phase.

OLD BUSINESS

PUBLIC HEARING & CONSIDERATION/ORDINANCE 09-06-22 (Kirkland Rezone)

The President called for a public hearing prior to consideration of Ordinance 09-06-22, providing for the rezone of 72 acres of land owned by Kathryn Kirkland from R-100 (Residential District) and AGRIC-2 (Agricultural District) to R-65 (Residential District) located at 1607 West College Street. Thomas Hardy, Assistant Director of Engineering, advised that staff had reviewed the request and recommended its approval. The recommendation of the Enterprise Planning Commission is to approve the request. Council President Townsend invited public comment. No public comments were received. Upon hearing no further comments, the President closed the hearing and called for consideration of Ordinance 09-06-22.

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to adopt Ordinance 09-06-22. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 09-06-22 duly passed and adopted.

REVIEW & CONSIDER ORDINANCE 09-20-22 (Unsafe Building Board of Adjustment & Appeals)

The President called for consideration of Ordinance 09-20-22, providing to establish the Unsafe Building Board of Adjustment & Appeals and appoint its Board Members as follows:

- Seat 1 Ron Reeves One (1) year term October 4, 2022 – October 3, 2023
- Seat 2 Dallas Boyd One (1) year term October 4, 2022 – October 3, 2023
- Seat 3 Sidney Goocher Two (2) year term October 4, 2022 – October 3, 2024
- Seat 4 Clay Wilks Two (2) year term October 4, 2022 – October 3, 2024
- Seat 5 Brad Johnson Three (3) year term October 4, 2022 – October 3, 2025

A motion was made by Council Member Johnson, seconded by Council Member Rich, to adopt Ordinance 09-20-22. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 09-20-22 duly passed and adopted.

NEW BUSINESS

PRESENTATION OF FY 2021 FINANCIAL AUDIT

The President recognized Misty Tindol, representing the firm of Brunson, Wilkerson, Bowden & Associates, P.C., who presented the Fiscal Year 2021 Financial Audit. The audit report was given an unmodified opinion with no significant findings or material weaknesses.

INTRODUCE PLANNING COMMISSION RECOMMENDATIONS

The President introduced for the record, a recommendation from the Enterprise Planning Commission to approve the following requests:

- A request by the City of Enterprise to amend the Zoning Ordinance amending Table 4-1 to add certain allowed uses and to amend use definitions.
- A request by Brent Howell for the rezoning of 18.757 acres of land from AGRIC-2 (Agriculture District) to PBD (Planned Business District) located off Shellfield Road.
- A request by the City of Enterprise Engineering Department to amend the zoning map to correct a zoning error from M-D (Medical District) to R-75-S (Residential District) located at 101 Hillcrest Loop.

INTRODUCE ORDINANCE 10-04-22 (Amend Table 4-1/Enterprise Zoning Ordinance)

The President introduced Ordinance 10-04-22, providing to amend Table 4-1 of the Enterprise Zoning Ordinance(s) to add certain allowed uses in Planned Business District (PBD), Highway Commercial District (B-3), Light Industry District (M-1), Industrial Park District (M-2) and General Industry District (M-3) and to amend use definitions. The President called for a public hearing to be held at the regular meeting scheduled for November 1, 2022.

INTRODUCE ORDINANCE 10-04-22-A (Howell Rezone)

The President introduced Ordinance 10-04-22-A, providing for the rezone of 18.757 acres of land owned by Brent Howell from AGRIC-2 (Agriculture District) to PBD (Planned Business District) located off Shellfield Road and called for a public hearing to be held at the regular meeting scheduled for November 1, 2022.

INTRODUCE ORDINANCE 10-04-22-B (Correct Zoning Boundary Line/101 Hillcrest Loop)

The President introduce Ordinance 10-04-22-B, relating to a request from Assistant Director of Engineering Services Thomas Hardy, to amend the zoning district boundary line to correct the zoning district located at 101 Hillcrest Loop. It appears the official zoning map inadvertently shows said property within a M-D District when it should be wholly within a R-75-S District. Recommendation is made from the Enterprise Planning Commission to approve the request.

Council Member Goolsby offered the motion to suspend the rules to allow for immediate consideration of Ordinance 10-04-22-B. 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 and called for consideration of Ordinance 10-04-22-B.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to adopt Ordinance 10-04-22-B. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Ordinance 10-04-22-B duly passed and adopted.

REVIEW & CONSIDER RESOLUTION 10-04-22 (Arrowhead Subdivision/Phase III & IV)

The President introduced and called for consideration of Resolution 10-04-22, providing to accept for maintenance the streets and other public easements/improvements which are expressly shown on the final plat of Arrowhead Phase III and Phase IV Subdivision as public dedications, subject to the contingencies and matters as set out in the September 28, 2022 letter from Barry Mott to the Council.

A motion was made by Council Member Rich, seconded by Council Member Goolsby, to adopt Resolution 10-04-22. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried.

REVIEW & CONSIDER RESOLUTION 10-04-22-A (FY 2023 Chamber of Commerce Contract)

The President introduced and called for consideration of Resolution 10-04-22-A, providing for the renewal of the annual contract with the Enterprise Chamber of Commerce in the sum of \$81,500.00 for general funding, tourism assistance and hospitality functions to be paid in quarterly payments.

A motion was made by Council Member Rich, seconded by Council Member Padgett, to adopt Resolution 10-04-22-A. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 10-04-22-A duly passed and adopted.

REVIEW & CONSIDER RESOLUTION 10-04-22-B (FY 2023 WEDC Contract)

The President introduced and called for consideration of Resolution 10-04-22-B, providing for the renewal of the annual contract with Wiregrass Economic Development Corporation in the sum of \$110,000.00 to be paid in quarterly payments of \$27,500.00.

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to adopt Resolution 10-04-22-B. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 10-04-22-B duly passed and adopted.

REVIEW & CONSIDER RESOLUTION 10-04-22-C (Workforce Project Development Agreement)

The President introduced and called for consideration of Resolution 10-04-22-C, authorizing the Mayor to execute a Project Development and Funding Agreement between the City, the Alabama Community College System, and Enterprise State Community College. The project relates to the Alabama Community College System and College's commitment to build an approximate 20,000 square foot building on the College's Enterprise campus dedicated to workforce development, including specifically, developing and maintaining programs within the new building to train and equip skilled workers in areas, including, but not limited to, such as advanced manufacturing, composites, aerospace, nursing, welding, and automotive technicians. Under the agreement, the City is committing \$500,000 per year over 20 years towards the project with requirements that the College System and College build the project and equip, operate, budget for, and staff the facility during the 20-year period of the agreement.

A motion was made by Council Member Johnson, seconded by Council Member Padgett, to adopt Resolution 10-04-22-C. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye; Townsend – Aye. The President declared the motion carried and Resolution 10-04-22-C duly passed and adopted.

APPROVE FORM LICENSE AGREEMENT (Main Street Enterprise Logo)

The President introduced and called for consideration of a request from Main Street Director Mariah Montgomery for the approval of a form license agreement whereby city merchants could use the Main Street Enterprise logo pursuant to the terms and conditions of the license agreement. Further request was made to authorize the Mayor to execute the agreement from time to time as he determines is proper.

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

MAYOR'S REPORT

Mayor Cooper asked attendees to join him in a moment of silence in honor of former Council Member Richard Fleming.

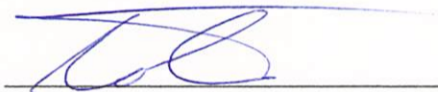
Following a moment of silence, Mayor Cooper provided reports and updates from various departments, projects, and events.

COUNCIL MEMBERS COMMENTS

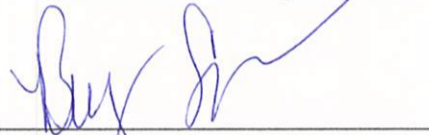
Council Members thanked city staff, meeting attendees, and citizens watching online.

ADJOURNMENT

There being no further business before the Council, the President declared the Regular Session adjourned at 6:55 p.m.



Turner Townsend
Council President



Beverly Sweeney
City Clerk