

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, DECEMBER 7, 2020 AT 5:15 P.M.**

The Eufaula City Council met in a scheduled session on Monday, December 7, 2020, at 5:15 p.m. in the Police Department Courtroom at 545 East Barbour Street. Council President Register called the meeting to order, and Pastor Samuel Paige offered the invocation. Council President Register led the Council and audience in the Pledge of Allegiance.

Upon call of the roll the following members were present: Council President Wes Register, President Pro Tem Otis Hill, Marvin Brown, Ben Garrison, and John Robinson.

Also present: Joy White, City Clerk/Treasurer, and Joel Smith, City Attorney.

HONORS AND RECOGNITION

APPROVAL OF AGENDA

Mr. Garrison offered a motion to approve the order of the December 7, 2020 agenda. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced the motion had carried.

CONSENT AGENDA

Council President Register reviewed the items on the Consent Agenda for council approval.

- (a) Motion and second to dispense with and approve the regular meeting minutes of November 16, 2020.
- (b) Motion and second to dispense with and approve the Claims Docket dated December 2, 2020 in the amount of \$10,157.93.

Mr. Garrison moved to approve the Consent Agenda. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced the motion had carried.

MAYOR'S REPORT

VISITORS

Mr. William Braswell appeared before the council and presented with the following matter:

In March 2020, Mr. Braswell repaired the bridge near his home that had been washed away by flood rain. The repair expense to Mr. Braswell was approximately \$7,000.00. Three to four weeks after this repair was done, the bridge was washed out again with an approximate cost for repair of \$16,000.00. The bridge has now been washed away for approximately three (3) months. Mr. Braswell corresponded with the City of Eufaula about making the repair, but was denied. Mr. Braswell maintains that the water is runoff from a city subdivision which he verbalized should be the responsibility of the City of Eufaula. Mr. Braswell continued that the only way to leave his home now that the bridge is washed away is to travel through an adjoining pasture to the neighborhood of Lindsey Lane. This route of travel from his home takes approximately 20 minutes. Mr. Braswell asked that the City of Eufaula please review this matter

again and offer a response/solution in an attempt to resolve this concern. City Attorney Joel Smith will review and report to council at a later meeting.

ORDINANCES AND RESOLUTIONS

City Attorney Joel Smith gave Ordinance 2020-8 (First Reading – Council Meetings and Committees) its first reading. Council President Register explained that this ordinance amendment would allow the council to convene at the Eufaula Police Department Complex Municipal Courtroom for its meetings unless another location should become necessary. The standing committees were also re-established between council members. Mr. Garrison offered a motion to suspend the rules for immediate consideration of the amended Ordinance 2020-8. Mr. Hill seconded the motion. A roll call vote was taken and recorded as follows: Yeas: Mr. Robinson, Mr. Garrison, Mr. Brown, President Pro Tem Hill, and President Register. Nays: none. The vote for Ordinance 2020-8 (First Reading – Council Meetings and Committees) was unanimous for suspending the rules for immediate consideration. Mr. Robinson then offered a motion to adopt Ordinance 2020-8 (First Reading – Council Meeting and Committees). Mr. Garrison seconded the motion. A roll call vote was taken and recorded as follows: Yeas: Mr. Robinson, Mr. Garrison, Mr. Brown, President Pro Tem Hill, and President Register. Nays: none. After the roll call vote, Council President Register announced the motion had carried.

Council President Register introduced Resolution 118-2020 (Authorizing Change Order to 2020 Paving Contract (adding Corbett Road)). Mr. Garrison offered a motion that Resolution 118-2020 be adopted. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced the motion had carried.

RESOLUTION 118-2020

WHEREAS, Corbett Road and nearby residences off the Gammage Road were damaged during the March 3, 2019 tornado, destroying asphalt and rooftops and damaging trees; and,

WHEREAS, legions of dedicated, community-minded citizens joined together to assist their neighbors in rebuilding and cleaning up their properties after the devastation; and,

WHEREAS, in the aftermath of the destruction and subsequent cleanup, Corbett Road itself was left in poor and nearly-impassable condition.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Eufaula does hereby authorize that Corbett Road be added to the 2020 City Street Resurfacing Project at a cost not to exceed \$18,000; and

BE IT FURTHER RESOLVED that the contract with Midsouth Paving, Inc. be amended and Mayor Jack B. Tibbs, Jr., in his official capacity, be authorized to execute the change order to include the additional street.

ADOPTED AND APPROVED this _____ day of December, 2020.

THE CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Register introduced Resolution 119-2020 (Entering into agreement with Ewing-Conner for CDBG admin services). Council President Register explained that this resolution pertains to a rehab grant for the Edgewood community, Phase II, with Ewing-Conner providing the admin services for the rehabilitation grant. City Clerk/Treasurer Joy White added that the city's match for this grant is \$28,600.00. She also clarified that the Ewing-Conner fee for the first phase was \$40,000.00 and it was noted that no portion of the grant has been accessed for use at this point. She added that eventually there will be a presentation for the rehab grant to the Edgewood community (after COVID). Mr. Brown added that although Phase I of the Edgewood rehabilitation was successful, there is still much work to be done in the area. Mr. Garrison offered a motion that Resolution 119-2020 (Entering into agreement with Ewing-Conner for CDBG admin services) be adopted. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced the motion had carried.

**RESOLUTION
119-2020**

WHEREAS, The City of Eufaula, Alabama published a Request For Proposals for Application Development and Program Management Services on May 10, 2020 for the proposed filing of a 2020 CDBG Large Cities "Competitive" grant application and; subsequent, program management and administrative services should the 2020 application receive funding approval; and

WHEREAS, the proposal submitted by Ewing-Conner and Associates, Inc. to the City of Eufaula, Alabama by the May 22, 2020 deadline met all established criteria and the City authorized Ewing-Conner and Associates, Inc. (Resolution 40-2020) to prepare and file the 2020 CDBG housing rehabilitation application and to provide the subsequent administration, management, and implementation of the project should funding approval be forthcoming, and

WHEREAS, the City received notification on November 23, 2020 of funding approval of the 2020 CDBG Large Cities "Competitive" application (# LR-CM-RR-20-002) for the proposed housing rehabilitation efforts to be undertaken within the confines of the Edgewood Drive Target Area as depicted in the approved 2020 CDBG application;

NOW THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Eufaula, Alabama hereby authorizes Jack B. Tibbs, Jr., Mayor of the City of Eufaula, to enter into a contractual agreement with Ewing-Conner and Associates, Inc. for the provision of program management, code enforcement, and administrative services; respectively, on CDBG Project #: LR-CM-RR-20-002.

ADOPTED AND APPROVED this _____ day of December, 2020.

THE CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Register introduced Resolution 120-2020 (ADETF 2021 Grant Acceptance). Council President Register explained that the Eufaula Police Department has been asked to manage monies for ADETF Region B, which consists of seven (7) agencies and fourteen (14) Task Force officers, to be responsible for the allocation and reimbursement of grant funds and the accurate accountability of all funds. Mr. Robinson offered a motion to adopt Resolution 120-2020. Mr. Garrison seconded the motion. After a voice vote, Council President Register announced the motion had carried.

RESOLUTION
120-2020

WHEREAS, it is desirous and advantageous for Law Enforcement Agencies to cooperate in and encourage participation in Task Forces; and

WHEREAS, ADECA and ALEA have formed the Alabama Drug Enforcement Task Force to which the Eufaula Police Department has been a member since its inception; and

WHEREAS, the ADETF is funded by grants and monies from various entities to allow the member Agencies to participate and equip its Task Force Officers with equipment at little or no cost to the participating Agency; and

WHEREAS, these funds must be managed and accounted for in accordance with State, Federal and local methods and guidelines and a primary distributing Agency is designated, and is responsible for, the accounting and distribution of these funds; and

WHEREAS, the Eufaula Police Department has been asked to manage these monies for ADETF Region B, which consists of 7 Agencies and 14 Task Force Officers, and to be responsible for the allocation and reimbursement of grant funds and the accurate accountability of all funds; and

WHEREAS, funding has been awarded in the amount of \$204,306.00 from the Edward Byrne Memorial Justice Assistance Grant program to be administered by the Alabama Department of Economic and Community Affairs (ADECA) to the City of Eufaula for distribution to ADETF Region B agencies as supported by proper documentation for reimbursement of expenses.

NOW THEREFORE, BE IT RESOLVED BY THE City of Eufaula, Alabama, that the City Council authorizes Mayor Jack B. Tibbs, Jr, to accept the grant and execute the required documents.

BE IT FURTHER RESOLVED BY THE City of Eufaula, Alabama, that the City Council authorizes Chief of Police, Steve Watkins, or his designee, to enter into a mutual agreement with the ADECA/ALEA Drug Enforcement Task Force, Region B, to manage and allocate these monies in accordance to established rules and regulations, and to be accountable for the accurate reporting of the same.

ADOPTED AND APPROVED this 7th day of December, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register
City Council President

ATTEST:

Joy White
City Clerk/Treasurer

PUBLIC HEARING

Council President Register introduced Resolution 121-2020 (Fixing Costs – Monty Ervin, c/o Robert Miggins, Wilson Street). He called for any audience responses about the abatement of this property. There were no responses. Mr. Hill offered a motion to adopt Resolution 121-2020. Mr. Garrison seconded the motion. After a voice vote, Council President Register announced the motion had carried.

RESOLUTION
121-2020

BE IT RESOLVED, that we the City Council of the City of Eufaula, Alabama, examined the report of the Public Works Superintendent, adopted Resolution 97-2020 on September 14, 2020, declaring the property in question constituted a public nuisance due to the weeds existing on the property and ordered the abatement of such public nuisance. The cost of abating the nuisance is as follows:

Parcel # 062403052010012000

11/07/2020 – City Crew/1 Hr. Bush Hog	\$ 80.00
Administrative Fee	<u>\$ 200.00</u>
TOTAL DUE	<u>\$ 280.00</u>

Property located on Wilson Street
OWNER: Monty Irvin
c/o Robert Miggins
167 Gammage Road
Eufaula, AL 36027

ADOPTED AND APPROVED this _____ day of December, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

Council President Register introduced Resolution 122-2020 (Fixing Costs – Willie and Angeline Shingles, Lee Street). Council President Register then called for any audience responses about the abatement of this property. There were no responses. Mr. Garrison offered a motion to adopt Resolution 122-2020. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced the motion had carried.

RESOLUTION
122-2020

BE IT RESOLVED, that we the City Council of the City of Eufaula, Alabama, examined the report of the Public Works Superintendent, adopted Resolution 88-2020 on September 8, 2020, declaring the property in question constituted a public nuisance due to the weeds existing on the property and ordered the abatement of such public nuisance. The cost of abating the nuisance is as follows:

Parcel # 062403052008001000

11/04/2020 – Bush Hog and Operator/1 Hr.	\$ 80.00
Administrative Fee	<u>\$ 200.00</u>
TOTAL DUE	<u>\$ 280.00</u>

Property located on Lee Street

OWNER: Willie Steel and Angeline Shingles
107 Foy Drive
Eufaula, AL 36027

ADOPTED AND APPROVED this _____ day of December, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

UNFINISHED BUSINESS

COUNCIL ACTION/DISCUSSION

Council President Register opened the discussion about the approval of rezoning request for Barrett Stephenson/H.H. Shah, west side of U. S. Highway 431 North across from Tiger Drive. The Planning Commission approved the rezoning request to rezone the property from C-4 (Highway Commercial and FAR (Forestry/Agricultural/Residential) to C-4 (Highway Commercial) for the purpose of construction of climate controlled self-storage units. Six of the eight members

on the Commission were present and the vote was unanimous to approve the application and forward the matter to Council for further review. Mr. Robinson offered a motion to move forward with the rezoning of the west side property of U. S. Highway 431 North across from Tiger Drive. Mr. Garrison seconded the motion. After a voice vote, Council President Register announced the motion had carried.

Council President Register opened the floor for nominations to the Downtown Redevelopment Authority. Mr. Brown nominated Georgia Hamm. Council President Register called for additional nominations if there were any. There were no additional nominations. Council President Register called for a roll call vote for Georgia Hamm and the vote was taken and recorded as follows: Yeas: Mr. Robinson, Mr. Garrison, Mr. Brown, President Pro Tem Hill, and President Register. Nays: none. Council President Register announced that Georgia Hamm was duly nominated and appointed to serve on the Downtown Redevelopment Authority. This term will expire October 15, 2022.

Council President Register called for the consideration of a retail off-premise beer and wine license for Family Dollar Stores AL LLC #20440, located at 980 South Eufaula Avenue, Eufaula, AL. Mr. Garrison offered a motion to approve the retail off-premise beer and wine license for Family Dollar Stores AL LLC #20440. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced that the motion had carried. Mr. Brown asked the reason for Family Dollar beginning to sell wine and beer. The representative responded that this is a bigger store that has recently relocated.

Council President Register called for the consideration of a retail off-premise beer license for Freeway Stores AL LLC located at 1301 South Eufaula Avenue, Eufaula, AL. Mr. Garrison offered a motion to approve the retail off premise beer license for Freeway Stores AL LLC. Mr. Brown seconded the motion. After a voice vote, Council President Register announced that the motion had carried. Mr. Garrison asked that the owner also take pride in the appearance of the store and its parking area as does surrounding businesses located in the gateway of the city to maintain attractive qualities for visitors traveling through the city.

REGULAR AGENDA (NEW BUSINESS)

COUNCIL COMMITTEE REPORTS

Mr. Garrison stated that sales tax is steady for November. He stated that the location for the council meetings in the PD court room is fine, but noted that the court room is outdated and needs to be renovated.

Council President Register reported that he attended the Symphonic Band Concert on Sunday, December 6, 2020. He commended Band Director Cliff Washburn and Principal Reeivice Girtman for being safety-conscious in an effort to bring the students together for a successful concert. Mrs. Twana Purifoy Anderson was affirmed at the last school board meeting to fill the unexpired term of Mr. Otis Hill, City Council President Pro Tem. On behalf of the Eufaula City Council members, Council President Register congratulated President Pro Tem Otis Hill for being named to the 2020 All-State School Board recently. This honor is presented to past or current school board members across the state who exhibit exemplary boardmanship and leadership skills.

Council President Register also reported that the Carnegie Library was one of twenty (20) selected libraries out of 200 that applied to receive a Community Connect Digital Access at Home grant. The grant is sponsored by the American Library Association and will provide 5 Wi-

Fi hotspots to checkout for home use. The library's Christmas program will be held online due to Covid-19. Senator Billy Beasley contributed \$2,000.00 from his discretionary fund to the local library. Library Director Ronnie Smith will present an overview of the library activities to the Council sometime during the first quarter 2021.

Mr. Robinson reported that the Chamber had an executive board meeting recently and Richard Wingate presented the audit findings and the Chamber did very well. He commended Mr. Wingate for his services. The 2021 budget was also discussed. Economic Director Phil Clayton gave an overview on meetings with perspective businesses that he has been meeting with that could potentially move to Eufaula and offer opportunities for our local residents. Mr. Clayton could possibly begin appearing before council on a quarterly basis to report activities involving opportunities for the City of Eufaula. Mr. Robinson added that each person at the Chamber presented a report of their past month's individual activity as a part of the full Chamber body. Mr. Robinson continued that there is a letter to Santa mailbox relocating from store to store during this holiday season. The mailbox is currently at Whitlock Jewelry but will move to another location soon. MainStreet Eufaula is hosting a Santa stroll on Saturday, December 12, 2020 at 10:00 a.m., and Santa will be at Superior Pecans during this time.

Mr. Robinson reported that the local airport is doing well since business has increased in recent months. The airport is currently working to resolve the issues that places limitations on night landings at the airport. Parks & Rec are continuing to work on roof repairs and the dehumidification system. The soccer teams were congratulated and commended for their recent participation in a tournament with one of the teams winning a championship. Free gift wrapping is being offered at the community center during this holiday season. Patrons may bring their own selected wrapping paper or make a selection from the center.

Mr. Brown reported that the garbage crew collected and hauled 68.18 tons of garbage to the Henry County Transfer Station. Trash crews picked up and hauled 81.60 tons of debris to the Barbour County landfill. The litter crew picked up 63 bags of trash throughout the city. Recycle compiled 15 bales of cardboard and one bale of plastic. The construction crew has been doing a great job in assisting in the city. Mr. Brown thanked Tim Brannon for keeping the city clean and attractive.

President Pro Tem Hill reported that he participated in a very productive meeting with the police chief, fire chief, and personnel. The police and fire chiefs thanked President Pro Tem Hill for meeting with them and showing support for the departments. President Pro Tem Hill commended both chiefs and their departments for the work that they do.

ADJOURNMENT

There being no further business to come before the Council, the same was on motion by Mr. Garrison duly made and seconded by Mr. Robinson, adjourned this 7th day of December, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, City Council President



ATTEST:

Joy White, City Clerk/Treasurer