

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, MAY 2, 2022**

The Eufaula City Council met in a scheduled session on Monday, May 2, 2022, at 5:15 p.m. in the Police Department courtroom at 545 East Barbour Street. Council President Register called the meeting to order, and Councilman Marvin Brown 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: Mayor Jack Tibbs and Joel Smith, City Attorney.

HONORS AND RECOGNITION

Mayor Tibbs proclaimed the month of May as Mental Health Awareness Month by the reading of proclamation from SpectraCare Health Systems, Inc. and thanked them for the services that they provide to the citizens of Barbour and other surrounding counties. SpectraCare staff members Susie Kingry and Jalyn Harrison were present for the reading of the SpectraCare proclamation.

APPROVAL OF AGENDA

Mr. Robinson offered a motion to approve the order of the amended agenda. Councilman Garrison seconded the motion. President Register explained that three weed abatements, Resolution 46-2022, Resolution 47-2022, and Resolution 49-2022 were abated and removed from today's agenda. A roll call vote was taken and recorded as follows: Yeas: Councilman Robinson, Councilman Garrison, Councilman Brown, President Pro Tem Hill, President Register. Nays: None. Council President Register then announced that the agenda was approved and adopted.

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 session minutes of April 18, 2022.
- (b) Motion and second to dispense with and approve the Claims Docket dated April 27, 2022 in the amount of \$21,183.97.

President Pro Tem Hill offered a motion to approve the Consent Agenda. Councilman Garrison seconded the motion. After a voice vote, Council President Register announced the Consent Agenda was approved and adopted.

MAYOR'S REPORT

Mayor Tibbs announced that the developer/design team for the Bluff City Inn project will be in town on Thursday, May 12, 2022. Tesla is considering a Eufaula location for electric car charging stations. In the next six to seven years, the City of Eufaula is predicted to require approximately 40 electric car charging stations. Mayor Tibbs then announced that the new

garbage cans have arrived for citywide distribution. The new pickup process is expected to benefit the city with greater efficiency and cleanliness. The Reeves housing project will begin in the coming weeks after several issues have been resolved. Former Representative Martha Roby will be assisting the City of Eufaula with obtaining appropriations for new projects that are taking place in the city such as the funding for a new critical access hospital. Former Representative Roby has been instrumental in many projects here in the city and is currently assisting with the Chattahoochee Waterway Project, funding for the new hospital, an EDA grant for the roadway located south of Eufaula, and the Youth Build program. Mayor Tibbs also announced that grants are being pursued such as the Land and Water Conservation Fund grant for pickle ball courts, a \$500,000 grant with a 50% match; a Delta Regional grant to provide funding for the cleanup of the Martin Theatre; a TAP grant for sidewalks in the middle and high school areas to improve safe travel for students between the campuses; and other grants to improve the sewer lines in the Cherry Street/Forest Hills area.

Mr. Kevin Heartsill, General Manager of the Water Works & Sewer Board explained that he WWSB/City could make application in two different programs in an effort to obtain funding relative to infrastructure repair. One of the programs pertains to a clean water program and the other to a drinking water program. WWSB has a plan and budget in place over 15-20 years, and he explained the process of the infrastructure repair. Additional updates will be made by the WWSB in the coming weeks. President Pro Tem Hill asked if any of these funds could possibly be used on the street flooding problem on Union Street. Mr. Heartsill responded that this particular infrastructure funding cannot be used, but that other available funding can be used for this project.

Mayor Tibbs addressed the council members about three options to move highway 82 north of the water tower for improved safety. A work session will be scheduled to bring more clarity about the project.

Mayor Tibbs noted the recent rise in crime and will be meeting with various authorities in an attempt to minimize crime and improve the safety of the community as a whole.

VISITORS

Mr. James Thomas, NAACP President, Chapter 5075, addressed council members about gun violence in the community. He requested a meeting with city and county law enforcement, city officials, clergy, and diverse community members to discuss ideas to gain control and minimize violence. He stated on any given day in his neighborhood, he can experience shooting, fighting, street-racing, etc., and that many of the elderly are afraid to open their doors. Some of the ideas that have been discussed in a past meeting were gun buy-back programs, additional police presence with a paid officer on the task force, youth summer programs, neighborhood watch programs, and mental health counseling. He continued that it takes the entire community to work through these violence concerns and issues and requested help from the city council and a meeting within the next 30 days. Council President Register responded by thanking the NAACP for taking an interest in the issue and wanting to be involved, and committed that a meeting will be scheduled soon.

ORDINANCES AND RESOLUTIONS

President Register introduced Resolution 50-2022 (Sales tax holiday – July 2022). Councilman Brown offered a motion to adopt Resolution 50-2022 (Sales tax holiday – July 2022).

Councilman Robinson seconded the motion. President Register then announced that Resolution 50-2022 had been adopted.

**RESOLUTION
50-2022**

WHEREAS, ACT 2017-120 changed the dates of the “Back-to-School” Sales Tax Holiday from the first weekend of August to the third full weekend of July; and

WHEREAS, the Eufaula City Council has affirmatively voted to grant the exemption of City sales and use taxes on purchases covered by Act No. 2017-120 during the third full weekend of July 2022, beginning at 12:01 a.m. on Friday, July 15, 2022 and ending at twelve midnight on Sunday, July 17, 2022;

WHEREAS, the exemption of certain City sales and use taxes for the third full weekend of July, 2022 is herein adopted by the City Council is an amendment of the City’s sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Eufaula, Alabama that it does hereby provide for an exemption of the City sales and use tax on purchases of items covered by Act No. 2017-120, beginning at 12:01 a.m. on Friday, July 15, 2022 and ending at twelve midnight on Sunday, July 17, 2022.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the May 2, 2022 meeting of the Eufaula City Council, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

IN WITNESS WHEREOF, the Eufaula City Council has caused this Resolution to be executed on this the 2nd day of May, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, Council President

ATTEST:

Joy White
City Clerk/Treasurer

President Register introduced Resolution 51-2022 (Dixon Kiln Expansion 40-9G Resolution). Phil Clayton, Director of Economic Development, explained that MC Dixon Lumber Co., Inc., seeks to replace “end-of-service life” kiln equipment under Section 40-9G-1 et. Sec., Code of Alabama to remain competitive and retain the existing workforce. This investment will not create additional jobs but will work to preserve existing jobs. This is a \$5.5 million investment in replacement natural gas fired kiln equipment, buildings, and electronic control equipment. Mr. Clayton explained that “the abated portions of the City Sales and Use tax is \$110,000.00 and property tax is \$55,671.00. (\$165,671 total City portion over ten years). Abated county and state portions of these taxes are \$225,738.00. Total abatements for all taxes are valued at \$391,409.00 total educational portion taxes.” The project period is December 2021 to April 2023. This upgrade will likely put the City of Eufaula in a position to be among the top three, if not the number one, Southeast Alabama Gas District distributions to member municipalities recipients. In the latest published figures, Southeast Gas Board chose to distribute \$3,781,000 to member municipalities for 2018.

President Pro Tem Hill offered a motion to adopt Resolution 51-2022 (Dixon Kiln Expansion 40-9G Resolution). Councilman Garrison seconded the motion. President Register then announced that Resolution 41-2022 had been adopted.

Resolution 51-2022

This Resolution is made this 2nd day of May, 2022 by the Eufaula City Council (the Granting Authority),

to grant a tax abatement to M.C. Dixon Lumber Co. Inc. (the Company).

WHEREAS, the Company has announced plans to reinvest in their existing facility as part of an addition, expansion, upgrade, improvement, and/or renovation to their existing facility (the Project), located within the jurisdiction of the Granting Authority; and

WHEREAS, the Company’s North Alabama Industry Classification System (NAICS) Code 321113, meets the qualifications of an approved activity in accordance with Section 40-9G-1(1), *Code of Alabama 1975*; and

WHEREAS, the Company has not entered into a project agreement with the Governor for the provision of other incentives for this project; and

WHEREAS, pursuant to the Alabama Reinvestment and Abatements Act (Section 40-9G-1 et seq., *Code of Alabama 1975*) (the Act) the Company has requested from the Granting Authority an Abatement of (check all that apply):

Eufaula City non-educational property taxes; and

WHEREAS, the Company has requested that the abatement of city non-educational property taxes be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has consented by resolution (attached herein) to authorize the Granting Authority to abate the non-educational property taxes on behalf of the Granting Authority; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of \$ 5,000,000.00; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out the provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply):

Eufaula City non-educational property taxes, which shall be equal to the excess amount of Eufaula City non-educational property taxes owed for the applicable tax year that is greater than the amount of city non-educational property taxes owed for the tax year immediately before the qualifying project was placed in service, specific to the property that is receiving an abatement; and

as the same may apply to the fullest extent permitted by the Act. The period of abatement for the non-educational property taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9G of the Act, as amended from time to time.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the above and foregoing was duly adopted by the Eufaula City Council at a meeting held on the 2nd day of May, 2022.

Wes Register
City Council President

Joy White
City Clerk /Treasurer

PUBLIC HEARING

Council President Register introduced Resolution 45-2022 (Weed Abatement-Trash: Lucy Glenn, etals, Ash Street). President Register opened the floor for any comments, questions, or concerns. There were no comments, questions, or concerns from the floor. Councilman Garrison offered a motion to adopt Resolution 45-2022 (Weed Abatement-Trash: Lucy Glenn, etals, Ash Street). Councilman Robinson seconded the motion. President Register announced that Resolution 45-2022 was adopted.

**RESOLUTION
45-2022**

BE IT RESOLVED that we, the City Council of Eufaula, Alabama, having examined the report from the Public Works Superintendent for the following properties:

<u>OWNER</u>	<u>LOCATION OF PROPERTY</u>	<u>PARCEL NUMBER</u>
Glenn Lucy and Glenn et als c/o Veronica A. Lee 1912 S. Belle Cour Drive Mobile, AL 36605	Ash St.	061309323018007000

Do hereby find that the properties in question constitute a public nuisance due to the weeds and/or trash existing on the properties as defined under Ordinance 1997-13, and do hereby order the abatement of such public nuisance.

ADOPTED AND APPROVED this _____ day of May, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register
City Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

Council President Register introduced Resolution 48-2022 (Weed Abatement-Trash: Veta & James Turner, Ash Street). President Register opened the floor for any comments, questions, or concerns. There were no comments, questions, or concerns from the floor. President Pro Tem Hill offered a motion to adopt Resolution 48-2022 (Weed Abatement-Trash: Veta & James Turner, Ash Street). Councilman Robinson seconded the motion. President Register announced that Resolution 48-2022 was adopted.

RESOLUTION
48-2022

BE IT RESOLVED that we, the City Council of Eufaula, Alabama, having examined the report from the Public Works Superintendent for the following properties:

OWNER	LOCATION OF PROPERTY	PARCEL NUMBER
Turner Veta V. and Turner James L. 589 Gammage Road Eufaula, AL 36027	Ash St.	061309323018004000

Do hereby find that the properties in question constitute a public nuisance due to the weeds and/or trash existing on the properties as defined under Ordinance 1997-13, and do hereby order the abatement of such public nuisance.

ADOPTED AND APPROVED this _____ day of May, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, City Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

UNFINISHED BUSINESS

COUNCIL ACTION/DISCUSSION

President Register announced that the Atlanta Braves trophy will be on display here at the Chamber of Commerce on Monday, May 16, 2022 and requested that the regularly scheduled City Council meeting be rescheduled to Tuesday, May 17, 2022 at 5:15 p.m. Councilman Robinson offered a motion that the regularly scheduled meeting for Monday, May 16, 2022 be rescheduled for Tuesday, May 17, 2022 at 5:15 p.m. Councilman Garrison seconded the motion. President Register announced that the meeting was rescheduled for Tuesday, May 17, 2022 at 5:15 p.m.

REGULAR AGENDA (NEW BUSINESS)

COUNCIL COMMITTEE REPORTS

Councilman Garrison reminded council members that the Council should be cognizant of the impact of the continued financial commitments being made to various projects and that care should be taken to assure the financial stability of our balance sheet. He stated that the City is currently in good financial standing and encouraged continued oversight to maintain that strong position.

Council President Register announced the EHS Choral group Spring Camarata concert tomorrow night and the AMMS Choral group concert May 6th. Summer Programs registration closes Friday. Teacher appreciation week is being observed currently. The EHS Theater Group High School Musical was well attended at all three performances.

Council President Register reported the Library Summer Reading Kickoff started April 26th and was well attended. Jig Saw Puzzle Swap starts today and ends May 13th. Lunch and Learn will be held May 3rd from Noon to 1:00 p.m. at the Library.

Councilman Robinson reported a fan louver will be installed in one the t-hangars to assist with resolving the moisture issues. Barge Designs is considering other options to address these issues.

Councilman Robinson reported Parks & Recreation is down to three full-time maintenance employees and no part-time. The six and under state tournament starts June 24th. A meeting with Barge Solutions is scheduled for next week to review final cuts of the Community Center renovation.

Councilman Robinson stated a Public Hearing will be held Thursday, May 12, 2022, at 5:15 P.M. at the Community Center for public input on the LWCF grant application for construction of pickle ball courts.

Councilman Robinson mentioned we are in the last few weeks of ball season and will be interested to see the amount of revenue generated.

Leadership Barbour graduation exercises were held last week and Alesha Williams was recognized as a graduate representing the City of Eufaula. The Wiregrass United Way kickoff held last week at the Chamber of Commerce was spearheaded by Sally Garrison, wife of Councilman Ben Garrison was very well attended. It was noted that Officer Larry Calhoun has been designated as the School Resource Officer.

Mayor Tibbs stated Frank Farmer, ADOT Aeronautics Director toured the airport and discussed potential grants for a new terminal and additional t-hangars.

Councilman Brown reported the garbage crew collected and hauled 60 tons of garbage. Trash crews collected and hauled 60 tons of debris to the Barbour County landfill. The litter crew collected 100 bags of litter throughout the city. The shop crew completed 12 work orders entered for vehicle and/or equipment repairs and the department recycled 20 bales of cardboard.

President Pro-Tem Hill asked Chief Watkins for an update. Chief Watkins stated that 14 officers had attended SWAT school for certification. He stated he was very proud of those officers.

ADJOURNMENT

There being no further business to come before the Council, a motion to adjourn was made by Councilman Robinson and duly seconded by Councilman Garrison. The meeting was pronounced adjourned this 2nd day of May, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, Council President

ATTEST:

Joy White, City Clerk/Treasurer