

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON  
MONDAY, JUNE 1, 2020 AT 5:15 P.M.**

The Eufaula City Council met in a scheduled session on Monday, June 1, 2020, at 5:15 p.m. in the Police Department Courtroom at 545 East Barbour Street. Upon call of the roll the following members were present: Council President Johnny A. Knight, President Pro Tem Barbara Flurry, Lucious Cobbs, Linda Grice, and Tony L. Robertson.

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

Council President Knight called the meeting to order, and Bro. Don Dillard offered the invocation. Council President Knight led the Council and audience in the Pledge of Allegiance.

**HONORS AND RECOGNITION**

**APPROVAL OF AGENDA**

Mrs. Flurry offered a motion to approve the order of the June 1, 2020 agenda. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**CONSENT AGENDA**

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

- (a) Motion and second to dispense with and approve the City Council minutes of May 18, 2020.
- (b) Motion and second to approve the Claims Docket dated May 27, 2020, in the amount of \$6,922.42.

Mr. Cobbs moved to approve the Consent Agenda. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**MAYOR'S REPORT**

Mayor Tibbs announced that an Industrial Access grant in the approximate amount of \$700,000 is awaiting approval for the paving of the southern Industrial Park. An emergency ADECA grant in the approximate amount of \$300,000 has been approved for the paving of the northern Industrial Park.

Mr. Tim Brannon, Public Works Manager, announced that the department has applied through the recycle program for an ADEM grant for the purchase of a new Bobcat Skid-Steer Loader for the total cost of \$31,000 with no matching City funds. The City has also applied for a TAP grant through ALDOT for the sidewalks that will be located along St. Francis Road and Lake Drive to aid in safe travel primarily for students to and from the schools in that area. The approximate grant amount of \$200,000 requires City matching funds in the amount of \$86,000.

Mayor Tibbs also announced that repairs are being completed at the local Weedon Field Airport to include work on the hangars, paving, and landscaping. The street paving project will begin in the coming weeks in the Forest Hills Subdivision. The City has also applied for FEMA grants to

purchase a ladder truck for the fire department. The joint EDA grant for the City of Eufaula and the Water Works & Sewer Board will be designated for the repair of the infrastructure located in the southern Industrial Park. The grant is in the approximate amount of \$3,793,000. The City of Eufaula is in the process of applying for the second phase ADECA - CDBG Housing Rehab grant for the Edgewood neighborhood. Mayor Tibbs congratulated the staff for their hard work on the various and ongoing city projects.

Mrs. Grice added that the owner of the Longview property located at the end of Riverside Drive has begun cleanup on the property, and seeking to turn the establishment into a venue to host special occasion events.

## **VISITORS**

## **ORDINANCES AND RESOLUTIONS**

Council President Knight introduced Resolution 38-2020 (Sales Tax Holiday for July 2020). Mrs. Flurry offered a motion to adopt Resolution 38-2020. Mrs. Grice seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

### **RESOLUTION 38-2020**

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 2020, beginning at 12:01 a.m. on Friday, July 17, 2020 and ending at twelve midnight on Sunday, July 19, 2020;

WHEREAS, the exemption of certain City sales and use taxes for the third full weekend of July, 2020 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 17, 2020 and ending at twelve midnight on Sunday, July 19, 2020.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the June 1, 2020 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 1st day of June, 2020.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Johnny A. Knight, Council President

ATTEST:

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Joy White  
City Clerk/Treasurer

Council President Knight introduced Resolution 39-2020 (FY2020 Budget Amendment). Mr. Robertson offered a motion to adopt Resolution 39-2020. Mr. Cobbs seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION  
39-2020

WHEREAS, the City of Eufaula adopted the FY2020 general fund budget on October 7, 2019; and

WHEREAS, on February 3, 2020 the Eufaula City Council approved a 3 Cents increase in Gas and Motor Fuel Tax; and

WHEREAS, on March 16, 2020 the Eufaula City Council approved financing in the amount of \$ 3,000,000.00 for a seven year term for the resurfacing of numerous streets in the City; and

NOW THEREFORE, an amendment of the general fund budget is proposed as follows:

Local Gas & Oil Taxes	\$ 150,000.00 (Increase)
Debt Service	129,769.83 (Increase)
Prior Years Surplus	20,230.17 (Decrease)

ADOPTED AND APPROVED this 1st day of June, 2020.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Johnny A. Knight  
City Council President

ATTEST:

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Joy White  
City Clerk/Treasurer

Council President Knight introduced Resolution 40-2020 (Resolution Authorizing ECA – Ewing-Conner and Associates). Mr. Cobbs offered a motion to adopt Resolution 40-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION  
40-2020

**WHEREAS**, The City of Eufaula, Alabama published a Request For Proposals on May 10, 2020 for 2020 Community Development Block Grant (CDBG) application preparation services and subsequent, program management and administrative services, should the application receive funding approval; and

**WHEREAS**, only one proposal was submitted for the services and the submission from Ewing-Conner and Associates, Inc. was deemed satisfactory to the City for the preparation and filing of any 2020 CDBG application and subsequent, administration, management, and implementation of the project, should funding approval be forthcoming.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council authorizes Ewing-Conner and Associates, Inc. to begin project development activities, and in the event a project is determined feasible, Ewing-Conner & Associates, Inc. is so authorized to begin the 2020 CDBG application preparation activities for ultimate submission of said application to the Alabama Department of Economic and Community Affairs (ADECA) for funding consideration. Said application development and preparation services shall be provided at no cost to the City of Eufaula, and in the event the application is approved for funding, the Mayor of the City of Eufaula is hereby authorized to enter into a contractual agreement with Ewing-Conner and Associates, Inc. at the appropriate time for the overall administration and management of the approved 2020 CDBG project with compensation being in accordance with ADECA's Administrative Fee Schedule at the time of contract execution.

**ADOPTED** on this the 1<sup>st</sup> day of June, 2020.

THE CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Johnny A. Knight, President

ATTEST:

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Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 41-2020 (Police Department Equipment Surplus). Mr. Cobbs offered a motion to adopt Resolution 41-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION  
41-2020**

WHEREAS, THE City of Eufaula Police Department has equipment which is no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded property.

**SECTION 1.** The following items are declared surplus and will be exchanged for credit against newer model weapons with Phazzer America:

<b>Equipment</b>	<b>Manufacturer</b>	<b>Serial Number</b>	<b>Decal Number</b>
Taser	Taser International	X00-717892	004145
Taser	Taser International	X00-717842	004136
Taser	Taser International	X00-384070	003580
Taser	Taser International	X00-717858	004140
Taser	Taser International	X00-384140	003579
Taser	Taser International	X00-717895	004135

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be, and hereby are, authorized and directed to dispose of the Police Department equipment as described above.

ADOPTED AND APPROVED this \_\_\_\_\_ day of June, 2020.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Johnny A. Knight, President

ATTEST:

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Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 42-2020 (Resolution Authorizing Lease of Safety Cameras). Mrs. Grice offered a motion to adopt Resolution 42-2020. Mrs. Flurry seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION  
42-2020

WHEREAS, The City of Eufaula Police Department desires to enter into a lease agreement with the Alabama Power Company for Safety Cameras; and

WHEREAS, the Safety Cameras will assist the Police Department with operations and will be beneficial in assuring safety to the public and our officers; and

WHEREAS, the lease amount is \$ 833.35 per month for an initial term of twenty-four (24) months, and after the initial term, this agreement automatically renews for an additional twenty-four (24) months, until terminated by either party per proper notice as outlined in the agreement.

NOW THEREFORE, BE IT RESOLVED, the City of Eufaula City Council authorizes the Mayor, Jack B. Tibbs, Jr., in his official capacity to execute the agreement.

ADOPTED on this the 1<sup>st</sup> day of June, 2020.

THE CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Johnny A. Knight, President

ATTEST:

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Joy White, City Clerk/Treasurer

**PUBLIC HEARING**

Council President Knight introduced Resolution 36-2020 (Teaford Weed Abatement – 1821 Country Club Road). Mr. Robertson offered a motion to adopt Resolution 36-2020. Mrs. Flurry seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION  
36-2020**

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
James William Teaford 1821 Country Club Road Eufaula, AL 36027	1821 Country Club Rd.	061309313004010000

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 June, 2020.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Johnny A. Knight  
City Council President

ATTEST:

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Joy White, CMC  
City Clerk/Treasurer

Council President Knight introduced Resolution 37-2020 (Railey Weed Abatement – 719 Stuart Street). Mr. Cobbs offered a motion to adopt Resolution 37-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION  
37-2020**

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>
Billy Railey 87 Walden Woods Loop Eufaula, AL 36027	719 Stuart St.	062403051017009000

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 June, 2020.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Johnny A. Knight  
City Council President

ATTEST:

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Joy White, CMC  
City Clerk/Treasurer

**UNFINISHED BUSINESS**

**COUNCIL ACTION/DISCUSSION**

Mrs. Grice moved to re-appoint Jeanette Baxley, Merrill Dillon, Mamie Hamilton, and Kay Whaley to the Eufaula Carnegie Library Board to serve another three-year term. Mr. Cobbs seconded the motion. After a voice vote, Jeanette Baxley, Merrill Dillon, Mamie Hamilton, and Kay Whaley were re-appointed to the Eufaula Carnegie Library to serve another three-year term. These terms will expire July 15, 2023.

Mrs. Grice moved to re-appoint David Patrick and Frank Petry to the Airport Advisory Panel to serve another five-year term. Mr. Robertson seconded the motion. After a voice vote, David



Patrick and Frank Petry were re-appointed to the Airport Advisory Panel to serve another five-year term. These terms will expire July 6, 2025.

Mr. Robertson moved to re-appoint Jacque Morris to the Personnel Advisory Panel to serve another three-year term. Mr. Cobbs seconded the motion. After a voice vote, Jacque Morris was re-appointed to the Personnel Advisory Panel to serve another three-year term. This term will expire June 7, 2023.

**REGULAR AGENDA (NEW BUSINESS)**

**COUNCIL COMMITTEE REPORTS**

Keef Pettis announced that after considering input from coaches, the board, and parents in light of COVID-19, baseball and softball games for the summer have been cancelled for the safety of everyone. Seasonal games are expected to resume next season.

**ADJOURNMENT**

There being no further business to come before the Council, the same was on motion by Mrs. Flurry duly made and seconded by Mr. Cobbs, adjourned this 1<sup>st</sup> day of June, 2020.

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Johnny A. Knight, City Council President

ATTEST:

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Joy White, City Clerk/Treasurer