

**MINUTES OF A MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, JUNE 5, 2023**

The Eufaula City Council met in a scheduled session on Monday, June 5, 2023, at 5:15 p.m. in the police department courtroom at 545 East Barbour Street. Council President Register called the meeting to order, and Dr. Richard Harvey offered the invocation. 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, Councilman Marvin Brown, Councilman Ben Garrison, and Councilman John Robinson.

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

HONORS AND RECOGNITION

APPROVAL OF AGENDA

Councilman Robinson offered a motion to approve the order of the agenda for June 5, 2023. President Pro Tem Hill seconded the motion. President Register announced that the agenda was approved and adopted.

CONSENT AGENDA

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 May 15, 2023.
- (b) Motion and second to dispense with and approve the Claims Docket dated May 31, 2023, in the amount of \$27,811.23.

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

MAYOR'S REPORT

President Register reported for Mayor Tibbs that the new hotel design will be finalized by the end of July 2023. The plans/design are tentatively scheduled for release to the public by late summer.

VISITORS

ORDINANCES AND RESOLUTIONS

President Register introduced Resolution 44-2023 (Authorizing Mayor to Execute Agreement for Engineering Services for Community Center Renovations). Councilman Robinson offered a motion to adopt Resolution 44-2023 (Authorizing Mayor to Execute Agreement for Engineering Services for Community Center Renovations). President Pro Tem Hill seconded the motion.

After a voice vote, President Register announced Resolution 44-2023 was approved and adopted.

**RESOLUTION
44-2023**

WHEREAS, Barge Design Solutions has submitted amendment number 1 for additional professional services for the Community Center Renovations Project; and

WHEREAS, the maximum fee to provide additional services is \$ 144,634.00; and

WHEREAS, the source of funding for the renovation project will be from the 2022 Bond Issue and/or from the American Rescue Plan Act (ARPA).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eufaula that the additional services amendment number 1 submitted by Barge Design Solutions is hereby approved and Mayor Jack B. Tibbs, Jr., in his official capacity, is authorized to execute all necessary documents relating to said amendment.

DONE THIS 5th of June, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
Council President

ATTEST:

Joy White, City Clerk/Treasurer

President Register introduced Resolution 45-2023 (Renovation Change Order – Anderson Construction). Councilman Robinson offered a motion to adopt Resolution 45-2023 (Renovation Change Order – Anderson Construction). President Pro Tem Hill seconded the motion. After a voice vote, President Register announced Resolution 45-2023 was approved and adopted.

**RESOLUTION
45-2023**

WHEREAS, the City of Eufaula opened bids on the 26th day of January, 2023 for the Community Center Renovation Project; and

WHEREAS, on the 20th day of March, 2023 the bid was awarded to Anderson Construction Company in the amount of \$ 3,929,015.00; and

WHEREAS, the Park & Recreation Director and Staff desire to modify the exterior of the Jaxon Life Senior Center to repair the water leaks during heavy rains and to match the renovations of the Community Center; and

WHEREAS, the change order for the modification is \$ 47,752.74.

WHEREAS, the source of funding for the renovation project will be from the 2022 Bond Issue and/or from the American Rescue Plan Act (ARPA).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Eufaula authorizes Mayor Jack B. Tibbs, Jr. to execute the change order for the project.

ADOPTED AND APPROVED this 5th of June, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White, City Clerk/Treasurer

President Register introduced Resolution 46-2023 (Ratifying Removal of Trees at 129 West Broad Street). Councilman Garrison offered a motion to adopt Resolution 46-2023 (Ratifying Removal of Trees at 129 West Broad Street). Councilman Robinson seconded the motion. After a voice vote, President Register announced Resolution 46-2023 was approved and adopted.

**RESOLUTION
46-2023**

WHEREAS, the City of Eufaula recently authorized the demolition of a structure located at 129 West Broad Street in order to construct a parking lot; and

WHEREAS, following the demolition it was observed that several trees needed to be removed from the property so as not to interfere with the layout of the parking lot; and

WHEREAS, a quote in the amount of \$4,500.00 to remove the trees has been received from the vendor who demolished the structure; and

WHEREAS, so as to not incur additional cost increase by waiting three weeks until the next meeting, the City Council at its May 15th meeting voted to have the trees removed at the quoted cost of \$4,500.00 and to ratify the action at its meeting on June 5, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Eufaula does hereby ratify the action at the May 15th, 2023 meeting to have the trees removed at a cost of \$4,500.00.

DONE THIS 5th day of June, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
President

ATTEST:

Joy White, City Clerk

President Register introduced Resolution 50-2023 (Declaring Public Works Property Surplus). Councilman Garrison offered a motion to adopt Resolution 50-2023 (Declaring Public Work Property Surplus). President Pro Tem Hill seconded the motion. After a voice vote, President Register announced Resolution 50-2023 was approved and adopted.

**RESOLUTION
50-2023**

WHEREAS, THE City of Eufaula Public Works 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 item is no longer in service and is are declared surplus for sale on GovDeals.com or sold as scrap:

Description	VIN	Decal Number
1994 Ford F350 Crew Cab Shop Svc Trk.	1FTJW35H4REA49530	002989

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

ADOPTED AND APPROVED this _____ day of June, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
Council President

ATTEST:

Joy White, City Clerk/Treasurer

President Register introduced Resolution 51-2023 (Engineering Agreement with Barge Design Solutions for Design of New Partial Taxiway). Councilman Garrison clarified that a study and design for the new Partial Parallel Taxiway (south) would be done in this current phase for fees presented in Resolution 51-2023. Construction will come later in a separate phase apart from this current phase. Councilman Garrison also verified the percentage cost for the state at 5% and the city at 5%, and that the city would be committing to 5% of the total project cost of \$4,000,000, or approximately \$215,000 for the full project. Councilman Garrison then offered a motion to adopt Resolution 51-2023 (Engineering Agreement with Barge Design Solutions for Design of New Partial Taxiway). President Pro Tem Hill seconded the motion. After a voice vote, President Register announced Resolution 51-2023 was approved and adopted.

**RESOLUTION
51-2023**

WHEREAS, Barge Design Solutions has submitted a contract for Project Development, Survey and Design Phase Services for a new Partial Parallel Taxiway at Weedon Field Airport; and

WHEREAS, Barge Design Solutions fee is \$ 128,853.00 and the Federal Aviation Administration will fund 90%, State Aeronautics 5% and the City of Eufaula 5% of the fee; and

WHEREAS, the City will approve any additional fees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Eufaula does hereby accept the proposal of Barge Design Solutions and authorizes Jack B. Tibbs, Jr., in his official capacity as Mayor to execute all documents relating to contract.

DONE THIS 6th day of June, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White, City Clerk/Treasurer

PUBLIC HEARING

President Register introduced Resolution 42-2023 (Weed/Trash Abatement: David Daniel and Lottie Wright, Dale Road). President Register called for comments from the floor. Councilman Brown stated that this resolution needed additional clarification. President Register closed the floor, and Councilman Robinson offered a motion to table Resolution 42-2023 (Weed/Trash Abatement: David Daniel and Lottie Wright, Dale Road). President Pro Tem Hill seconded the motion. After a voice vote, President Register announced Resolution 42-2023 was tabled.

President Register introduced Resolution 47-2023 (Weed/Trash Abatement: Beauchamp Livingston, etals, c/o Sim Hines, Cotton Avenue). President Register called for comments from the floor. There were no comments. President Register closed the floor and Councilman Garrison offered a motion to adopt Resolution 47-2023 (Weed/Trash Abatement: Beauchamp Livingston, etals, c/o Sim Hines, Cotton Avenue). Councilman Robinson seconded the motion. After a voice vote, President Register announced Resolution 47-2023 was approved and adopted.

RESOLUTION
47-2023

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>
Beauchamp Livingston Et als c/o Sim Hines 916 Cotton Ave. Eufaula, AL 36027	Cotton Ave.	061309321004008000

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, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

President Register introduced Resolution 48-2023 (Weed/Trash Abatement: James L. & Veta V. Turner, Ash Street). President Register called for comments from the floor. There were no comments. President Register closed the floor and Councilman Garrison offered a motion to adopt Resolution 48-2023 (Weed/Trash Abatement James L. & Veta V. Turner, Ash Street). Councilman Robinson seconded the motion. After a voice vote, President Register announced resolution 48-2023 was approved and adopted.

RESOLUTION
48-2023

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 Street	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 June, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

President Register introduced Resolution 49-2023 (Weed/Trash Abatement: Annie Ruth Slater, West Washington Street). President Register called for comments from the floor. There were no comments. President Register closed the floor and President Pro Tem Hill offered a motion to adopt Resolution 49-2023 (Weed/Trash Abatement: Annie Ruth Slater, West Washington Street). Councilman Garrison seconded the motion. After a voice vote, President Register announced Resolution 49-2023 was approved and adopted.

RESOLUTION
49-2023

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
Annie Ruth Slater 622 Ash Street Eufaula, AL 36027	West Washington Street	061309323020020000

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, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

UNFINISHED BUSINESS

COUNCIL ACTION/DISCUSSION

President Register introduced the Airport Advisory Board re-appointment for Jim Scarborough. Councilman Robinson offered a motion that Jim Scarborough be re-appointed to the Airport Advisory Board for another five-year term. Councilman Garrison seconded the motion. After a voice vote, President Register announced that Jim Scarborough was re-appointed to another five-year term on the Airport Advisory Board set to expire on July 6, 2028.

President Register introduced the Carnegie Library Board re-appointments for Merrill Dillon, Mamie Hamilton, and Amy Catherine White. Councilman Garrison offered a motion for the re-appointment of Merrill Dillon, Mamie Hamilton, and Amy Catherine White. Councilman Robinson seconded the motion. After a voice vote, President Register announced that Merrill Dillon, Mamie Hamilton, and Amy Catherine White were re-appointed to another three-year term on the Carnegie Library Board set to expire July 15, 2026.

President Register announced that there is a vacancy on the Carnegie Library Board and that resumes will be accepted for one week, reviewed, and placed on the next council agenda for appointment on Tuesday, June 20, 2023.

Councilman Robinson offered a motion to reschedule Monday, June 19, 2023, council meeting to Tuesday, June 20, 2023, due to the Juneteenth holiday. President Pro Tem Hill seconded the motion. After a voice vote, President Register announced that the motion had carried.

City Attorney Joel Smith explained the public notice process due to *The Tribune* no longer being in the City of Eufaula. Due to the nature of publishing legal, time-sensitive materials such as ordinances, public meeting notifications, etc., this poses an issue for publications through *The Tribune* newspaper media in a timely manner. Although there are numerous Attorney General

opinions, City Attorney Smith stated that a finding-of-fact on Amendment 757 may be an alternative for this issue.

REGULAR AGENDA (NEW BUSINESS)

COUNCIL COMMITTEE REPORTS

Councilman Garrison commended Congress for avoiding a government shut down, and noted the optimistic trend of new businesses that continue to construct and/or open in the city.

President Register announced that Principal Lewis from the elementary school and Dr. Kiser have relocated from the AMMS middle school to the central office. Ms. Tera Snead is the new EES principal and Mr. Sean Clark is the new AMMS principal. Ms. Katrina Wright is voted the new City Schools Board president, and Ms. Caty Richardson is the new vice-president. The summer reading program is held at the Carnegie Library at 2:00 p.m. each Thursday in June. The next brown bag lunch will be held at the library on June 7th at 12 noon and the topic will be "Home Irrigation and Water Management". Cloud Library and Canopy are new apps that are being offered for library services.

Councilman Robinson reported that June 19th is Freedom Day that will be celebrated at the Yoholo Micco Trail field/entrance across from the Chamber of Commerce from 10:00 a.m. to 3:00 p.m. Farmer's Market will be held every Thursday throughout the summer from 2:30 p.m. – 6:00 p.m. A tax cut bill has passed to cut taxes on groceries this year from 4% to 3% in September, and from 3% to 2% in 2024. Ball tournaments will be hosted for the remainder of June 2023. The annual youth fishing rodeo will be held on July 14th at Old Creek Town.

Councilman Brown reported the following for the public works department: 35 bales of cardboard recycled, Code Enforcement issued 80 solid waste and non-compliance letters, the shop crew completed 61 work orders entered for vehicle and/or equipment repairs, the litter crew collected 305 bags of litter, the trash crew collected and hauled 197 tons of debris to the Barbour County landfill, and the garbage crew collected and hauled 232 tons of garbage.

ADJOURNMENT

There being no further business to come before the Council, the same was on motion by Councilman Garrison, and duly seconded by Councilman Robinson adjourned this 5th day of June, 2023.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White, City Clerk/Treasurer