

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, AUGUST 3, 2020 AT 5:15 P.M.**

The Eufaula City Council met in a scheduled session on Monday, August 3, 2020, at 5:15 p.m. in the Police Department Courtroom at 545 East Barbour Street. Council President Knight called the meeting to order, and Mr. Ken Senes offered the invocation. Council President Knight led the Council and audience in the Pledge of Allegiance.

Upon call of the roll the following members were present: Council President Johnny A. Knight, President Pro Tem Barbara C. Flurry, Lucious Cobbs, Linda S. Grice, and Tony L. Robertson.

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

HONORS AND RECOGNITION

APPROVAL OF AGENDA

Mrs. Flurry offered a motion to approve the order of the August 3, 2020 agenda. Mr. Cobbs 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 July 20, 2020.
- (b) Motion and second to approve the Claims Docket dated July 29, 2020, in the amount of \$11,533.99.

Mrs. Grice moved to approve the Consent Agenda. Mrs. Flurry seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

MAYOR'S REPORT

Mayor Tibbs asked the Council to consider adopting Resolution 77-2020 (Resolution to fund Retail Strategies Services with Chamber – August 2020). He stated that the City of Eufaula and the Eufaula-Barbour County Chamber of Commerce wish to partner in aggressively pursuing recruitment of new retail establishments to our community. Retail Strategies submitted a proposal to provide market research, market gap analysis, identification of businesses that will succeed in our market, and extensive recruitment of their businesses, with the coordination between the City of Eufaula, Barbour County, and Chamber of Commerce.

Retail Strategies is a well-established national expert in recruiting businesses on behalf of communities that will pay a return in sales taxes, added jobs, and will bring businesses that will enhance and add to the unique qualities of our community. The City of Eufaula would be committed to \$15,000 per year for three years toward the funding of the Retail Strategies recruiting services.

Mayor Tibbs stated that work continues on the Bluff City Inn project, and an agreement is expected within the week.

Mayor Tibbs announced that the street paving project is progressing well. The Willow Oaks S/D has been completed, and work has begun on old Abbeville Highway followed by Shadow Moss and Hunter's Inlet respectively.

VISITORS

Ms. Abby Ferguson with the Alabama Department of Environmental Management stated that in 2008, through the Solid Waste Recycle Materials Management Act, the agency desired to improve its effort of recycling in the state of Alabama. It put forth legislation that placed a \$1.00 per ton fee, also known as a tipping fee, on all materials that were sent to the landfill. A portion of this tipping fee goes to the Alabama Recycling Fund and to other similar grants. In 2017, the state of Alabama wanted to accomplish a 25% recycling goal weight, and for the third year in a row the Department of Environmental Management has been able to accomplish that goal. Ms. Ferguson thanked Mr. Tim Brannon, and Mr. Chris Dollar for submitting an application and encouraged them to continue moving forward with recycling which makes a difference in the community, particularly with the 25% rate getting better as it increases. Ms. Ferguson then presented the City of Eufaula Recycling with a check in the amount of \$30,907.

ORDINANCES AND RESOLUTIONS

Council President Knight introduced Resolution 72-2020 (Accepting bid of Midsouth Paving for Lakepoint Industrial Park Road Resurfacing). Mr. Robertson offered a motion to adopt Resolution 72-2020. Mr. Cobbs seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION 72-2020

WHEREAS, on July 20, 2020, the City of Eufaula opened sealed bids for the Lakepoint Industrial Park Road Resurfacing Project; and

WHEREAS, this project will resurface streets at the Lakepoint Industrial Park;
and

WHEREAS, two bids were received for the project.

Midsouth Paving, Inc.	\$ 252,420.00
Wiregrass Construction Co., Inc.	\$ 263,990.00

NOW, THEREFORE, BE IT RESOLVED that the bid submitted by Midsouth Paving, Inc. be accepted and that Mayor Jack B. Tibbs, Jr., in his official capacity, be authorized to execute all necessary documents relating to the project.

DONE THIS 3rd Day of August, 2020.

THE CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 73-2020 (Election Expenses Authorization 2020). Mr. Cobbs offered a motion to adopt Resolution 73-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION
73-2020

WHEREAS, the City of Eufaula's municipal election will be held on Tuesday, August 25, 2020; and

WHEREAS, the County Commission has agreed to lease Pollpads to the City for use during the election; and

WHEREAS, the City wishes to utilize the Pollpads to assure an efficient and accurate process; and

WHEREAS, other expenses which are normal for an election are anticipated.

NOW THEREFORE, BE IT RESOLVED BY THE City Council of the City of Eufaula, that the Mayor be authorized to execute the contract with the County Commission for the Pollpads; and

BE IT FURTHER RESOLVED, that the Mayor be authorized to approve other expenditures that may occur to provide for a safe and efficient election.

ADOPTED AND APPROVED this 3rd day of August, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, Council President

ATTEST:

Joy White, City Clerk

Council President Knight introduced Resolution 74-2020 (Authorizing Mayor to execute agreement for engineering services for 2020 Industrial Access Project for State Docks Road). Mrs. Flurry offered a motion to adopt Resolution 74-2020. Mr. Cobbs seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION
74-2020**

WHEREAS, the City of Eufaula desires to have professional engineering services and consultation performed relative to the preparation of plans and specifications for construction of the 2020 Industrial Access Project for State Docks Road; and

WHEREAS, the City of Eufaula is required by the Alabama Department of Transportation to obtain construction engineering services; and

WHEREAS, Goodwyn, Mills and Cawood, Inc. has submitted an agreement for construction engineering services of \$ 45,000.00 and, if needed, row acquisition and ADEM permit not to exceed \$ 15,000.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eufaula that the agreement for engineering services submitted by Goodwyn, Mills and Cawood, Inc. is hereby approved and Mayor Jack B. Tibbs, Jr., in his official capacity, is authorized to execute all necessary documents relating to said agreement.

DONE THIS 3rd day of August, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, Council President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 75-2020 (Issuing Certificate of Election for Marvin Allen Brown – District III). Mr. Cobbs offered a motion to adopt Resolution 75-2020. Mr.

Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION
75-2020

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government; and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended; and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person; and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person; and

WHEREAS, the Mayor of the City of Eufaula, Alabama has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council Member, District Three prior to the deadline and that the name of that person who filed such statement was **Marvin Allen Brown**.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eufaula, Alabama that **Marvin Allen Brown** be and he is hereby declared duly elected to the office of Council Member, District Three for the term of office commencing on the first Monday in November, 2020; and

BE IT FURTHER RESOLVED that the Mayor of the City of Eufaula, Alabama be and he hereby is directed to issue a Certificate of Election to **Marvin Allen Brown** for

the office of Council Member, District Three for such term pursuant to the provisions of Section 11-46-25, as amended.

ADOPTED AND APPROVED this the 3rd day of August, 2020.

CITY OF EUFAULA, ALABAMA,
A MUNICIPAL CORPORATION

Johnny A. Knight
City Council President

ATTEST:

Joy White
City Clerk/Treasurer

Council President Knight introduced Resolution 77-2020 (Resolution to fund Retail Strategies Services with Chamber – August 2020). Mrs. Grice offered a motion to adopt Resolution 77-2020. Mrs. Flurry seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION
77-2020

WHEREAS, the City of Eufaula and the Eufaula-Barbour County Chamber of Commerce wish to partner in aggressively pursuing recruitment of new retail establishments to our community; and

WHEREAS, a proposal has been submitted from the firm, Retail Strategies, to provide market research, market gap analysis, identification of businesses that will succeed in our market, and extensive recruitment of those businesses, with the coordination between the City, County and Chamber; and

WHEREAS, Retail Strategies is a well-established national expert in recruiting businesses on behalf of communities that will pay a return in sales taxes, added jobs, and will bring businesses that will enhance and add to the unique qualities of our community; and

WHEREAS, the proposed cost of the three year commitment is \$40,000 in year one, \$35,000 in year two, and \$35,000 in year three for a total of \$110,000; and

WHEREAS, the City supports the three year commitment to allow the investment to bring to fruition the goal of recruiting and securing new retail businesses to our area.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Eufaula approves a commitment of \$15,000 per year toward the funding of the Retail Strategies recruiting services.

ADOPTED AND APPROVED this 3rd day of August, 2020.

THE CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 78-2020 (Authorizing Amendment to Contract with Midsouth Paving for 2020). Mrs. Flurry offered a motion to adopt Resolution 78-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION
78-2020**

WHEREAS, on April 14, 2020, the City of Eufaula opened sealed bids for the 2020 City Street Resurfacing project; and

WHEREAS, Midsouth Paving, Inc. was awarded the bid in the amount of \$ 3,085,473.45; and

WHEREAS, the Mayor and the Public Works Director have determined the need to resurface Industrial Drive from the railroad tracks to the end of the street, and Humminbird Lane from Industrial Park Drive to, and including, the cul-de-sac.

NOW, THEREFORE, BE IT 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 estimated to be an additional \$ 90,675.00.

ADOPTED AND APPROVED this 3rd Day of August, 2020.

THE CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 79-2020 (ADETF 2021 Distributing Agency). Mrs. Flurry offered a motion to adopt Resolution 79-2020. Mrs. Grice seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION
79-2020

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 of 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 FY '21 totaling \$204,306.00 for ADETF Region B, which consists of 9 Agencies and 13 Task Force Officers and to be responsible for the allocation and reimbursement of grant funds and the accurate accountability of all funds; and

NOW THEREFORE, BE IT RESOLVED BY THE City of Eufaula, Alabama, that the City Council authorizes Chief of Police Steve Watkins or his designee to enter in to 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 ____ day of August, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight
City Council President

ATTEST:

Joy White
City Clerk

Council President Knight introduced Resolution 80-2020 (Election Workers). Mrs. Grice offered a motion to adopt Resolution 80-2020. Mrs. Flurry seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION
80-2020

WHEREAS, a regular municipal election has been called to be held on the 25th day of August, 2020 and a runoff election to be held, if necessary, on the 6th day of October, 2020; and

WHEREAS, Section 11-46-27 of the Alabama Code of 1975, and regulations adopted pursuant thereto provide, in part, that the municipal governing body, not less than 15 days before the holding of any municipal election, appoint from the municipality, officers to hold the election as follows: Where electronic ballot counters are used, at least one inspector and three clerks.

NOW, THEREFORE, BE IT RESOLVED by the City of Eufaula, Alabama, that the election officers for said election shall be as follows:

DISTRICT 1 – EUFAULA COMMUNITY CENTER

Inspector:	Timothy McBride
Clerks:	Sonja Franklin
	Meritta Hicks
	Ruby Burggrabe
	Judy Cooner
	Amanda Richardson

DISTRICT 2 – SANFORD AVENUE GYMNASIUM

Inspector: Eartha Robinson
Clerks: Margaret Appling

Bernita Smith
Tonya Brooks
Joshua Shakespeare

DISTRICT 3 – T.V. McCOO COMPLEX

Inspector: Carolyn Hinton
Clerks: Angela Diggs
Lekeyia Richardson
Ellen Green
Lloyd McKemy

DISTRICT 4 – WATER BOARD BUILDING

Inspector: Karen Bradford
Clerks: Ethel Conner
Faye Bumgardner
Cindy Hodnette
Aleda Senes

DISTRICT 5 – Beville Center, Wallace College

Inspector: Donna Doss
Clerks: Linda Coates
Rose Hamilton
Pat Teal
Carla Cutchen
Carol Woodruff

ABSENTEE BALLOT BOX

Inspector: Moses Erkins – Inspector
Clerks: James Ernest Ransom
Jan B. Meadows
Peggy Richardson

ALTERNATES

Tammy McBride

Kaye Cutchen

Marrilu Salmon

BE IT FURTHER RESOLVED, the City Clerk is authorized to amend the above list as needed due to unanticipated cancellations, or vacancies which need to be filled subsequent to this resolution.

BE IT FURTHER RESOLVED, that election training school will be held Monday, August 17, 2020, at 1:00 p.m. at the Eufaula Chamber of Commerce, 333 East Broad Street, Eufaula, AL 36027.

ADOPTED AND APPROVED this 3rd day of August, 2020.

CITY OF EUFAULA, ALABAMA.
A MUNICIPAL CORPORATION

Johnny A. Knight
City Council President

ATTEST:

Joy White, City Clerk/Treasurer

PUBLIC HEARING

Council President Knight introduced Resolution 76-2020 (Weed abatement – Faye B. Daniels – Lot 11, Lakewood Drive S/D). Council President Knight called for comments or concerns on behalf of Faye B. Daniels. There was no response. Mr. Cobbs offered a motion to adopt Resolution 76-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION
76-2020**

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
Faye B. Daniels 8 Oak Drive Eufaula, AL 36072-0249	Lot 11 Lakewood Drive S/D	2404200001096000

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 August, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight
City Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

UNFINISHED BUSINESS

COUNCIL ACTION/DISCUSSION

REGULAR AGENDA (NEW BUSINESS)

COUNCIL COMMITTEE REPORTS

Council President Knight acknowledged Mayor Jack Tibbs and all of the candidates running in the City of Eufaula Municipal Election 2020. Candidates present included:

District I	Tony Robertson, Incumbent Ben Garrison
District II	Jeff Robinson
District III	Council Member-Elect Marvin A. Brown
District IV	John Robinson Kaloeb Morris
District V	Barbara C. Flurry, Incumbent Wes Register

Council President Knight wished success to all of the incumbents and candidates for the upcoming election to be held on August 25, 2020.

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 3rd day of August, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, City Council President

ATTEST:

Joy White, City Clerk/Treasurer