

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, SEPTEMBER 21, 2020 AT 5:15 P.M.**

The Eufaula City Council met in a scheduled session on Monday, September 21, 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 Associate Pastor Don Dillard 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: Mayor Jack Tibbs, Joy White, City Clerk/Treasurer, and Joel Smith, City Attorney.

HONORS AND RECOGNITION

APPROVAL OF AGENDA

Mr. Cobbs offered a motion to approve the order of the amended September 21, 2020 agenda. Mrs. Grice 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 special called session minutes of September 14, 2020.
- (b) Motion and second to dispense with and approve the minutes of September 8, 2020.
- (c) Motion and second to dispense with and approve the Prepaid Claims Docket dated August 31, 2020 in the amount of \$3,387,896.04.
- (d) Motion and second to dispense with and approve the Claims Docket dated September 16, 2020 in the amount of \$64,359.05.

Mrs. Grice 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 commended all first responders, public works, and Alabama Power for their service during the storm last week. Mayor Tibbs noted that the city endured flooding, erosion, and residential damages in various areas of the city, but there were no known injuries. The splash pad AstroTurf has been installed, but does not have a scheduled opening date due to the arrival of the fall season and COVID-19.

VISITORS

Mrs. Audrey Grant, a West Union Street resident, came forward to address the council about the flooding of her property. Mrs. Grant stated that her yard, laundry room, and exercise room

have been damaged multiple times due to storm/rain flooding. She stated that rainwater flows from the hospital on West Washington Street and from Macon Street, past the Baptist Center on West Boundry Street, and drains into her house and yard. She noted that she has spent thousands of dollars reconditioning her residence and yard only to have the floodwater wash away the dirt and rocks that have been positioned to help the drainage and prevent flooding, and subsequently creates large potholes. She has also had her floors disinfected to prevent mold, subsequently replacing carpet and linoleum. She continued that the drain at the back of her property also needs to be repaired. Mrs. Grant requested that the City please alleviate the problem that is a great expense to her alone that she cannot continue to fund and repair. Mrs. Grant's daughter, Yvonne Grant agreed with her flood assessment/expense concerns that they have had, and currently encounter, at their residence.

Council President Knight noted that some areas in the city are low-lying areas that are more prone to flooding than others. He commented on the measures that have been taken in the past in an attempt to alleviate the flooding, but flooding persists. Necessary evaluation and available measures will be considered in an effort to alleviate flooding and to prevent potential threats of flooding in the future.

ORDINANCES AND RESOLUTIONS

Council President Knight introduced Resolution 94-2020 (Authorizing HR Director to Continue Withholding Social Security Taxes). Mrs. Flurry offered a motion to adopt Resolution 94-2020. Mrs. Grice seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION 94-2020

WHEREAS, on August 8, 2020, the White House issued a Memorandum on Deferring Payroll Tax obligations due to COVID-19; and

WHEREAS, if the City of Eufaula elected to defer payroll taxes the employees would have to remit the deferred taxes back beginning January 1, 2021; and

WHEREAS, the City Clerk/Treasurer and Human Resource Manager recommends that the City of Eufaula opt out of the deferral and continue with the current payroll withholding structure.

NOW, THEREFORE, the City Council of the City of Eufaula authorizes the City Clerk/Treasurer and Human Resource Manager to act in the interest of the employees of the City of Eufaula in concurrence with their stated recommendation.

Adopted and approved the 21st day of September, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, Council President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 95-2020 (Authorizing Mayor to Execute Contract for Parks & Rec Dehumidification System). Mr. Cobbs offered a motion to adopt Resolution 95-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION
95-2020**

WHEREAS, the City of Eufaula and the Parks and Recreation Board solicited bids for the installation and maintenance of a new dehumidification system for the Community Center at 14 Community Drive; and

WHEREAS, only one bid was received for said project on Tuesday, September 1, 2020, from Alabama Power Technology; and

WHEREAS, the bid met required specifications for equipment and maintenance of the system to be installed.

NOW, THEREFORE, the City Council of the City of Eufaula, hereby authorizes the Mayor, Jack B. Tibbs, Jr. and the Board of Parks and Recreation to execute the Alabama Power Technology Prescription and Statement of Services presented for installation and maintenance for a monthly subscription payment by the City of Eufaula in the amount of \$7,875.88 for a term of seven years.

ADOPTED AND APPROVED this 21st day of September, 2020.

THE CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 96-2020 (Resolution for Initiation of Bid Process for Ambulance). Mr. Robertson offered a motion to adopt Resolution 96-2020. Mrs. Grice seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION
96-2020**

WHEREAS, the Eufaula Rescue Squad was made aware that funding for a new ambulance is eligible through the CARES ACT; and

WHEREAS, the Rescue Squad Board was briefed on the possible funding and agreed to pursue such funds for the purchase of a much needed apparatus; and

WHEREAS, if funds are not awarded through the CARES ACT, the Eufaula Rescue Squad has budgeted for the purchase of a new ambulance in the coming year.

NOW, THEREFORE, the City Council of the City of Eufaula hereby authorizes the Eufaula Rescue Squad to initiate the bid process to procure an ambulance and to apply for reimbursement through the CARES ACT.

ADOPTED AND APPROVED this 21st day of September, 2020.

THE CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, President

ATTEST:

Joy White, City Clerk/Treasurer

PUBLIC HEARING

Council President Knight introduced Ordinance 2020-6 (First Reading – Ordinance Calling – WWSB Portion of 2012 Warrants). Joel Smith, City Attorney gave Ordinance 2020-6 its first reading. Council President Knight called for comments from the audience.

WWSB Superintendent Daryl Baker noted that this is the refunding of the Water Works & Sewer Board's portion of the General Obligation Warrants 2012 partnered between the City and Water Works that WWSB owes for refunding and refinancing in 2012. Water Works has to refund their portion to be able to leverage more bond money to be issued so that the debt service does not fall below 120%. The \$1,745,000 will be rolled into another \$10,000,000 to do more capital improvements that are on the Water Works & Sewer Board's ten-year plan.

Mrs. Grice moved that the rules be suspended for immediate consideration of and action on said Ordinance 2020-6. Mrs. Flurry seconded the motion. Upon call of the roll the following vote was recorded: Yeas: Mr. Robertson, Mrs. Grice, Mr. Cobbs, Mrs. Flurry, and Mr. Knight. Nays: None.

Mrs. Grice then offered a motion to adopt Ordinance 2020-6 (First Reading – Ordinance Calling – WWSB Portion of 2012 Warrants). Mr. Robertson seconded the motion. Upon call of the roll the following vote was recorded: Yeas: Mr. Robertson, Mrs. Grice, Mr. Cobbs, Mrs. Flurry, and Mr. Knight. Nays: None. Council President Knight announced the motion had carried.

**ORDINANCE
2020-6**

AN ORDINANCE CALLING A \$1,745,000 PRINCIPAL PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION WARRANTS, SERIES 2012, DATED APRIL 1, 2012, FOR REDEMPTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUFAULA, ALABAMA AS FOLLOWS:

Section 1. The City of Eufaula (the "City") has heretofore issued its General Obligation Warrants, Series 2012, dated April 1, 2012, on April 25, 2012, which are outstanding in the aggregate principal amount of \$3,300,000 and mature on April 1, 2021-2024 (the "Series 2012 Warrants"), for the purpose, among others, of providing funds for use by The Water Works and Sewer Board of the City of Eufaula, Alabama (the "Board") to acquire, construct, and equip certain capital improvements to the public water distribution and sewer treatment systems operated by the Board.

Section 2. Simultaneously with the issuance of the Series 2012 Warrants, the Board issued a Funding Agreement in favor of the City which required the Board to pay to the City the debt service on that portion of the proceeds of the City's Series 2012 Warrants used by the Board for water and sewer purposes.

Section 3. The Board has determined that it is in its best public interest to pay to the City its remaining obligations to the City under the aforesaid Funding Agreement in the principal amount of \$1,745,000 consisting of the following:

<u>Year</u>	<u>Principal</u>
2021	\$450,000
2022	460,000
2023	480,000
2024	355,000

Section 4. The City has determined that it is in the best public interest of the City to currently refund and redeem a \$1,745,000 principal portion of its Series 2012 Warrants identified as follows:

<u>Year</u>	<u>Principal</u>
2021	\$450,000
2022	460,000
2023	480,000
2024	355,000

(collectively the “Refunded Warrants”).

Section 5. If and upon the close of the Board’s 2020 bond issue, the Board will transfer a sum equal to the principal of the Refunded Warrants plus interest to the date of redemption set forth below to the City, upon receipt of which the City will cancel and discharge the Funding Agreement of the Board dated April 1, 2012.

Section 6. The City hereby calls the Refunded Warrants for redemption on or about 30 days from the date of the close of the Board’s bond issue, and hereby directs The Bank of New York Mellon Trust Company disseminate a notice of redemption and to call such warrants for redemption in accordance with the procedures of the Book-Entry System and the ordinance authorizing the issuance of the Series 2012 Warrants.

Section 7. Following the refunding of the Refunded Warrants, the City acknowledges and agrees that the Board will have no further obligations to the City with respect to the Funding Agreement dated April 1, 2012 and the Series 2012 Warrants.

Section 8. This ordinance shall become effective upon publication by the City Clerk/Treasurer and the issuance by the Board of its Water and Sewer Revenue Bonds, Series 2020, to be dated the date of delivery.

ADOPTED AND APPROVED this ___ day of _____, 2020.

CITY OF EUFAULA, ALABAMA,
A MUNICIPAL CORPORATION

Johnny A. Knight, Council President

ATTEST:

Joy White, City Clerk/Treasurer

UNFINISHED BUSINESS
COUNCIL ACTION/DISCUSSION
REGULAR AGENDA (NEW BUSINESS)

COUNCIL COMMITTEE REPORTS

Mrs. Flurry reported that revenues are over expenditures for FY2020 compared to this time last year, and the departments have been conservative and within budget. The operating statement is available for viewing on the city's website, www.eufaulaalabama.com.

Mrs. Grice noted that there is a great need to fill two vacancies on the City of Eufaula School Board. Dr. Jimmy Lockwood, School Board President, recently passed away, and Mr. Otis Hill, Councilman-elect will begin city council service on November 2, 2020. Mrs. Grice suggested that the application/resume period begin Tuesday, September 22, 2020 with a deadline of Friday, October 2, 2020 at noon.

Mr. Cobbs commended Keef Pettis, Community Center Director and staff for having the center open during Hurricane Sally last week.

Mr. Robertson commended the street department and all first responders for their service efforts during Hurricane Sally last week.

Council President Knight commended the police department and the street department for their service and prompt responses to any and all occurring events in the city.

Council President Knight acknowledged the new council members that were present. The new members present were: Ben Garrison of District I, Otis Hill of District II, Wes Register of District V, and John Robinson, run-off candidate of District IV.

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 21st day of September, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, City Council President

ATTEST:

Joy White, City Clerk/Treasurer