

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, OCTOBER 19, 2020 AT 5:15 P.M.**

The Eufaula City Council met in a scheduled session on Monday, October 19, 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 Pastor Samuel Paige 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, Joel Smith, City Attorney, Councilman-elect Ben Garrison, Councilman-elect Marvin Brown, Councilman-elect John Wayne Robinson, and Councilman-elect Wes Register.

HONORS AND RECOGNITION

APPROVAL OF AGENDA

Mrs. Flurry offered a motion to approve the order of the October 19, 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 special called session minutes of October 12, 2020.
- (b) Motion and second to dispense with and approve the regularly scheduled session minutes of October 5, 2020.
- (c) Motion and second to dispense with and approve the work session minutes of October 5, 2020.
- (d) Motion and second to dispense with and approve the Prepaid Claims Docket dated September 30, 2020, in the amount of \$1,462,532.02.
- (e) Motion and second to dispense with and approve the Claims Docket dated October 14, 2020 in the amount of \$12,760.53.

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

MAYOR'S REPORT

Mayor Tibbs thanked and commended the current council for all of their accomplishments together and the support over the last four-year term. He noted that this would be the last meeting with the current council members: Council President Johnny A. Knight of District II,

President Pro tem Barbara C. Flurry of District V, Council Member Lucious Cobbs of District III, Council Member Linda S. Grice, District IV, and Council Member Tony L. Robertson of District I.

Mayor Tibbs announced that RAM Hospitality will begin the Bluff City Inn project very soon. A house nearby to the project will be purchased for \$20,000 below the market value by the City of Eufaula if approved by the council. The lot will create parking in the downtown area for better access to the Bluff City Inn, Martin Theatre, eateries/dining, and specialty shops.

There are several working industrial projects in the city that will potentially generate a housing demand. The Reeves rezoning project for housing is also on the current agenda for consideration by the council as an option in resolving the great demand for new housing development in the City of Eufaula. Mayor Tibbs announced that the dedication ceremony for the airport is scheduled for Friday, October 30, 2020 at noon.

VISITORS

ORDINANCES AND RESOLUTIONS

Council President Knight introduced Resolution 103-2020 (SARCOA Services Resolution Contract Renewal for 2021 Ratification). Mr. Cobbs offered a motion to adopt Resolution 103-2020. Mrs. Flurry seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION 103-2020

WHEREAS, the City of Eufaula contracts with Southern Alabama Regional Council on Aging/Area Agency on Aging (SARCOA) to administer and operate the Nutrition/Transportation Program of Title III of the Older Americans Act, 1965 as amended.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Eufaula, Alabama, that the contract executed by Mayor Jack B. Tibbs, Jr., in his official capacity as Mayor, dated September 29, 2020 to enter into a renewal agreement with Southern Alabama Regional Council on Aging/Area Agency on Aging for Elderly Services for FY 2021 be ratified as duly authorized.

ADOPTED AND APPROVED this 19th day of October, 2020.

CITY OF EUFAULA, ALABAMA,
A MUNICIPAL CORPORATION

Johnny A. Knight,
Council President

ATTEST:

Joy White, City Clerk

Council President Knight introduced Resolution 106-2020 (Authorizing to Ratify Moving Forward with Public Works Expenditures). Public Works Manager Tim Brannon noted that this resolution would authorize the purchase of a needed tow truck and backhoe equipment for the street department. Mr. Robertson offered a motion to adopt Resolution 106-2020. Mrs. Grice seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION
106-2020**

WHEREAS, capital outlay expenditures in the amount of \$206,000 were approved in the budget for the FY2021 for the City of Eufaula Public Works Department; and

WHEREAS, the Public Works Department is in dire need of a Tow Truck and Backhoe; and

WHEREAS, the cost is approximately \$ 206,000.00 and the delivery time is three to six months from Source Well.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Eufaula ratifies the decision to move forward with purchasing the two pieces of equipment.

DONE THIS 19th day of October, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, Council President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Knight introduced Resolution 107-2020 (Resolution for Purchase of Property for Parking Downtown). Mrs. Flurry offered a motion to adopt Resolution 107-2020. Mrs. Grice

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

RESOLUTION
107-2020

WHEREAS, the City of Eufaula is in need of additional parking for its downtown area to accommodate downtown redevelopment and the future growth of businesses; and

WHEREAS, the property owned by L.V. Osborne Enterprises, LLC (Parcel 1309324012018000) is for sale and is in a desirable location to provide needed parking; and

WHEREAS, the City of Eufaula City Council is supportive of expanding opportunities for downtown venues and events that will generate additional revenues for the City; and

WHEREAS, acquisition of the property by the City of Eufaula will serve a valid and sufficient public purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eufaula that the purchase of property as described for a total of \$55,000 is approved and authorization is given to the Mayor, Jack B. Tibbs, Jr. to execute the transaction on behalf of the City of Eufaula.

ADOPTED AND APPROVED this 19th day of October, 2020.

CITY OF EUFAULA, ALABAMA,
A MUNICIPAL CORPORATION

Johnny A. Knight
Council President

ATTEST:

Joy White
City Clerk/Treasurer

Council President Knight introduced Resolution 108-2020 (Match Resolution Eufaula EDA). Mrs. Flurry offered a motion to adopt Resolution 108-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION
108-2020**

WHEREAS, the City of Eufaula and Eufaula Water Works & Sewer Board are co-applying for a FY 2020 grant under the Economic Development Administration’s Public Works Grant program to provide infrastructure improvements in the Eufaula Industrial Park; and,

WHEREAS, the Eufaula City Council recognizes Jack B. Tibbs, Jr., Mayor, as the appropriate official authorized to act on behalf of the City in such dealings and acknowledges the Mayor’s signature shall be binding upon the City in such matters.

FURTHER, the Eufaula City Council understands that the total estimated cost associated with the proposed infrastructure improvements in the Eufaula Industrial Park is \$4,742,000, and the Eufaula City Council approves the submission of the Economic Development Administration grant application requesting \$3,319,400 in federal grant assistance; and,

BE IT FURTHER HEREBY RESOLVED that the Eufaula City Council understands that the Eufaula Water Works & Sewer Board will be providing the sum of \$1,422,600 in matching funds to be used in conjunction with this request for EDA funds for the purpose of bringing the proposed project to fruition.

APPROVED AND ADOPTED by the Eufaula City Council on this the 19th day of October, 2020.

(SEAL)

Johnny A. Knight
Council President

ATTEST:

Joy White
City Clerk/Treasurer

PUBLIC HEARING

Council President Knight introduced Ordinance 2020-7 (Second Reading – Ben Reeves Rezoning Ordinance). Joel Smith, City Attorney, gave Ordinance 2020-7 its second reading. Council President Knight called for comments from the audience. There was no response from the audience. Mrs. Grice offered a motion that Ordinance 2020-7 be adopted. Mr. Cobbs seconded the motion. A roll call vote was taken and recorded as follows: Yeas: Mr. Robertson, Mrs. Grice, Mr. Cobbs, Mrs. Flurry, and Mr. Knight. Nays: none. Council President Knight announced the motion had carried and Ordinance 2020-7 was adopted.

**ORDINANCE
2020-7**

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE NUMBER 1986-26, AS AMENDED, BY CHANGING THE CLASSIFICATION OF A ZONE DISTRICT FROM FAR (Forestry/Residential/Agricultural) TO R-4 (HIGH DENSITY RESIDENTIAL) AND C-1 (GENERAL COMMERCIAL), SAID PROPERTY OWNED JOINTLY BY REEVES PEANUT COMPANY, INC., BEN REEVES LAND COMPANY, LLC, BEN REEVES JR. LAND COMPANY, LLC, S. ADAM REEVES LAND COMPANY, LLC, ELEANOR R. PARKER LAND COMPANY, LLC, AND MARY M. STUKES LAND COMPANY, LLC AND MANAGED BY BEN REEVES MANAGEMENT, LLC, AND BEING LOCATED EAST AND NORTH OF THE EUFAULA COMMUNITY CENTER ON LAKE DRIVE

BE IT ORDAINED by the City Council of the City of Eufaula, Alabama, as follows:

General Ordinance Number 1986-26, as amended, and accompanying map thereto, as amended to change the zoning classification of the following described parcel of land from FAR, Forestry/Residential/Agricultural, to R-4, High Density Residential and C-1, General Commercial.

Legal Description

Reeves Property to be rezoned from FAR to R-4:

All that certain tract or parcel of land located in Section 21, Township 11 north, Range 29 East, Eufaula, Barbour County, Alabama, containing 44.17 acres, being Tract "A" of the "Plat of Boundary & Property Division Survey, A Division of a Portion of The Lands of Ben Reeves Management, LLC", as recorded in Plat Book 5, Page 157, in the Office of the Judge of Probate of Barbour County, Alabama, at Eufaula, and also the adjacent North half of the right of way of Lake Drive, containing a total of 44.9 acres more or less and being more particularly described in its entirety as follows:

Commencing at the Southwest corner of Section 21, Township 11 north, Range 29 East, Eufaula, Barbour County, Alabama, run thence along the West line of said Section 21, North 01 degree 53 minutes 14 seconds East 50.12 feet to a point on the North right-of-way of Lake Drive; thence along the North right-of-way of Lake Drive, North 89 degrees 18 minutes 23 seconds East 1830.53 feet to the intersection of the North right-of-way of Lake Drive and the West right-of-way of Community Drive; thence continue along the North right-of-way of Lake Drive, North 89 degrees 21 minutes 24 seconds East 60.06 feet to a 1/2" rebar iron w/"Green" cap at the intersection of the North right-of-way of Lake Drive and the East right-of-way of Community Drive; thence continue along the North right-of-

way of Lake Drive, North 89 degrees 24 minutes 09 seconds East 241.02 feet to a 1/2" rebar iron w/cap stamped AL CA 718, also being the POINT OF BEGINNING; thence departing said right-of-way of Lake Drive, run North 01 degree 59 minutes 57 seconds East 290.35 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence South 89 degrees 24 minutes 09 seconds West 241.02 feet to a 1/2" rebar iron w/cap stamped AL CA 718 on the East right-of-way of Community Drive; thence along the East right-of-way of Community Drive, North 02 degrees 00 minutes 04 seconds East 1444.03 feet to a 1/2" rebar iron w/"Green" cap; thence North 87 degrees 58 minutes 13 seconds West 60.00 feet to a 4"x4" concrete monument on the West right-of-way of Community Drive; thence departing said right-of-way, run North 02 degrees 00 minutes 04 seconds East 41.71 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence North 88 degrees 53 minutes 12 seconds West 366.51 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence North 00 degrees 57 minutes 03 seconds East 125.04 feet to a 1/2" rebar iron; thence North 89 degrees 09 minutes 10 seconds West 128.76 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence North 02 degrees 38 minutes 57 seconds East 677.46 feet to a 1/2" rebar iron w/"Green" cap; thence North 89 degrees 35 minutes 30 seconds East 452.98 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence South 02 degrees 39 minutes 00 seconds West 423.20 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence South 45 degrees 37 minutes 34 seconds East 441.43 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence South 55 degrees 06 minutes 49 seconds East 835.83 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence South 89 degrees 46 minutes 00 seconds East 137.31 feet to a 1/2" rebar iron w/cap stamped 11666; thence South 00 degrees 16 minutes 18 seconds West 334.96 feet to a 1/2" rebar iron; thence South 03 degrees 17 minutes 33 seconds West 63.68 feet to a 1/2" rebar iron w/cap stamped 11666; thence North 87 degrees 03 minutes 24 seconds West 163.69 feet to a 1/2" rebar iron w/cap stamped 11666; thence South 02 degrees 48 minutes 01 second West 360.02 feet to a 1/2" rebar iron w/cap stamped 11666; thence South 02 degrees 59 minutes 50 seconds West 622.88 feet to a 1/2" rebar iron w/cap stamped AL CA 718 on the North right-of-way of Lake Drive; thence continue South 02 degrees 59 minutes 50 seconds West 50.10 feet to the centerline of Lake Drive; thence along the centerline of Lake Drive, South 89 degrees 24 minutes 09 seconds West 651.40 feet; thence North 01 degree 59 minutes 57 seconds East 50.05 feet to a 1/2" rebar iron w/cap stamped AL CA 718, being the POINT OF BEGINNING.

Reeves Property to be rezoned from FAR to C-1:

All that certain tract or parcel of land located in Section 21, Township 11 north, Range 29 East, Eufaula, Barbour County, Alabama, containing 1.60 acres, being Tract "C" of the "Plat of Boundary & Property Division Survey, A Division of a Portion of The Lands of Ben Reeves Management, LLC", as recorded in Plat Book 5, Page 157, in the Office of the Judge of Probate of Barbour County, Alabama, at Eufaula, and also the adjacent North half of the right of way of Lake Drive,

containing a total of 1.9 acres, more or less and being more particularly described in its entirety as follows:

Commencing at the Southwest corner of Section 21, Township 11 north, Range 29 East, Eufaula, Barbour County, Alabama, run thence along the West line of said Section 21, North 01 degree 53 minutes 14 seconds East 50.12 feet to a point on the North right-of-way of Lake Drive; thence along the North right-of-way of Lake Drive, North 89 degrees 18 minutes 23 seconds East 1830.53 feet to the intersection of the North right-of-way of Lake Drive and the West right-of-way of Community Drive; thence continue along the North right-of-way of Lake Drive, North 89 degrees 21 minutes 24 seconds East 60.06 feet to a 1/2" rebar iron w/"Green" cap at the intersection of the North right-of-way of Lake Drive and the East right-of-way of Community Drive, also being the POINT of BEGINNING; thence along the East right of way of Community Drive North 02 degrees 00 minutes 04 seconds East 290.35 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence North 89 degrees 24 minutes 09 seconds East 241.02 feet to a 1/2" rebar iron w/cap stamped AL CA 718; thence South 01 degree 59 minutes 57 seconds West 290.35 feet to a 1/2" rebar iron w/cap stamped AL CA 718 on the North right of way of Lake Drive; thence continue South 01 degree 59 minutes 57 seconds West 50.05 feet to the centerline of Lake Drive; thence along the centerline of Lake Drive South 89 degrees 24 minutes 09 seconds West 241.02 feet to a projection of the East right of way of Community Drive; thence North 02 degrees 00 minutes 04 seconds East 50.05 feet to the POINT of BEGINNING.

The provisions of this ordinance are severable. If any part of the ordinance is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

All ordinances or parts thereof which conflict with this ordinance are hereby repealed.

This ordinance shall become effective immediately upon its passage and approval by the Mayor, or upon its otherwise becoming a law.

ADOPTED AND APPROVED this ____ day of _____, 2020.

CITY OF EUFAULA, ALABAMA,
A MUNICIPAL CORPORATION

Johnny A. Knight, Council President

ATTEST:

Joy White, City Clerk

Council President Knight introduced Resolution 104-2020 (Ruthie Walker Weed Abatement – 204 Hickory Drive). Mr. Cobbs offered a motion to adopt Resolution 104-2020. Mr. Robertson seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

**RESOLUTION
104-2020**

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

<u>OWNER</u>	<u>LOCATION OF PROPERTY</u>	<u>PARCEL NUMBER</u>
Ruthie Walker 204 Hickory Drive Eufaula, AL 36027	204 Hickory Dr.	1309311005007000

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

ADOPTED AND APPROVED this _____ day of October, 2020.

**CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION**

Johnny A. Knight
City Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

Council President Knight introduced 105-2020 (Lamar Kelvin & Priscilla Smith Weed Abatement – 213 Sanford Avenue). Mr. Robertson offered a motion to adopt Resolution 105-2020. Mrs. Flurry seconded the motion. After a voice vote, Council President Knight announced the motion had carried.

RESOLUTION
105-2020

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

OWNER	LOCATION OF PROPERTY	PARCEL NUMBER
Lamar Kelvin & Priscilla Smith 213 Sanford Ave. Eufaula, AL 36027	213 Sanford Ave.	061309324001018000

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

ADOPTED AND APPROVED this _____ day of October, 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

Council President Knight called for nominations to the Eufaula City Schools Board of Education. Mrs. Grice stated that there were twelve (12) suitable applicant resumes for review and thanked everyone with a desire to serve in this capacity that requires a lot of time without compensation. Mrs. Grice then offered a motion for nomination of Katrina Wright who is employed with the Chamber of Commerce and is very visible and voluntarily active in the school system. Council President Knight then called for any other nominations. There were no other nominations. A roll call vote was taken and recorded as follows: Yeas: Mr. Robertson, Mrs. Grice, Mr. Cobbs, Mrs. Flurry, and Mr. Knight. Council President Knight then announced that the motion had carried.

Council President Knight stated that Councilmember-elect Otis Hill of District II will begin his city council service on November 2, 2020, and his position on the school board will need to be filled by the appropriate applicant. Council President Knight asked that the new council be thorough and fair in their selection of the next chosen board member.

REGULAR AGENDA (NEW BUSINESS)

COUNCIL COMMITTEE REPORTS

Mrs. Grice stated that there are 3-4 areas assigned to each council member. With Education Library, Zoning and Chamber, Education and Chamber are large areas and require a lot of time. Mrs. Grice suggested that the new incoming council members review and properly assign the duties between members so that they would be more manageable.

Mr. Cobbs noted that the airport has been completed and is a very nice facility. Community Center Director Keef Pettis announced that a duck race will be held at the community center on Saturday, October 24, 2020, and the tickets are \$5.00 each. The funds raised from the event will help offset expenses for the various ball teams.

Mr. Robertson commended Public Works Manager Tim Brannon and his department for all of the work that they always do and responding so well to maintaining the city.

Council President Knight commended and thanked all departments for doing a great job.

Council President Knight stated that this meeting was the final meeting for all of the current council members: Council President Johnny A. Knight of District II, President Pro Tem Barbara C. Flurry of District V, Council Member Lucious Cobbs of District III, Council Member Linda S. Grice, District IV, and Council Member Tony L. Robertson of District I. Each member expressed their thoughts on their service over the past four-year term.

Council Member Tony L. Robertson expressed that he enjoyed his service to District I and learned many interesting things during his term, and commended the city staff for their assistance to the council.

Council Member Linda S. Grice expressed that she thoroughly enjoyed her term and felt that she now has a progressive foundation for better service. She also commended the city staff and city attorney for doing a great job. Mrs. Grice also extended well wishes to the new incoming council members.

Council Member Lucious Cobbs thanked God for being able to serve twenty (20) years as councilman for District III and encouraged and extended well wishes to the new incoming council. He thanked and commended the city staff, council members, Mayor Tibbs and his spouse.

Council Member Barbara C. Flurry commended all city staff, council members, and mayor for doing a great job. Mrs. Flurry also encouraged the new incoming council members to pray to make good decisions and serve well during their terms.

Council Member Johnny A. Knight thanked God for serving twenty-eight (28) years well, the council members, the city staff, and all departments for working together, and his spouse.

Mayor Tibbs then presented each council member with a plaque in commemoration of their years of service to the City of Eufaula: Mr. Johnny A. Knight, District II with 28 years, Mrs. Flurry, District IV with 8 years, Mr. Lucious Cobbs, District III with 20 years, Mrs. Linda S. Grice, District V with four years, and Mr. Tony L. Robertson, District I with four years.

ADJOURNMENT

There being no further business to come before the Council, the same was on motion by Mr. Robertson duly made and seconded by Mrs. Flurry, adjourned this 19th day of October, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Johnny A. Knight, City Council President

ATTEST:

Joy White, City Clerk/Treasurer