

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, NOVEMBER 16, 2020 AT 5:15 P.M.**

The Eufaula City Council met in a scheduled session on Monday, November 16, 2020, at 5:15 p.m. in the Police Department Courtroom at 545 East Barbour Street. Council President Register called the meeting to order, and Pastor Gary Fleming offered the invocation. Council 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, Marvin Brown, John Robinson, and Ben Garrison.

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

HONORS AND RECOGNITION

APPROVAL OF AGENDA

Mr. Hill offered a motion to approve the order of the November 16, 2020 agenda. Mr. Garrison seconded the motion. After a voice vote, Council President Register announced the motion had carried.

CONSENT AGENDA

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

- (a) Motion and second to dispense with and approve the organizational session minutes of November 2, 2020.
- (b) Motion and second to dispense with and approve the regular meeting minutes of November 2, 2020.
- (c) Motion and second to approve the Prepaid Claims Docket dated October 31, 2020 in the amount of \$1,725,474.14.
- (d) Motion and second to dispense with and approve the Claims Docket dated November 12, 2020 in the amount of \$387,999.34.

Mr. Robinson moved to approve the Consent Agenda. Mr. Garrison seconded the motion. After a voice vote, Council President Register announced the motion had carried.

MAYOR'S REPORT

VISITORS

ORDINANCES AND RESOLUTIONS

Council President Register introduced Resolution 114-2020 (City Attorney Legal Work Rate). Council President Register called for any comments from City Attorney Joel Smith. City Attorney Joel Smith thanked the council for his appointment to serve as city attorney for a four-year term. He added that a fee schedule was submitted for council approval to phase in an annual fee increase of legal services over the course of his term as city attorney that would

equal the standard fee schedule for similar or like legal services performed. Mr. Robinson thanked City Attorney Joel Smith for phasing in the increase over the course of his term.

Mr. Hill offered a motion to adopt Resolution 114-2020. Mr. Garrison seconded the motion. After a voice vote, Council President Register announced the motion had carried.

RESOLUTION

114-2020

WHEREAS, Joel P. Smith, Jr. Attorney At Law was by unanimous vote of the City Council reappointed as City Attorney at the regular scheduled council meeting held on November 2nd, 2020; and

WHEREAS, the current \$ 125.00 hourly rate for the City's legal work has been in place for 15 (fifteen) or more years without an increase; and

WHEREAS, the City Attorney has submitted a graduated hourly rate increase in order to reach his standard rate are as follows:

November 1, 2020	\$ 155.00
November 1, 2021	\$ 165.00
November 1, 2022	\$ 175.00

NOW THEREFORE, the City Council of the City of Eufaula approves the above increases over a three year period beginning November 1, 2020.

Adopted and approved the 16th day of November, 2020.

Wes Register
Council President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Register introduced Resolution 115-2020 (Eufaula FY2021 Terminal Resolution). Mr. Barry Mott with Barge Design Solutions noted that all of the hangars at the

local Weedon Field Airport have been rebuilt with the exception of the terminal. He stated that the current terminal does not meet the needs of what a terminal could be. He continued that there is an opportunity to apply for a grant through the Alabama Department of Transportation (ALDOT) that is a 50/50 grant up to \$250,000. Terminal buildings range from \$650,000 up to \$1,000,000.

These grants are generally awarded annually in January/February. The work would begin during the summer with a two-year final completion deadline. Mr. Garrison asked what is lacking in the current terminal that would be included in an upgrade. Mr. Mott noted that the amenities depend on what is conducive to any particular airport's needs such as flight planning, business room, conference center, kitchenette, airport manager's office, automatic radar, etc. The existing terminal is approximately 2,400 square feet in a range of \$650,000. These grants become available for application on an annual basis.

Mr. Hill offered a motion to table this resolution. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced the motion had carried.

Council President Register introduced Resolution 116-2020 (Declaring Severe Weather Preparedness Tax Holiday). Mr. Garrison offered a motion to adopt Resolution 116-2020. Mr. Robinson seconded the motion. Council President Register announced the motion had carried.

RESOLUTION 116-2020

WHEREAS, on April 26, 2012, the Alabama Legislature and Governor Robert Bentley signed Act No. 2012-256 "Severe Weather Preparedness Tax Holiday" exempting certain "covered items" from the state and use tax; and

WHEREAS, Act No. 2012-256 authorizes the City Council to provide for an exemption of City sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty days prior to 12:01 a.m. on Friday, February 26, 2021; 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. 2012-256 during the weekend, beginning at 12:01 a.m. on Friday, February 26, 2021 and ending at twelve midnight on Sunday, February 28, 2021; and

WHEREAS, Code of Alabama 1975, § 11-51-210 (e) requires that the City Council notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least 30 days prior to the effective date of the change; and

WHEREAS, the exemption of certain City sales and use taxes for the full weekend beginning 12:01 a.m. on Friday, February 26, 2021 and ending twelve midnight on Sunday, February 28, 2021 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. 2012-256 beginning at 12:01 a.m. Friday, February 26, 2021 and ending twelve midnight on Sunday, February 28, 2021.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the November 16, 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 16th day of November, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, Council President

ATTEST:

Joy White
City Clerk/Treasurer

Council President Register introduced Resolution 117-2020 (Authorizing Amendment to Contract with Midsouth Paving for 2020 - #2 Amendment). Mr. Robinson offered a motion to adopt Resolution 117-2020. Council President Register announced the motion had carried.

**RESOLUTION
117-2020**

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 contract was amended on August 3, 2020 to include resurfacing Industrial Park 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 in the amount of \$ 90,675.00; and

WHEREAS, two additional streets (Kendall Drive and Calhoun Circle) have been identified as in need of resurfacing with an estimated cost to not exceed \$ 51,500.00.

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 to include the additional two streets.

ADOPTED AND APPROVED this 16th Day of November, 2020.

THE CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, President

ATTEST:

Joy White, City Clerk/Treasurer

PUBLIC HEARING

UNFINISHED BUSINESS

COUNCIL ACTION/DISCUSSION

Council President Register opened the floor for nominations to the City of Eufaula Board of Education. Mr. Robinson nominated Terri Ricks. Mr. Garrison nominated Twana Purifoy Anderson. Council President Register called for a roll call vote and the vote for Terri Ricks was taken and recorded as follows: Yeas: Mr. Robinson and Council President Register. Nays: Mr. Garrison, Mr. Brown and President Pro Tem Hill. A roll call vote for Twana Purifoy Anderson was taken and recorded as follows: Yeas: Mr. Garrison, Mr. Brown, and President Pro Tem Hill. Nays: Mr. Robinson and Council President Register. Council President Register announced that Twana Purifoy Anderson was duly nominated and appointed to serve an unexpired term on the City of Eufaula Board of Education. This term will expire April 1, 2022.

Mr. Garrison offered a motion to re-appoint Frank Barefield to the Board of Zoning and Adjustments to serve another three-year term. Mr. Robinson seconded the motion. After a voice vote, Frank Barefield was re-appointed to the Board of Zoning and Adjustments to serve another three-year term. This term will expire on October 1, 2023.

Mr. Hill offered a motion to re-appoint Mary Eva Upshaw to the Board of Zoning and Adjustments to serve another three year term. Mr. Robinson seconded the motion. After a voice vote, Mary Eva Upshaw was re-appointed to the Board of Zoning and Adjustments to serve another three-year term. This term will expire on October 1, 2023.

Mr. Robinson offered a motion to re-appoint Dr. William D. King to the Eufaula Health Care Authority to serve another three-year term. Mr. Garrison seconded the motion. After a voice vote, Dr. William D. King was re-appointed to the Eufaula Health Care Authority to serve another three-year term. This term will expire December 1, 2023.

Mr. Hill offered a motion to re-appoint Eugene Harris to the Eufaula Health Care Authority to serve another three-year term. Mr. Robinson seconded the motion. After a voice vote, Eugene Harris was re-appointed to the Eufaula Health Care Authority to serve another three-year term. This term will expire December 1, 2023.

Mr. Garrison offered a motion to re-appoint Jack B. Tibbs, Jr., to the Eufaula Health Care Authority to serve another three-year term. Mr. Robinson seconded the motion. After a voice vote, Jack B. Tibbs, Jr., was re-appointed to the Eufaula Health Care Authority to serve another three-year term. This term will expire December 1, 2023.

Mr. Garrison offered a motion to re-appoint Craig Harris to the Electrical Examination Board to serve another four-year term. Mr. Robinson seconded the motion. After a voice vote, Craig Harris was re-appointed to the Electrical Examination Board to serve another four-year term. This term will expire November 1, 2024.

Mr. Garrison offered a motion to re-appoint Kenny Hayes to the Electrical Examination Board to serve another one-year term. Mr. Robinson seconded the motion. After a voice vote, Kenny Hayes was re-appointed to serve another one-year term. This term will expire November 1, 2021.

Mr. Garrison offered a motion to re-appoint Bobby Wright to the Construction Board of Adjustments & Appeals to serve another three-year term. Mr. Robinson seconded the motion. After a voice vote, Bobby Wright was re-appointed to serve another three-year term. This term expires November 1, 2023.

Mr. Hill offered a motion to re-appoint Darren Carter to the Construction Board of Adjustments & Appeals to serve another one-year term. Mr. Robinson seconded the motion. After a voice vote, Darren Carter was re-appointed to serve another one-year term. This term expires November 1, 2021.

Mr. Garrison offered a motion to re-appoint Ann Blondheim to the Downtown Redevelopment Authority to serve another two-year term. Mr. Hill seconded the motion. After a voice vote, Ann Blondheim was re-appointed to serve another two-year term. This term expires October 15, 2022.

Mr. Garrison offered a motion to re-appoint Alenna Peak to the Downtown Redevelopment Authority to serve another two-year term. Mr. Robinson seconded the motion. After a voice vote, Alenna Peak was re-appointed to serve another two-year term. This term expires October 15, 2022.

REGULAR AGENDA (NEW BUSINESS)

COUNCIL COMMITTEE REPORTS

Mr. Garrison commended Joy White, City Clerk/Treasurer and all city staff and employees for doing a great job, staying within budget, and the increase in revenue particularly during the COVID-19 pandemic. He also commended the citizen's support of the city during the pandemic.

Council President Register reported that he has been in touch with all of the city schools principals and PPO presidents and will attend school board meetings as much as possible. He noted that Governor Ivey has declared this week "thank Alabama teacher's week". Council President Register looks to attend the upcoming library board meeting Thursday. He also looks forward to working with the zoning board and the Chamber. The Chamber looks to return to normal scheduling of events as soon as possible depending on the COVID-19 pandemic.

Mr. Robinson attended a recreation board meeting that discussed the means of safely getting back to normal activity. Mr. Robinson stated that the basketball sign-up is going well and noted how the board members had an intense focus on safety as a response to the pandemic affecting everyone involved in community center activities and events. Mr. Robinson also commended Keef Pettis, Community Center Director, for sharing thorough and detailed discussion and reporting during the meeting. Mr. Robinson explained that the community center's pool dehydrator is scheduled to be back in full operation by spring 2021. He also commended the fireworks show that was held on Saturday, November 7, 2020 at Lakepoint State Park.

Mr. Brown commended Public Works Director Tim Brannon for promptly responding to a citizen's issue. Mr. Brown noted that there are forthcoming ideas to also involve the citizens in keeping the city clean and attractive.

Mr. Hill reported that the police and fire departments are currently running smoothly.

Mr. Marvin Brown submitted a letter of resignation for his position on the Eufaula Board of Zoning. This letter of resignation became effective upon his confirmation as an elected member of the Eufaula City Council in District III on Monday, November 2, 2020.

Mr. Ben Garrison III submitted a letter of resignation for his position on the Personnel and Advisory Panel. This letter of resignation became effective upon his confirmation as an elected member of the Eufaula City Council in District I on Monday, November 2, 2020. Mr. Garrison had previously submitted a verbal notice of resignation from the Personnel Advisory Panel during the November 2, 2020 council meeting.

Mr. Otis Hill submitted a letter of resignation for his position on the City of Eufaula Board of Education. This letter of resignation became effective upon his confirmation as an elected member of the Eufaula City Council in District II on Monday, November 2, 2020.

ADJOURNMENT

There being no further business to come before the Council, the same was on motion by Mr. Hill duly made and seconded by Mr. Robinson, adjourned this 16th day of November, 2020.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, City Council President

ATTEST:

Joy White, City Clerk/Treasurer