

**MINUTES OF A MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, NOVEMBER 21, 2022**

The Eufaula City Council met in a regular session on Monday, November 21, 2022, at 5:15 p.m. in the police department courtroom at 545 East Barbour Street. Council President Register called the meeting to order, and Bro. Larry Parks 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, and Councilman Ben Garrison. Absent: Councilman John Robinson.

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

HONORS AND RECOGNITION

APPROVAL OF AGENDA

President Pro Tem Hill offered a motion to approve the order of the amended agenda for Monday, November 21, 2022. Councilman Garrison seconded the motion. A roll call vote was taken and recorded as follows: Yeas: Councilman Garrison, Councilman Brown, President Pro Tem Hill, and Council President Register. Nays: None. President Register then 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 Monday, November 7, 2022.
- (b) Motion and second to dispense with and approve the Prepaid Claims Docket dated October 31, 2022, in the amount of \$2,287,078.85.
- (c) Motion and second to dispense with and approve the Claims Docket dated November 15, 2022, in the amount of \$310,947.79

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

MAYOR'S REPORT

VISITORS

Barbour County Commissioner Rachel Smith addressed the Council about her personal concerns of discriminatory practices by the Eufaula Police Department during arrests, charges, and bookings of white offenders versus black offenders. Commissioner Smith claimed that discriminatory practices were definitely evident to her in a couple of the department's most recent arrests. She suggested that the City establish an oversight committee to review documented arrests, booking reports, and records to reveal any discriminatory practices exhibited by the Eufaula Police Department. She noted that punishments for charges should be

equal between offender's crimes committed regardless of gender or race. Police Chief Watkins responded that the Eufaula Police Department does not conduct any operations without specific and verifiable facts that are unique to individual suspects. These facts must have probable cause that are presented to a judge before a search warrant is issued. Chief Watkins continued that the police department follows the state law, and no actions are carried out by the police department without verification.

ORDINANCES AND RESOLUTIONS

President Register introduced Resolution 122-2022 (Declaring Severe Weather Preparedness Tax Holiday). Councilman Brown offered a motion to adopt Resolution 122-2022 (Declaring Severe Weather Preparedness Tax Holiday). President Pro Tem Hill seconded the motion. After a voice vote, President Register announced Resolution 122-2022 was adopted.

RESOLUTION 122-2022

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 24, 2023; 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 24, 2023 and ending at twelve midnight on Sunday, February 26, 2023; 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 24, 2023 and ending twelve midnight on Sunday, February 26, 2023 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 24, 2023 and ending twelve midnight on Sunday, February 26, 2023.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the November 21, 2022 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 21st day of November, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White
City Clerk/Treasurer

President Register introduced Resolution 123-2022 (Resolution for Purchase of Ricks Property Next to Airport). Councilman Garrison offered a motion to adopt Resolution 123-2022 (Resolution for Purchase of Ricks Property Next to Airport). President Pro Tem Hill seconded the motion. After a voice vote, President Register announced Resolution 123-2022 was adopted.

RESOLUTION
123-2022

WHEREAS, the City of Eufaula desires to purchase land for future development next to Eufaula Municipal Airport/Weedon Field; and

WHEREAS, the 138 acre parcel adjacent to Weedon Field owned by Joan Ricks Cogar, Lovie Ricks Anderson and Jessie Ricks (Parcel 13 02 09 0 000 009.000) is for sale and is in a desirable location for future development; and

WHEREAS, the City of Eufaula City Council is supportive of future development 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 \$380,000 is approved and authorization is given to the Mayor, Jack B. Tibbs, Jr. to enter into the attached Purchase and Sale Agreement, arrange for due diligence to be conducted on the property, and to execute the transaction on behalf of the City of Eufaula.

ADOPTED AND APPROVED this 21st day of November, 2022.

CITY OF EUFAULA, ALABAMA,
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White
City Clerk/Treasurer

PUBLIC HEARING

President Register opened the floor for comments or concerns on the following four resolutions:

Resolution 118-2022 (Fixing Costs: Edward Brown/Teresa Mallard, Hunter Street),
Resolution 119-2022 (Fixing Costs: Allen/Susie Gochett, c/o Allen Reeves, West Boundary Street),
Resolution 120-2022 (Weed/Trash Abatement: Danna & Brenda Brudi, South Randolph Avenue), and
Resolution 121-2022 (Weed/Trash Abatement: Irma Mendez & Luciano Castro, Cleveland Street).

There were no comments or concerns from the floor on the following:
Resolution 118-2022 (Fixing Costs: Edward Brown/Teresa Mallard, Hunter Street),
Resolution 119-2022 (Fixing Costs: Allen/Susie Gochett, c/o Allen Reeves, West Boundary Street),
Resolution 120-2022 (Weed/Trash Abatement: Danna & Brenda Brudi, South Randolph Avenue), and
Resolution 121-2022 (Weed/Trash Abatement: Irma Mendez & Luciano Castro, Cleveland Street).

Councilman Garrison offered a motion to adopt:

Resolution 118-2022 (Fixing Costs: Edward Brown/Teresa Mallard, Hunter Street),
Resolution 119-2022 (Fixing Costs: Allen/Susie Gochett, c/o Allen Reeves, West Boundary Street),
Resolution 120-2022 (Weed/Trash Abatement: Danna & Brenda Brudi, South Randolph Avenue), and
Resolution 121-2022 (Weed/Trash Abatement: Irma Mendez & Luciano Castro, Cleveland Street). President Pro Tem Hill seconded the motion. After a voice vote, President Register announced that Resolution 118-2022, 119-2022, 120-2022, and 121-2022 were adopted.

**RESOLUTION
118-2022**

BE IT RESOLVED, that we the City Council of the City of Eufaula, Alabama, examined the report of the Public Works Superintendent, adopted Resolution 101-2022 on September 19, 2022, declaring the property in question constituted a public nuisance due to the weeds existing on the property and ordered the abatement of such public nuisance. The cost of abating the nuisance is as follows:

Parcel # 062403051012002000

10/17/2022 – Bush Hog, 1.5 hr. @ \$80.00 per hr.	\$ 120.00
Administrative Fee	<u>\$ 200.00</u>
TOTAL DUE	<u>\$ 320.00</u>

Property located on Hunter Street

OWNER: Teresa Mallard/Edward Brown
442 Chattahoochee Courts
Eufaula, AL 36027

ADOPTED AND APPROVED this _____ day of November, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

RESOLUTION
119-2022

BE IT RESOLVED, that we the City Council of the City of Eufaula, Alabama, examined the report of the Public Works Superintendent, adopted Resolution 103-2022 on September 19, 2022, declaring the property in question constituted a public nuisance due to the weeds existing on the property and ordered the abatement of such public nuisance. The cost of abating the nuisance is as follows:

Parcel # 062403054003007000

10/17/2022 – Bush Hog, 1.5 hr. @ \$80.00 per hr.	\$ 120.00
Administrative Fee	<u>\$ 200.00</u>
TOTAL DUE	<u>\$ 320.00</u>

Property located at 119 West Boundary

OWNER: Allen and Susie Gochett
c/o Anthony Reeves
15230 Jennerette Lane
Woodbridge, VA 22193

ADOPTED AND APPROVED this _____ day of November, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

RESOLUTION
120-2022

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
Danna Martin Brudi Brenda L. Brudi 7337 State Highway 10 E Abbeville, AL 36310	South Randolph Avenue	062403051001006000

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 November, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White, CMC
City Clerk/Treasurer

RESOLUTION
121-2022

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
Irma Mendez and Luciana Tum Castro 15 Ludlum Lane Eufaula, AL 36027	Cleveland Street	062403052008015000

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 November, 2022.

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 Pro Tem Hill offered a motion to reappoint Councilman Ben Garrison to the Health Care Authority to serve a full three-year term. Councilman Brown seconded the motion. Councilman Garrison abstained from the vote. President Register then announced that Councilman Ben Garrison was re-appointed to serve a full three-year term on the Health Care Authority. This term will expire December 1, 2025.

President Register opened the floor for nominations to the Downtown Redevelopment Authority for a six-year term. Councilman Garrison nominated Pam Snead for the position. A roll call vote was taken and recorded as follows: Yeas: Councilman Garrison, Councilman Brown, President Pro Tem Hill, and Council President Register. Nays: None. President then announced that Pam Snead was nominated to serve on the Downtown Redevelopment Authority for a full six-year term that will expire October 15, 2028.

REGULAR AGENDA (NEW BUSINESS)

COUNCIL COMMITTEE REPORTS

Councilman Garrison noted that the City's financing continues a firm upward trend and continues an optimistic outlook.

Council President Register commended the recent Youth Build graduates for completing their program and encouraged them to continue to excel in the future. The library will hold a rock painting program at 1:00 p.m. on Tuesday, November 22, 2022. The library will host a Santa program on Saturday, December 3, 2022. President Register congratulated school staff as the schools continue to progress from the effects of online programming due to Covid-19 over the past couple of years. As a result, there was at least 98% academic growth at each of our city schools. The annual Night of Hope will be held at the community center on Friday, December 2, 2022. The Christmas parade will be held in downtown Eufaula on Tuesday, December 6, 2022 at 5:00 p.m.

Councilman Brown reported for the week of November 14, 2022, through November 18, 2022, that the street department recycled 23 bales of cardboard. Code Enforcement issued 59 solid waste non-compliance letters. The shop crew completed 44 work orders entered for vehicle and/or equipment repairs. The litter crew collected 107 bags of litter. Trash crews collected and hauled 119 tons of debris to the Barbour County landfill. Garbage crew collected and hauled 117 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 President Pro Tem Hill, adjourned this 21st day of November 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, CMO
City Council President

ATTEST:

Joy White, City Clerk/Treasurer