

CITY COUNCIL WORK SESSION MINUTES OF JANUARY 4, 2022

The Enterprise City Council convened in Work Session at 5:00 p.m., Tuesday, January 4, 2022, in the Council Chambers at City Hall. Notice of the meeting was posted as Per Act 2005-40 Code of Alabama.

PRESENT: Council President Pro-Tem Sonya W. Rich, District #1
Council Member Eugene Goolsby, District #2
Council Member Greg Padgett, District #3

ABSENT: Council President Turner Townsend, District #5
Council Member Scotty Johnson, District #4

ALSO PRESENT: Mayor William E. Cooper
City Clerk Beverly Sweeney was present and kept the minutes.
City Attorney Rainer Cotter
City Department Heads
Glenn Morgan, Consulting Engineer
Caroline Quattlebaum, Southeast Sun

CALL TO ORDER – Council President Pro-Tem Rich called the meeting to order and presided.

The following items were discussed:

CAPITAL PROJECTS UPDATE

City Engineer/Public Works Director Barry Mott briefed the Council on current, upcoming, and ongoing projects throughout the city.

REVIEW OF AGENDA

Council President Pro-Tem Rich requested a review of the January 4, 2022 Council Meeting agenda. Following review and discussion, Council Members requested no additions, deletions, or changes.

FY21 TRANSPORTATION PLAN REPORT

Consulting Engineer Glenn Morgan provided an overview of the Fiscal Year 2021 Transportation Plan Report in accordance with the Rebuild Alabama Act.

WALKING TRAIL – Johnny Henderson Park

Council Member Goolsby addressed the need for repairs to the walking trail at Johnny Henderson Park. Billy Powell, Parks & Recreation Director, will evaluate and present a recommendation to the Council at an upcoming Work Session.

EXECUTIVE SESSION

Council President Pro-Tem Rich informed those in attendance that an Executive Session was needed to discuss issues requiring legal advice and counsel related to pending litigation. City Attorney Rainer Cotter advised the Council it would be appropriate to go into Executive Session to discuss such matters. A motion was made by Council Member Padgett, seconded by Council Member Goolsby, for the Council to go into Executive Session. All Council Members – Aye. Before moving into Executive Session, Council President Pro-Tem Rich notified attendees that the Council expected to be in Executive Session for approximately 20 minutes.

CALL FOR EXECUTIVE SESSION

At 5:20 p.m., Attorney Rainer Cotter appeared before the Council and stated that issues pending before the Council involved issues requiring legal advice and counsel related to pending litigation.

**MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145**

WHEREAS, the City Council of the City of Enterprise, Alabama, with a quorum being present, was conducting a meeting on the 4th day of January, 2022, the time, date, place, and agenda of which was duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law Act 2005-40 (Act); and,

WHEREAS, the following persons were in attendance: Council Members Rich, Goolsby, and Padgett. Council President Pro-Tem Rich presided over the meeting. Mayor William E. Cooper and City Attorney Rainer Cotter were present; and,

WHEREAS, during the course of said meeting, a motion was made by Council Member Padgett for the Council to go into Executive Session for the purpose of legal advice and counsel, being one of the following purposes authorized by the Act:

- Reputation and Character
- Legal Advice and Counsel
- Security Plans
- State and/or Federal Law
- Law Enforcement
- Real Estate Transactions
- Trade Secrets
- Public Employee Negotiations
- Quasi-Judicial Deliberations

Which motion was seconded by Council Member Goolsby; and,

WHEREAS, the Attorney advised the Council that a declaration was required by the Act for an Executive Session if it was in regard to any of the following purposes:

- Legal Advice and Counsel
- Law Enforcement
- Trade Secrets
- Employee Negotiations

WHEREAS, Attorney Rainer Cotter appeared before the Council and stated for the record that he/she was duly qualified and/or had the personal knowledge to provide the requisite declaration for the stated purpose of the Executive Session authorized by the Act and informed the Council that an Executive Session was necessary for the following reason:

Discussion of issues requiring legal advice and counsel.

WHEREAS, the President Pro-Tem directed the City Clerk to enter into said motion, purpose, and declaration into the minutes of the meeting and called for a vote on said motion; and,

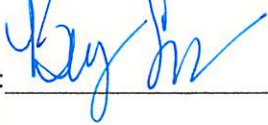
WHEREAS, said vote in regard to the motion for Executive Session was taken with the “yeas” and “nays” being recorded into the minutes as follows:

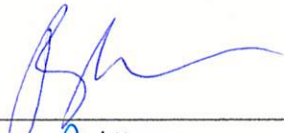
- | <u>Yeas</u> | <u>Nays</u> |
|-------------|-------------|
| 1. Rich | |
| 2. Goolsby | |
| 3. Padgett | |

And the President Pro-Tem declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session at 5:20 p.m. for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 20 minutes.

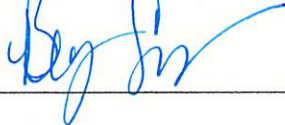
By: 

President

Attest: 

By: 

Attorney

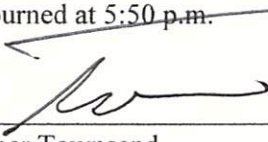
Attest: 

RECONVENE IN WORK SESSION

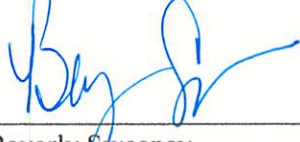
The Work Session was recessed into Executive Session at 5:20 p.m. and reconvened into Work Session at 5:50 p.m. after duly made motion and second with all Ayes.

ADJOURNMENT

There being no further business before the Council, the President Pro-Tem declared the Work Session adjourned at 5:50 p.m.



Turner Townsend
Council President



Beverly Sweeney
City Clerk