

CITY COUNCIL MEETING MINUTES OF MARCH 7, 2023

The Enterprise City Council convened in Regular Session at 6:00 p.m., Tuesday, March 7, 2023 in the Council Chambers at City Hall.

PRESENT: Council President Pro-Tem Sonya W. Rich, District #1
Council Member Eugene Goolsby, District #2
Council Member Greg Padgett, District #3
Council Member Scotty Johnson, District #4

ABSENT: Council President Turner Townsend, District #5
City Administrator Jonathan Tullos

ALSO PRESENT: Mayor William E. Cooper
City Clerk Beverly Sweeney was present and kept the minutes.

ROLL CALL – All Council Members were present with the exception of Council President Townsend.

APPROVAL OF AGENDA

The President Pro-Tem called for a motion to approve the agenda of the meeting as submitted. A motion was made by Council Member Johnson, seconded by Council Member Padgett, to approve the agenda of the meeting as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye. The President Pro-Tem declared the motion carried.

CONSIDERATION OF CONSENT AGENDA

The President Pro-Tem called for a motion to approve the Consent Agenda as presented:

- City Council Work Session Minutes of February 21, 2023
- City Council Meeting Minutes of February 21, 2023
- Accounts Payable (A) for February 2023 in the amount of **\$743,636.66** as follows:
City of Enterprise - \$499,298.93 Water Works Board - \$244,337.73
- Accounts Payable (B) for February 2023 in the amount of **\$489.01** as follows:
City of Enterprise - \$94.08 Water Works Board - \$394.93
- Contract Billings in the amount of **\$1,165,279.10** as follows:
Whaley Construction Co., Inc. -
Application No. 1 - \$1,001,159.64 – Construction – Recreation & Aquatics Center
Blankenship Contracting, Inc. -
Estimate No. 8 - \$53,991.55 – Construction – Hwy 167N Sewer Utilities Relocation
Beasley Construction Services, Inc. -
Estimate No. 1 - \$68,590.67 – Construction – Multipurpose Sports Complex/Phase 1
Poly, Inc. -
Invoice No. 19632 - \$9,032.14 – Engineering Services – Hwy 167N Sewer Utilities Relocation
Invoice No. 19647 - \$8,000.00 – Design/Bid Services – Multipurpose Sports Complex/Phase 1
KPS Group -
Invoice No. 1 - \$1,750.00 – Contract Services – Zoning Map
Invoice No. 10 - \$22,755.10 – Contract Planning Services – January 2023
- Travel Requests as follows:
Police Department
Captain Louis Kent
Lieutenant Kyle Hale
Special Event Planning & Management Course
Altamonte Springs, Florida
June 4-7, 2023
Estimated Cost: \$1,325.75

Sergeant Daniel Choate
SRO Keith Lindley
SRO Tina Johnson
SRO Andrew Shelton
NASRO/TAASRO Conference
Orange Beach, Alabama
June 4-9, 2023
Estimated Cost: \$6,145.99

A motion was made by Council Member Goolsby, seconded by Council Member Johnson, to approve the Consent Agenda as presented. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye. The President Pro-Tem declared the motion carried.

REQUEST TO ADDRESS COUNCIL – Kaley Green (Pike Regional Child Advocacy Center)

The President Pro-Tem recognized Kaley Green, Executive Director of Pike Regional Child Advocacy Center, who presented an update on the Center's activities. Following the presentation, Mayor Cooper read a proclamation declaring April 2023 as Child Abuse Awareness and Prevention Month in the City of Enterprise.

REQUEST TO ADDRESS COUNCIL/STREET CLOSURE – Jordan Despres

The President Pro-Tem recognized Katie James, who requested on behalf of Jordan Despres, to obtain a permit to close Grubbs Street to College Street (Railroad Street) on Saturday, March 18, 2023, from 2:00 p.m. until 4:30 p.m. for a wedding ceremony at The Rawls. Police Chief Michael Moore indicated he was okay with the request.

A motion was made by Council Member Goolsby, seconded by Council Member Johnson, to approve the request as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye. The President Pro-Tem declared the motion carried.

CONSIDER APPROVAL OF EVENT PERMITS (Main Street Enterprise & Friends of Main Street)

The President Pro-Tem called for a motion to approve the following permits for 2023 Downtown Events as submitted:

- **Spring Festival at the Market**
Event Time/Date: 10:00 a.m. – 3:00 p.m., Saturday, March 25, 2023
Rain Date: Saturday, April 1, 2023
Street Closure: 7:00 a.m. – 4:00 p.m.
Closure Area: College Street (Edwards to Railroad Tracks), Easy Street (Edwards to Main), West Grubbs Street (Main to Railroad Street), East Grubbs Street (Edwards to Main)
Street Closure: 8:00 a.m. – 4:00 p.m.
Closure Area: Main Street (Lee to Harrison)
Street Closure: 9:00 a.m. – 4:00 p.m.
Closure Area: Chaney Street (Edwards to Main)
- **Boll Weevil Block Party**
Event Time/Date: 3:00 p.m. – 8:00 p.m., Friday, May 5, 2023
Street Closure: 1:00 p.m. – 9:00 p.m.
Closure Area: East College Street (Edwards to Main)
- **Military Appreciation Day**
Event Time/Date: 4:00 p.m. – 9:00 p.m., Saturday, June 10, 2023
Rain Date: Saturday, June 17, 2023
Street Closure: 2:00 p.m. – 10:00 p.m.
Closure Area: College Street (Edwards to Railroad Tracks)
Street Closure: 3:00 p.m. – 5:00 p.m.
Closure Area: Railroad Street (Harrison to West College)
- **Girls Night Out**
Event Time/Date: 4:00 p.m. – 9:00 p.m., Saturday, September 30, 2023
Rain Date: Saturday, October 7, 2023
Street Closure: 2:00 p.m. – 10:00 p.m.
Closure Area: East College Street (Edwards to Main), West College Street (Main to Railroad Tracks)
- **Downtown Holiday Open House**
Event Time/Date: 11:00 a.m. – 5:00 p.m., Saturday, November 18, 2023
Street Closure: 9:00 a.m. – 6:00 p.m.
Closure Area: West College Street (Main to Railroad Tracks)
- **Whoville Celebration**
Event Time/Date: 10:00 a.m. – 4:00 p.m., Saturday, December 2, 2023
Rain Date: Saturday, December 9, 2023
Street Closure: 7:00 a.m. – 5:00 p.m.
Closure Area: College Street (Edwards to Railroad Tracks), Easy Street (Edwards to Main), West Grubbs Street (Main to Railroad Street), East Grubbs Street (Edwards to Main)
Street Closure: 8:00 a.m. – 5:00 p.m.
Closure Area: Main Street (Lee to Harrison)
- **Whoville 5K & Fun Run**
Event Time/Date: 8:00 a.m. – 11:00 a.m., Saturday, December 9, 2023
Rain Date: Saturday, December 16, 2023
Street Closure: 7:00 a.m. – 12:00 p.m.
Closure Area: East College Street (Edwards to Main)

CONSIDER APPROVAL OF EVENT PERMITS (Continued):

Police Chief Michael Moore indicated he was okay with the requests. A motion was made by Council Member Padgett, seconded by Council Member Goolsby, to approve the permit requests as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye. The President Pro-Tem declared the motion carried.

PRIVILEGE OF THE FLOOR (Persons allowed 3 minutes to address the Council)

Pamela Fleming, Johnny Hutcherson, and Wesley Mathews addressed the Council to register complaints regarding conditions on David Road related to damage caused by dump trucks using the dirt road.

STAFF REPORTS

Public Works Director/City Engineer Barry Mott discussed various options for addressing the issues on David Road.

Assistant Director of Engineering Thomas Hardy informed Council he had reached out to Alabama Power Company regarding a request for additional lighting on David Road.

CFO/Treasurer Leeann Swartz noted a change in the effective date to March 1, 2023 for sales and use tax collection by the Alabama Department of Revenue.

OLD BUSINESS**PUBLIC HEARING – To Adopt International & National Codes By Reference**

The President Pro-Tem called for a public hearing relating to the proposed adoption of the 2021 Editions (with appendices) of the following standard codes and by reference:

- International Building Code
- International Residential Code
- National Electrical Code (2020 Edition with appendices)
- International Fire Code
- International Fuel Gas Code
- International Existing Building Code
- International Swimming Pool and Spa Code
- International Property Maintenance Code
- International Plumbing Code
- International Mechanical Code

Council President Pro-Tem Rich opened the public hearing and called on Assistant Director of Engineering Thomas Hardy and Fire Chief Christopher Davis, who presented the Council with a recommendation to adopt the proposed codes. The President Pro-Tem then invited public comment, and, hearing none, called for any discussion by the Council. Each Council Member spoke in support of adopting the 2021 building codes, and upon hearing no further comments, the President Pro-Tem declared the public hearing closed.

NEW BUSINESS**INTRODUCE ORDINANCE 03-07-23 (Adopt International Building Code, 2021 Edition with appendices)**

The President Pro-Tem introduced Ordinance 03-07-23, providing to adopt the International Building Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23 will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-A (Adopt International Residential Code, 2021 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-A, providing to adopt the International Residential Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-A will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-B (Adopt National Electrical Code, 2020 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-B, providing to adopt the National Electrical Code, 2020 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-B will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-C (Adopt International Fire Code, 2021 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-C, providing to adopt the International Fire Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-C will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-D (Adopt International Fuel Gas Code, 2021 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-D, providing to adopt the International Fuel Gas Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-D will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-E (Adopt International Existing Building Code, 2021 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-E, providing to adopt the International Existing Building Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-E will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-F (Adopt International Swimming Pool and Spa Code, 2021 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-F, providing to adopt the International Swimming Pool and Spa Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-F will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-G (Adopt International Property Maintenance Code, 2021 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-G, providing to adopt the International Property Maintenance Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-G will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-H (Adopt International Plumbing Code, 2021 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-H, providing to adopt the International Plumbing Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-H will lay over until the regular meeting scheduled for March 21, 2023.

INTRODUCE ORDINANCE 03-07-23-I (Adopt International Mechanical Code, 2021 Edition with appendices)

The President Pro-Tem introduced Ordinance 03-07-23-I, providing to adopt the International Mechanical Code, 2021 Edition, by reference, as provided by Title 11-45-8 Code of Alabama 1975, as amended, and announced that consideration of Ordinance 03-07-23-I will lay over until the regular meeting scheduled for March 21, 2023.

REVIEW & CONSIDER RESOLUTION 03-07-23 (Sales & Use Tax Administration/Collection)

The President Pro-Tem introduced and called for consideration of Resolution 03-07-23, authorizing the Alabama Department of Revenue to administer and collect all sales and use taxes levied by the City of Enterprise, beginning March 1, 2023.

A motion was made by Council Member Padgett, seconded by Council Member Goolsby, to adopt Resolution 03-07-23. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye. The President Pro-Tem declared the motion carried and Resolution 03-07-23 duly passed and adopted.

REQUEST PERMISSION TO SHOOT FIREWORKS (Parks & Recreation/Festival in the Park)

The President Pro-Tem introduced and called for consideration of a request from Blake Moore, Parks & Recreation Superintendent, to shoot fireworks on Saturday, May 6, 2023 during the Festival in the Park. All safety requirements will be met and the show will be contracted through Pyro Productions, Inc. The cost of \$5,250.00 will be paid by sponsorships.

REQUEST PERMISSION TO SHOOT FIREWORKS (Continued):

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to approve the request as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye. The President Pro-Tem declared the motion carried.

REVIEW & CONSIDER STREET LIGHT MODIFICATION (Goodson Street)

The President Pro-Tem introduced and called for consideration of a request from City Engineer/Public Works Director Barry Mott to install one (1) 31W LED fixture on Goodson Street at an annual cost of \$234.00.

A motion was made by Council Member Padgett, seconded by Council Member Johnson, to approve the request as submitted. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye. The President Pro-Tem declared the motion carried.

APPROVE NOMINATIONS TO HEALTH CARE AUTHORITY

The President Pro-Tem introduced and called for consideration of a request by the Board of Directors of the Enterprise Health Care Authority to approve the following nominations to the Health Care Authority of the City of Enterprise:

- Jeremy Mitchell, to fill the unexpired term of James Tarbox, ending January 3, 2027
- Clemmie Wilson, Jr., for a five-year term beginning January 5, 2023, and ending January 4, 2028

A motion was made by Council Member Goolsby, seconded by Council Member Padgett, to approve the nominations of Jeremy Mitchell and Clemmie Wilson, Jr. to the Health Care Authority of the City of Enterprise. The vote being: Rich – Aye; Goolsby – Aye; Padgett – Aye; Johnson – Aye. The President Pro-Tem declared the motion carried.

MAYORS REPORT

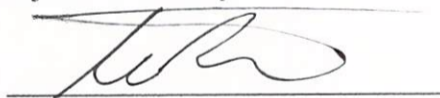
Mayor Cooper provided reports and announcements from various departments, projects, and events.

COUNCIL MEMBERS COMMENTS

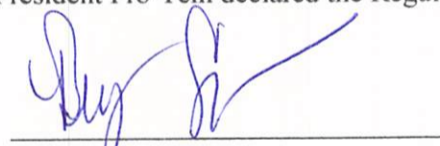
Council Members thanked Ms. Fleming, Mr. Hutcherson, and Mr. Mathews for their comments, meeting attendees, and citizens watching online.

ADJOURNMENT

There being no further business before the Council, the President Pro-Tem declared the Regular Session adjourned at 7:05 p.m.



 Turner Townsend
 Council President



 Beverly Sweeney
 City Clerk