

CITY COUNCIL WORK SESSION MINUTES OF SEPTEMBER 17, 2019

The Enterprise City Council convened in Work Session at 4:30 p.m., Tuesday, September 17, 2019 in the Mayor’s Conference Room at City Hall. Notice of the meeting was posted as Per Act 2005-40 Code of Alabama.

PRESENT: Council President Perry Vickers, District #3
Council Member Sonya W. Rich, District #1
Council President Pro-Tem Eugene Goolsby, District #2
Council Member Wallace “Al” Miller, Jr., District #4
Council Member Turner Townsend, District #5

ALSO PRESENT: Mayor William E. Cooper
Interim City Clerk/Treasurer Beverly Sweeney was present and kept the minutes.
City Attorney Rainer Cotter
Staci Hayes
Tyler Hurst
Jonathan Tullos
Rolf Sass
Pete Landrum
Lister Reeves
Barry Mott
Lorenzo Harrison
Ted Watson
Josh Richards, Enterprise Ledger
Michelle Mann, Southeast Sun
Caroline Quattlebaum, Southeast Sun

ROLL CALL – Council President Vickers noted that all Council Members were present.

CALL FOR EXECUTIVE SESSION

Council President Vickers requested the Council go into Executive Session to discuss issues relating to economic development.

EXECUTIVE SESSION

Attorney Rainer Cotter appeared before the Council and stated that issues pending before the Council involved issues requiring legal advice and counsel; trade secrets.

STATE OF ALABAMA)

CITY OF ENTERPRISE)

**MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO 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 17th day of September, 2019, the time, date, place and agenda of which were 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, Vickers, Miller and Townsend. Council President Vickers presided over the meeting. Mayor William E. Cooper was also present. City Attorney Rainer Cotter was present; and,

WHEREAS, during the course of said meeting, a motion was made by Council Member Rich for the Council to go into Executive Session for the purpose of legal advice and counsel; trade secrets, being two 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; trade secrets.

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

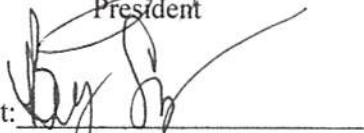
WHEREAS, said vote in regard to the motion for Executive Session was taken with the “yeas” and “nays” being recorded into the minutes as follows:

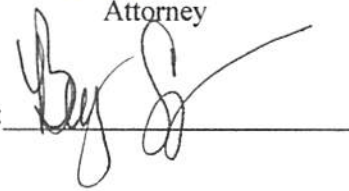
- | <u>Yeas</u> | <u>Nays</u> |
|-------------|-------------|
| 1. Rich | |
| 2. Goolsby | |
| 3. Vickers | |
| 4. Miller | |
| 5. Townsend | |

And the President 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 4:35 p.m. for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 30 minutes.

By: 
President

By: 
Attorney

Attest: 

Attest: 

RECONVENE IN WORK SESSION

The Work Session was recessed into Executive Session at 4:35 p.m. and reconvened in Work Session at 5:15 p.m. with a motion by Council Member Townsend and a second by Council Member Goolsby. All Members – Aye. The President declared the Executive Session adjourned and reconvened the Work Session.

HIGHPOINTE CHURCH

Consulting Engineer Glenn Morgan discussed a request by HighPointe Church to tap into the city's sewer system. Mr. Morgan reported the best approach in doing so would require crossing the bypass. In order to cross the bypass, it would require a Department of Transportation permit because it is on a DOT right-of-way, he said, adding that the Department of Transportation required anything inside the right-of-way be city maintained. It was noted that HighPointe Church will be responsible for all construction and after tapping into the city's sewer system, will begin paying city sewer rates. The city will assume responsibility for any portions inside the DOT right-of-way. Following discussion, all Council Members spoke in favor of filing the permit and accepting maintenance of the sewer inside the bypass. An agreement between the church and city will be drafted by City Attorney Rainer Cotter.

CODE ENFORCEMENT


Code Enforcement Official Tyler Hurst presented an update on the status of nuisance properties within the city. Mr. Hurst informed Council Members that the department is currently tracking around 240 to 250 properties and is approximately 97 percent complete. Mr. Hurst presented several photos of residential and commercial properties that had been handled and discussed other issues with the Council.


FY 2020 BUDGET

Council Members held a follow up discussion regarding the proposed FY 2020 operating budget. Council Member Townsend reported current departmental requests would put the budget into a deficit status and presented three options to the Council for discussion; balanced budget, \$500,000 surplus, and \$1 million surplus. Council Member Townsend, at the request of the Mayor and Council, will contact department heads to request a list of possible changes/cuts to be presented at a Work Session on Tuesday, September 24th.

ADJOURNMENT

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


Beverly Sweeney
Interim City Clerk/Treasurer


Perry Vickers
Council President