

CITY COUNCIL MEETING MINUTES OF NOVEMBER 5, 2013

The Enterprise City Council convened in regular session, Tuesday, November 5, 2013 at 12:00 p.m. in the Council Chambers at City Hall.

PRESENT: Council President Tommy Johnson, Jr., District #2
Council Member William E. Cooper, District #1
Council Member Kirk Donaldson, District #3
Council Member Wallace "Al" Miller, Jr., District #4
Council Member Rhett Marques, District #5

ALSO PRESENT: Mayor Kenneth W. Boswell
City Clerk/Treasurer Steve Hicks was present and kept the minutes.

REVIEW OF MINUTES – October 15, 2013 Regular Session

A copy of the minutes of the October 15, 2013 Regular Session was provided to each member of the Council for review. Following review, Council Member Cooper offered the motion to approve the minutes as written. Council Member Miller made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

REQUEST TO ADDRESS COUNCIL/PERMIT REQUEST – Anna Bergmark (St. John Catholic Montessori School Parents One Mile Race)

The President recognized Anna Bergmark, representing St. John Catholic Montessori School parents, who requested approval to hold a one (1) mile race on March 8, 2014 from 8:00 a.m. until 1:00 p.m. to raise funds for the school.

Council Member Miller offered the motion to approve the permit request. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

REQUEST TO ADDRESS COUNCIL/PERMIT REQUEST – Glenda Fuller (Overpasses for America Rally)

The President recognized Glenda Fuller, representing Overpasses for America, who requested to address the Council to obtain a permit to hold an American Freedom Rally on November 9, 2013 from 10:00 a.m. to 1:00 p.m. in front of Walmart Super Center.

Council Member Miller offered the motion to approve the permit request. Council Member Donaldson made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

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

No one requested to address the Council.

OLD BUSINESS

PUBLIC HEARING & CONSIDERATION – ORDINANCE 10-01-13 (St Mary's Missionary Baptist Church Rezone)

The President called for a public hearing prior to consideration of Ordinance 10-01-13 providing for the rezone of property owned by St. Mary's Missionary Baptist Church from M-1 (Light Manufacturing District) to INST (Institutional District) located on the Northwest corner of the Dan Henderson Subdivision on Pittman Street. No comments were offered. The President closed the hearing and called for consideration of Ordinance 10-01-13.

Council Member Cooper offered the motion to adopt Ordinance 10-01-13. Council Member Marques made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared Ordinance 10-01-13 duly passed and adopted. (On file in the permanent Ordinance Files in the Office of the City Clerk)

PUBLIC HEARING & CONSIDERATION – ORDINANCE 10-01-13-A (Christian Mission Centers, Incorporated Rezone)

The President called for a public hearing prior to consideration of Ordinance 10-01-13-A providing for the rezone of .50 acres owned by Christian Mission Centers, Incorporated from R-65 (Residential District) to R-75-A (Residential District) located next to 215 South Watson Street on the southwest corner of South Watson and East Hildreth and for the rezone of one (1) adjoining acre from B-3 (Business District) to R-75-A (Residential District) located at the corner of East Park Avenue and South Watson Street. No comments were offered. The President closed the hearing and called for consideration of Ordinance 10-01-13-A.

Council Member Donaldson offered the motion to adopt Ordinance 10-01-13-A. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared Ordinance 10-01-13-A duly passed and adopted. (On file in the permanent Ordinance Files in the Office of the City Clerk)

PUBLIC HEARING & CONSIDERATION/ABC LICENSE REQUEST (Bradley & Byrd Enterprises LLC DBA Culinary Concepts)

The President called for a public hearing on a request from Bradley & Byrd Enterprises LLC DBA Culinary Concepts for Retail Beer and Wine Off Premises Consumption License located at 2200 Ozark Highway Suite C & D. Leigh Bradley spoke in favor of the request. The President closed the hearing and called for consideration of the request.

Council Member Marques offered the motion to approve the ABC License request. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

REVIEW & CONSIDER BIDS (Electronic Signs/Recreation & Civic Centers)

The President called for consideration of a recommendation from Billy Powell, Parks & Recreation Director, to award Bid Requisition 2013-13 for Electronic Signs at the Recreation Center and Civic Center to ID Associates.

Bids were received as follows:

	<u>Parks & Recreation</u>	<u>Civic Center</u>
Vickers*	\$22,900	\$25,000
JM Stewart	\$36,374.61	\$36,389
ID Associates	\$23,990	\$29,290

*Did not meet specifications.

Council Member Miller offered the motion to award the bid for Electronic Signs at the Recreation Center and Civic Center to ID Associates. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

NEW BUSINESS

INTRODUCE PLANNING COMMISSION RECOMMENDATION

The President introduced, for the record, a recommendation from the Enterprise Planning Commission to approve a request from Enterprise Paper & Janitorial, LLC to rezone property from R-75-A (Residential District) to M-1 (Light Manufacturing District) located at 206 and 208 Airport Road.

INTRODUCE ORDINANCE 11-05-13 (Enterprise Paper & Janitorial, LLC Rezone)

The President introduced Ordinance 11-05-13 providing for the rezone of property owned by Enterprise Paper & Janitorial, LLC from R-75-A (Residential District) to M-1 (Light Manufacturing District) located at 206 and 208 Airport Road and called for a public hearing to be held at the regular meeting scheduled for December 3, 2013 prior to consideration of the Ordinance.

INTRODUCE ORDINANCE 11-05-13-A (Repealing Ordinance 06-19-90)

The President introduced Ordinance 11-05-13-A providing for the repeal of Ordinance 06-19-90 established for the licensing of homebuilders and remodelers in the City. Ordinance 11-05-13-A recognizes the protections afforded by the enactment of Alabama Code Section 34-14A-1, et seq., as amended and brings the City's requirements in line with those provisions. Ordinance 11-05-13-A is not intended to repeal any other ordinance, requirement, rule or regulation in relation to the City's licensing requirements, issuance of building permits, enforcement of applicable building codes nor any requirement of homebuilders or remodelers as set out by State law or any State agency of competent jurisdiction.

Council Member Miller offered the motion to suspend the rules to allow for consideration of Ordinance 11-05-13-A. Council Member Donaldson made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried and called for consideration of Ordinance 11-05-13-A.

Council Member Cooper offered the motion to adopt Ordinance 11-05-13-A. Council Member Donaldson made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared Ordinance 11-05-13-A duly passed and adopted. (On file in the permanent Ordinance Files in the Office of the City Clerk)

REVIEW & CONSIDER RESOLUTION 11-05-13 (Project No. IAR-016-000-21 Agreement)

The President introduced and called for consideration of Resolution 11-05-13 providing for an agreement in the amount of \$394,800 between the Alabama Department of Transportation and the City of Enterprise for a preliminary engineering, right-of-way acquisitions and construction program for improvements to Aviation Boulevard that include additional lanes from US-84 Bypass to Enterprise Municipal Airport.

Council Member Donaldson offered the motion to adopt Resolution 11-05-13. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared Resolution 11-05-13 duly passed and adopted. (On file in the permanent Resolution Files in the Office of the City Clerk)

REVIEW & CONSIDER RESOLUTION 11-05-13-A (Authorization of CDBG Grant Application)

The President introduced and called for consideration of Resolution 11-05-13-A providing for notice of the City's intent to apply to the State of Alabama for FY 2014 Community Development Block Grant sewer improvement assistance. The resolution further authorizes the Mayor to sign any and all necessary application papers as well as any contracts or other agreements relative to the implementation of the proposed project.

Council Member Miller offered the motion to adopt Resolution 11-05-13-A. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared Resolution 11-05-13-A duly passed and adopted. (On file in the permanent Resolution Files in the Office of the City Clerk)

REVIEW & CONSIDER RESOLUTION 11-05-13-B (Amending Employee Classification Plan/Salary Schedule – Engineering)

The President introduced and called for consideration of Resolution 11-05-13-B providing for an amendment to Ordinance 10-16-01 which establishes the Employee Classification Plan/Salary Schedule. The amendment calls for the deletion of Assistant Building Official, Pay Grade 9, and provides for the addition of Assistant Director of Engineering Services, Pay Grade 10.

Council Member Miller offered the motion to adopt Resolution 11-05-13-B. Council Member Donaldson made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared Resolution 11-05-13-B duly passed and adopted. (On file in the permanent Resolution Files in the Office of the City Clerk)

REQUEST TO SEEK BIDS (Construction/Farmer's Market)

The President introduced and called for consideration of a request from Ray Bickley, Public Works Director, to seek bids for construction of the Enterprise Farmer's Market.

REQUEST TO SEEK BIDS (Continued):

Council Member Donaldson offered the motion to approve the request to seek bids for construction of the Enterprise Farmer’s Market. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

REVIEW & CONSIDER ACCOUNTS PAYABLE

The President introduced and called for consideration of Accounts Payable for September 2013-2 and October 2013 in the following amounts:

<u>September 2013-2</u>	<u>October 2013</u>
City of Enterprise - \$139,406.82	City of Enterprise - \$349,491.20
Water Works Board - \$6,348.82	Water Works Board - \$96,618.33
Total - \$145,755.64	Total - \$446,109.53

Council Member Marques offered the motion to approve Accounts Payable for September 2013-2 and October 2013. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

REVIEW & CONSIDER CONTRACT BILLINGS

The President introduced and called for consideration of the following Contract Billings:

- Barge Waggoner Sumner & Cannon, Inc. -**
Invoice #126414 - \$20,882.70 – Construction Engineering – AIP Project No. 3-01-0027-018-2013 (Airport AWOS Project)
- Donofro & Associates Architects Inc. -**
Invoice #1 - \$16,812.00 – Contract Architecture Services – Enterprise Farmer’s Market Project
- Constangy, Brooks & Smith, LLP -**
Invoice #1 - \$500.00 – Contract Services – Employee Handbook Revisions & Final Edits
- Ozonias North America, LLC -**
Invoice #31811232-40141X - \$18,123.36 - Equipment Inspection & Repair – Northeast WWTF
- G.W. Norrell Contracting Co. -**
Estimate #2 - \$51,361.75 – Construction – Northside Drive Bridge Replacement
- Polyengineering, Inc. -**
Invoice #14891 - \$1,811.25 – Construction Engineering – Northside Drive Bridge Replacement
- Polyengineering, Inc. -**
Invoice #14892 - \$2,500.00 – Construction Engineering - Yancey Parker Industrial Park Environmental Site Assessment
- Southern Petroleum Systems -**
Invoice #11-4-2013 - \$9,982.50 – Construction – Airport Fuel Farm Refurbishment
- FAA -**
Invoice #1 - \$5,082.70 – Flight Inspection – Project #AJW-ON-AAC-13-A383

TOTAL CONTRACT BILLINGS - \$127,056.26

Council Member Miller offered the motion to approve Contract Billings as submitted. Council Member Cooper made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

REVIEW & CONSIDER TRAVEL REQUESTS – Administrative Department

The President introduced and called for consideration of the following Travel Requests:

Administrative

Michael Bryant, Revenue Officer
Carl Watson, Revenue Officer
AMROA Winter Conference
Auburn, Alabama
December 4-6, 2013
Estimated Cost: \$1,303.88

Council Member Cooper offered the motion to approve Travel Requests as submitted. Council Member Donaldson made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

REQUEST PERMISSION TO DISPOSE OF INVENTORY – Administrative Department

The President introduced and called for consideration of a request to declare the following items as surplus property and to dispose of them in a manner in accordance with State law.

- Aurora AS1219CD Paper Shredder – City ID #5120
- Four (4) Blackberry Cell Phones
- One (1) Motorola Linc
- Dell 12" Computer Monitor – City ID #04670
- HP Printer – City ID #8549
- IBM Typewriter – City ID #03552
- Dell Computer – City ID # 04632

Items to be sold on GovDeals:

- Printek Forms Pro 4300 Printer – City ID #04781
- Printer Stand – City ID # 04782

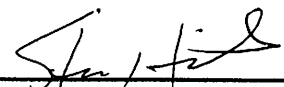
Council Member Miller offered the motion to approve the request. Council Member Marques made the second. The vote being: Cooper – Aye; Johnson – Aye; Donaldson – Aye; Miller – Aye; Marques – Aye. The President declared the motion carried.

MAYOR'S REPORT

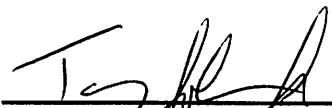
No report was given.

ADJOURNMENT

There being no further business, the President declared the meeting adjourned at 12:25 p.m. until 6:00 p.m., Tuesday, November 19, 2013.



Steve Hicks
City Clerk/Treasurer



Tommy Johnson, Jr.
Council President