

## **CITY COUNCIL MEETING MINUTES OF OCTOBER 15, 2013**

The Enterprise City Council convened in regular session, Tuesday, October 15, 2013 at 6:00 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 President Pro-Tem 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 1, 2013 Regular Session, October 9, 2013 & October 10, 2013 Work Sessions**

A copy of the minutes of the October 1, 2013 Regular Session, October 9, 2013 and October 10, 2013 Work Sessions were 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 – Chad Waterman (EHS Men's Soccer Team 5K)**

The President recognized Chad Waterman, representing EHS Men's Soccer Team, who requested approval for a 5K Fund Raiser to be held November 16, 2013 from 6:30 a.m. until 9:00 a.m.

Council Member Miller offered the motion to approve the permit 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.

### **PRESENTATION OF EXTRA MILE AWARDS**

The President recognized Mayor Boswell who presented Extra Mile Awards to the following employees:

- Ronnie Price – Public Works Department
- Brian Knowles – Public Works Department
- Detective Anthony Phillips – Enterprise Police Department

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

No one requested to address the Council.

### **OLD BUSINESS**

#### **PUBLIC HEARING & CONSIDERATION/ABC LICENSE REQUEST (Suzy Ques Smoke Shack, LLC)**

The President called for a public hearing on a request from Suzy Ques Smoke Shack, LLC for a Restaurant Retail On Premises Consumption License located at 1282 Geneva Highway.

No comments were offered.

Council Member Miller 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 BID RECOMMENDATION – Airport Fuel Farm**

The President introduced and called for consideration of a recommendation from Michael Walters, Director of Engineering Services, to award the bid for the refurbishment of the fuel farm and installation of a self-service fueling system at the Enterprise Municipal Airport to Southern Petroleum in the amount of \$61,021.00. No other bids were received.

REVIEW & CONSIDER BID RECOMMENDATION – Airport Fuel Farm (Continued):

Council Member Cooper offered the motion to award the bid for refurbishment of the fuel farm and installation of a self-service fueling system at the Enterprise Municipal Airport to Southern Petroleum in the amount of \$61,021.00. 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. (Bid documents on file in the Office of the Purchasing Agent)

REVIEW & CONSIDER BID RECOMMENDATION – Fire Truck

The President introduced and called for consideration of a recommendation from Fire Chief Byron Herring to award the following low bids meeting specifications for one (1) new Fire Apparatus Pumper Truck to Sunbelt Fire Apparatus in the amount of \$449,410.00 and to award the low bid meeting specifications for loose equipment to NAFECO in the amount of \$16,858.23. The total bid amount is \$466,268.23 and is within budget.

Bids received were as follows:

	<u>Fire Apparatus Pumper Truck</u>	<u>Loose Equipment</u>
▪ Sunbelt Fire	\$449,410.00	\$18,359.00
▪ NAFECO	No Bid	\$16,858.23
▪ Emergency Professionals	\$453,728.00	\$13,713.00**
▪ Bay Fire	\$486,330.00	\$19,821.98
▪ MES	No Bid	\$ 9,925.97*

\*The loose equipment bid from MES was incomplete and did not meet bid specifications.

\*\*Emergency Professionals bid of \$13,713.00 for loose equipment included a stipulation that the bid was only valid if the Fire Apparatus Pumper Truck was purchased through them.

Council Member Donaldson offered the motion to award the low bids meeting specifications for one (1) new Fire Apparatus Pumper Truck to Sunbelt Fire Apparatus in the amount of \$449,410.00 and for loose equipment to NAFECO in the amount of \$16,858.23. 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. (Bid documents on file in the Office of the Purchasing Agent)

REQUEST TO REJECT BIDS/REBID – Electronic Signs (Parks & Recreation, Civic Center)

The President introduced and called for consideration of a request from Billy Powell, Parks & Recreation Director, to reject all bids for electronic signs and to authorize the rebidding of electronic signs for the Recreation Center and Civic Center.

Council Member Miller offered the motion to reject all bids received and authorize the rebidding of electronic signs. 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.

NEW BUSINESS

REVIEW & CONSIDER RESOLUTION 10-15-13 (Award RFP & Authorize Project Development/Energy Systems Group)

The President recognized Jack Mansell, representing Energy Systems Group, who presented an overview of a project development agreement to enter into a guaranteed energy cost saving contract in order to reduce energy consumption and/or the City’s operating costs for its facilities as authorized by Section 41-16-140 of the Code of Alabama.

**REVIEW & CONSIDER RESOLUTION 10-15-13 (Continued):**

The focus of the program is to implement energy cost saving measures that would not exceed the amount of energy or operational cost savings, or both, within the lesser of a 20-year period or the average useful life of the energy cost saving measures in the following areas:

- ❖ Water Meter Accuracy Improvements and Automated Utility (Water, Sewer, Gas & Electric as applicable), Meter Reading Technology Improvements, such as Drive-By, Fixed Base or Wi-Fi Platforms.
- ❖ Water Infrastructure Improvements, such as pumping station pumps, water service lines, leak detection systems, etc.
- ❖ Customer Facilities – All Energy Conservation Measures.
- ❖ Outdoor Lighting Systems, Street Lights, Traffic Lights Improvements as applicable.
- ❖ HVAC, Plumbing, Controls, Roofing, Security, Life Safety, Information Technology, Telecommunications and Door/Window Insulation; if the need for improvements in these areas exist.
- ❖ Renewable Energy Projects and Green Building Initiatives.
- ❖ Any additional Capital Projects deemed feasible.

The final contract shall include a written guarantee of the qualified provider that either the energy or operational cost savings, or both, will meet or exceed the costs of the energy cost savings measures within the lesser of 20 years or the average useful life of the energy cost savings measures. "The qualified provider shall reimburse the governmental unit for any shortfall of guaranteed energy cost savings on an annual basis". Ala. Code § 41-16-143

The President introduced and called for consideration of Resolution 10-15-13 providing for the authorization of a Project Development Agreement with Energy Systems Group to develop the scope, cost and savings numbers for the project. Subject to conditions of the agreement, project development costs of \$48,800.00 will be considered to be in the overall project cost saving measures if implemented.

Council Member Miller offered the motion to adopt Resolution 10-15-13 providing for the authorization of a Project Development Agreement with Energy Systems Group. 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. (On file in the permanent Resolution Files in the Office of the City Clerk)

**REVIEW & CONSIDER FY13 BUDGET AMENDMENTS**

The President introduced and called for consideration of the FY13 budget amendments. The amendments call for a reduction of \$776,024.05 in the general fund primarily as the result of reductions in general fund improvements. One department in the general fund was over budget due to the replacement of a vehicle involved in an accident.

Budget amendments in other funds increased by \$12,422,243.48 as primarily the result of the issuance of FY 13 General Obligation Warrants in the amount of \$12.5 million and other transfers for grants and capital outlay projects.

Council Member Marques offered the motion to approve FY13 budget amendments as submitted. 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.

REVIEW & CONSIDER FY13 BUDGET AMENDMENTS (Continued):

FY 2013	BUDGET AMENDMENTS		REASON
	GENERAL FUND		
REVENUES	OTHER SOURCES - FUND BALANCE	(69,889.39)	ENCUMBERANCE
	OTHER SOURCES - FUND BALANCE	(1,789,288.00)	BUDGET REDUCTION
	ADDITIONAL UNBUDGETED SOURCES	1,083,153.34	TRANSFERS IN
	TOTAL REVENUE/SOURCES	(776,024.05)	
EXPENSES	ENCUMBERANCE	(69,889.39)	FUNDS APPROVED IN FY12/PAID IN FY13
	OTHER OPERATING EXPENSES	27,000.00	DEPARTMENTAL OVERRUNS
	ADMIN - IMPROVEMENTS	(733,134.66)	BUDGET REDUCTION
	TOTAL GENERAL FUND USES	(776,024.05)	
	ORIGINAL BUDGET	29,866,077.55	
	REVISED BUDGET	29,090,053.50	
	ACTUAL	26,323,688.28	
	OTHER FUNDS		
REVENUES	E-911	8,595.98	ENCUMBERANCE
	FIRE DEPARTMENT TOBACCO TAX	1,708.00	ENCUMBERANCE
	MUNICIPAL COURT	300.00	ADDT'L REVENUE
	SENIOR CITIZEN	465.00	ENCUMBERANCE
	INDUSTRIAL DEVELOPMENT	2,159,800.04	ADDT'L REVENUE
	INDUSTRIAL DEVELOPMENT	6,441,600.77	ENCUMBERANCE
	SEWER/DISPOSAL	5,432.08	ENCUMBERANCE
	SEWER/DISPOSAL	791,266.87	ADJUST FOR GRANT PROJECT TRANSFER
	CAPITAL PROJECTS	9,029.88	ENCUMBERANCE
	CAPITAL PROJECTS	250,000.00	TRANSFERS IN FOR CAPITAL PROJECTS
	CAPITAL PROJECTS	2,762,640.84	BOND PROCEEDS
	TOTAL SOURCES	12,422,243.48	
EXPENSES	E-911	8,595.98	ENCUMBERANCE
	FIRE DEPARTMENT TOBACCO TAX	1,708.00	ENCUMBERANCE
	MUNICIPAL COURT	300.00	BANK SERVICE CHARGES
	SENIOR CITIZEN	465.00	ENCUMBERANCE
	INDUSTRIAL DEVELOPMENT	2,159,800.04	ADDT'L COSTS
	INDUSTRIAL DEVELOPMENT	6,441,600.77	ENCUMBERANCE
	SEWER/DISPOSAL	5,432.08	ENCUMBERANCE
	SEWER/DISPOSAL	791,266.87	TRANSFER FOR CAPITAL PROJECTS
	CAPITAL PROJECTS	3,012,640.84	TRANSFER OUT TO CITY
	CAPITAL PROJECTS	9,029.88	ENCUMBERANCE
	TOTAL USES	12,422,243.48	

INTRODUCE ABC LICENSE REQUEST (Bradley & Byrd Enterprises LLC DBA Culinary Concepts)

The President introduced a request from Bradley & Byrd Enterprises LLC DBA Culinary Concepts for a Retail Beer and Wine On or Off Premises Consumption License located at 2200 Ozark Highway Suite C & D and called for a public hearing to be held at the regular meeting scheduled for November 5, 2013 prior to consideration of the request.

REVIEW & CONSIDER CONTRACT BILLINGS

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

**1. GovDeals -**

Invoice #255-092013 - \$773.40 – Contract Services – Online Auction Fees

**2. Polyengineering, Inc. -**

Invoice #14852 - \$1,110.00 – Construction Engineering – College Street WWTP MDL Study

**TOTAL CONTRACT BILLINGS - \$1,883.40**

Council Member Cooper offered the motion to approve Contract Billings as submitted. 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.

REVIEW & CONSIDER STREETLIGHT REQUEST – Daphne Drive

The President introduced and called for consideration of a request from Michael Walters, Director of Engineering Services, to approve the installation of two (2) additional streetlights on Daphne Drive in Shell Landing Subdivision. A total one time facilities cost for the two (2) streetlights will be \$3,727.41 and the annual energy cost for each 100W light will be \$85.32. The lights are to be installed by Alabama Power Company.

Council Member Miller offered the motion to approve the streetlight 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 PERMISSION TO CHANGE TIME OF MEETING

The President introduced and called for consideration of a request from Mayor Boswell to change the November 5, 2013 City Council meeting time from 6:00 p.m. to 12:00 noon due to the 2<sup>nd</sup> Congressional District Association Meeting in Dothan that night.

Council Member Cooper offered the motion to approve the request to change the time of the November 5, 2013 City Council meeting to 12:00 noon. 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.

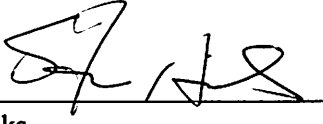
MAYOR'S REPORT

- Spooky in the Park is scheduled for October 25, 2013 from 5:00 p.m. until 9:00 p.m. with the 5K to start at 9:15 p.m.
- The Fire Department GPS is 70% complete.
- The Coffee County Arts Alliance is presenting “Ring of Fire” on November 4, 2013 at the EHS Performing Arts Center.
- The Northside Drive Bridge replacement is approximately 80% complete. The contractor has completed construction of the bridge structure and is presently finishing the roadway approaches, guardrail and curb work.

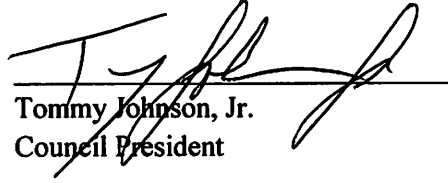
Billy Powell, Parks & Recreation Director, gave an update on the resurfacing of the tennis courts at Donaldson Park. He informed the Council that currently all work had stopped due to finding more issues with the playing surface and that a meeting with American Tennis Courts had been scheduled for the following week to determine a plan of action. An update will be given at the next City Council meeting.

ADJOURNMENT

There being no further business, the President declared the meeting adjourned at 6:30 p.m. until Tuesday, November 5, 2013 at 12:00 noon.



Steve Hicks  
City Clerk/Treasurer



Tommy Johnson, Jr.  
Council President