

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON
MONDAY, MARCH 15, 2021 AT 5:15 P.M.**

The Eufaula City Council met in a scheduled session on Monday, March 15, 2021, at 5:15 p.m. in the Police Department Courtroom at 545 East Barbour Street. Council President Register called the meeting to order, and Pastor Samuel Paige offered the invocation. Council President Register led the Council and audience in the Pledge of Allegiance.

Upon call of the roll the following members were present: Council President Wes Register, President Pro Tem Otis Hill, Marvin Brown, Ben Garrison, and John Robinson.

Also present: Mayor Jack Tibbs, Joy White, City Clerk/Treasurer, and Joel Smith, City Attorney.

HONORS AND RECOGNITION

APPROVAL OF AGENDA

President Pro Tem Hill offered a motion to approve the order of the agenda for the meeting of March 15, 2021. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced the motion had carried.

CONSENT AGENDA

Council President Register reviewed the items on the Consent Agenda for council approval.

- (a) Motion and second to dispense with and approve the regular session minutes of March 1, 2021.
- (b) Motion and second to dispense with and approve the Prepaid Claims Docket dated February 28, 2021 in the amount of \$2,534,127.21.
- (c) Motion and second to dispense with and approve the Clams Docket dated March 11, 2021, in the amount of \$64,628.26.

Mr. Garrison moved to approve the Consent Agenda. Mr. Robinson seconded the motion. After a voice vote, Council President Register announced the motion had carried.

MAYOR'S REPORT

Mayor Tibbs reported that the Bluff City Inn project is progressing well. Medical Industries of America will become operational providing approximately 60 jobs. Other commercial development/projects are also progressing well in the City of Eufaula.

Mayor Tibbs reported that the National Fishing League held its first national event here in Eufaula last week presenting the City of Eufaula with a plaque and hosting approximately 120 tournament participants. Mayor Tibbs also reported that there were over 100,000 hours of content consumed per day; 29,733,000 total minutes (the most minutes streamed in bass fishing history); and 756,000 video views, averaging 39 minutes. The compilation of tournament footage will produce two two-hour segment shows on the Discovery Channel, CBS, and the World Fishing Network. Much of the footage includes downtown Eufaula, Leroy Brown, etc.

The Big Bass Tour was recently held here in Eufaula with approximately 500 participants over a three-day period, and will also be held here in Eufaula for the next two years.

VISITORS

ORDINANCES AND RESOLUTIONS

Council President Register introduced Resolution 12-2021 (Provide Tier I Benefits to Tier II Plan Members). Mr. Garrison offered a motion to adopt Resolution 12-2021 (Provide Tier I Benefits to Tier II Plan Members). Mr. Robinson seconded the motion. After a voice vote, Council President Register announced that the motion had carried.

**RESOLUTION
12-2021**

WHEREAS, under the provisions of Act 2019-132, employers who participate in the Employees' Retirement System pursuant to *Ala. Code* § 36-27-6 may elect to provide Tier I retirement benefits to Tier II plan members; and

WHEREAS, the City of Eufaula participates in the Employees' Retirement System pursuant to *Ala. Code* § 36-27-6 and wishes to improve retirement benefits for its Tier II plan members;

Now, Therefore, BE IT RESOLVED by the City Council of the City of Eufaula, Alabama that the City of Eufaula elects to provide Tier I retirement benefits to its Tier II plan members, subject to approval by the Employees' Retirement System Board of Control; that, if approved, such election shall be effective the following fiscal year and is irrevocable.

BE IT FURTHER RESOLVED that the City of Eufaula has reviewed the actuarial cost estimates provided by the Employees' Retirement System for such election and agrees to pay any resulting increases in the employer contribution rate.

BE IT FURTHER RESOLVED, that beginning in the month that such election is effective, the City of Eufaula's Tier II plan members shall contribute 7.5% of their earnable compensation to the Employees' Retirement System and the City of Eufaula's Tier II plan members who are firefighters or law enforcement officers, as defined by *Ala. Code* § 36-27-59(a), shall contribute 8.5% of their earnable compensation to the Employees' Retirement System, as required by Act 2019-132.

ADOPTED AND APPROVED the ____day of _____, 2021.

CITY OF EUFAULA ALABAMA,
A MUNICIPAL CORPORATION

Wes Register
City Council President

ATTEST:

Joy White, City Clerk/Treasurer

Council President Register introduced Resolution 13-2021 (Authorize Approval of MOU for Municipal Debris Removal Program). Mr. Hill offered a motion to adopt Resolution 13-2021 (Authorize Approval of MOU for Municipal Debris Removal Program). Mr. Brown seconded the motion. After a voice vote, Council President Register announced that the motion had carried.

RESOLUTION

13-2021

WHEREAS, the Alabama Municipal Insurance Corporation (AMIC) has created a new program to help offset some of the debris removal costs associated with natural disasters; and

WHEREAS, the City of Eufaula, along with other Alabama cities and towns, will combine forces by contributing a set amount annually to the fund; and

WHEREAS, the cost to the City of Eufaula is \$ 5,939.00 per year; and

WHEREAS, the City of Eufaula will be refunded if there is not adequate participation for enactment and sustainability of the program.

NOW, THEREFORE, the City Council of the City of Eufaula authorizes Mayor Jack B. Tibbs, Jr. to execute the Memorandum of Understanding to participate in the Municipal Debris Removal Fund.

ADOPTED AND APPROVED this ____ day of _____, 2021.

Wes Register
President

ATTEST:

Joy White, City Clerk/Treasurer

PUBLIC HEARING

Council President Register introduced Resolution 14-2021 (Bluff City Inn Resolution Authorizing the Grant of Public Funds). Councilmembers discussed alternatives for any potential delay in the process or construction of the Bluff City Inn project. Council President Register then opened the floor to the audience for any comments. There were no comments from the audience. Mr. Garrison offered a motion to adopt Resolution 14-2021 (Bluff City Inn Resolution Authorizing the Grant of Public Funds). Mr. Robinson seconded the motion. After a voice vote, Council President Register announced that the motion had carried.

**RESOLUTION
14-2021**

**RESOLUTION AUTHORIZING THE GRANT OF PUBLIC FUNDS
AND THINGS OF VALUE IN AID OF RAM EUFAULA HOSPITALITY TWO, LLC
AND BLUFF CITY INN PROJECT DEVELOPMENT AGREEMENT**

WHEREAS, RAM Eufaula Hospitality Two, LLC, an Alabama limited liability company (“RAM”) desires to renovate, redevelop, and ultimately acquire, the Bluff City Inn, presently owned by the City of Eufaula, Alabama (the “City”), for use as a 96-room hotel, which will be flagged under the Marriott or Hilton brand and will include a food and beverage outlet (the "Project") within the corporate limits of the City, and more specifically, within the City’s Downtown Redevelopment Area as previously designated by the Eufaula Downtown Redevelopment Authority (the “Authority”); and

WHEREAS, the Project is expected to cost approximately \$15,000,000 to construct and equip and is expected to create at least 25 new full-time and 10 part-time jobs once construction and renovation are complete and the Project is in operation; and

WHEREAS, the Project is expected to increase tourism, shopping, and dining in the downtown area and elsewhere in the City, resulting in additional tax revenues for the City; and

WHEREAS, in order to undertake and construct the Project, RAM has requested the City to grant public funds and things of value to aid RAM in financing the Project; and

WHEREAS, the City has determined that the economic benefits to be derived from the construction and operation of the Project are significant enough that it is advisable for the City to provide some incentive to RAM to induce RAM to undertake the Project in the City; and

WHEREAS, the City proposes that it provide RAM with economic development incentive payments equal to (i) all of the six percent (6%) lodgings tax revenues collected by the City that are generated from Project operations for five years, up to a maximum of \$1,550,000; and (ii) seventy-five percent (75%) of the City of Eufaula General Fund sales tax revenues collected by the City that are generated from Project operations, including any food and beverages sold therein, for a period of five years of operation, up to maximum of \$164,000 (items (i) and (ii) are referred to herein collectively as the “Incentive”); and

WHEREAS, the Eufaula Barbour Chamber of Commerce (the “Chamber”) ordinarily receives a portion of the City’s lodging tax revenue, but the Chamber has agreed, by and through the action of its Board of Directors, to forego its share of the lodging tax revenue generated by the Project operations in order to foster economic development in the City; and

WHEREAS, RAM has presented the City, the Authority, and the Chamber with the attached proposed Project Development Agreement (the “Agreement”) which generally provides, among other things, that upon satisfaction of contingencies set forth in the Agreement (i) the City will convey the Bluff City Inn property to the Authority; (ii) the Authority will issue bonds for the financing of the construction and equipping of the Project, which will be secured by a letter of credit obtained by RAM from a lending institution; (iii) the Authority will lease the Project to RAM for operation of the hotel; (iv) the City will commence payment of the Incentive once the Project becomes operational; and (v) the Authority will convey title to the Project to RAM upon payment and satisfaction of the bond indebtedness; and

WHEREAS, RAM has indicated the City’s obligations under the Agreement, including, without limitation, the granting of the Incentive, will cause RAM to approve and proceed with construction of the Project; and

WHEREAS, City’s obligations under the Agreement, including, without limitation, the granting of the Incentive, will constitute a grant of public funds and things of value to RAM, a private business entity; and

WHEREAS, the City has caused to be published a notice satisfying the requirements stated in Amendment No. 757 of the Constitution of Alabama of 1901, as amended, (hereinafter referred hereto as “Amendment No. 757”), in order, to the extent Amendment No. 757 applies, to approve and authorize the grant of public funds and things of value in aid of RAM; and

WHEREAS, the City desires to authorize and approve the granting of the Incentive; and

WHEREAS, the City desires to enter into the Agreement; and

WHEREAS, the City desires to authorize City officials to take any other actions they deem reasonably necessary or convenient to protect the interests of the City and carry out the intent of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUFAULA, ALABAMA, AS FOLLOWS:

1. The recitals set forth in the foregoing preambles are hereby found and declared to be true and correct.

2. The City has caused public notice of the meeting at which this Resolution is being adopted to be published in accordance with Amendment No. 757 to the Alabama Constitution of 1901, as amended. A public meeting was in fact held before the City Council on Monday, March 15, 2021 at 5:15 PM and all persons present were given the opportunity to make comment and ask questions.

3. It is hereby found and declared that the lending of the City's credit and the grant of public funds and things of value to RAM in accordance with the terms hereof as set forth in the foregoing preambles and in the Agreement will serve a valid and sufficient public purpose under Amendment No. 757 to the Constitution of Alabama of 1901, as amended, notwithstanding any incidental benefit accruing to any private entity (including any benefit to RAM), as the Project is expected to ultimately create new jobs and to have a significant impact on the tax base, tax revenues, and job opportunities in the City.

4. The performance by the City of its obligations pursuant to this Resolution and the Agreement, including, without limitation, the delivery of the Incentive, is hereby ratified, approved, and authorized, and the Mayor of the City is hereby authorized to execute and deliver the Agreement on behalf of the City.

5. The Mayor, City Clerk, and President of the City Council and other representatives or agents of the City Council of the City of Eufaula, Alabama and the City of Eufaula are hereby severally authorized and empowered to take any and all such further actions necessary, required, or convenient to effectuate the intent of this Resolution.

ADOPTED this the _____ day of March, 2021.

Wes Register
Council President

Joy White
City Clerk/Treasurer

UNFINISHED BUSINESS

COUNCIL ACTION/DISCUSSION

Council President Register opened the floor for nominations for the unexpired three-year appointment to the Personnel Advisory Board. Mr. Robinson nominated Kaloeb Morris. There

were no other nominations. A roll call vote was taken and recorded as follows: Yeas: Mr. Garrison, Mr. Robinson, Mr. Brown, President Pro Tem Hill, President Register. Nays: None. Council President Register then announced that Kaloeb Morris was appointed to serve the unexpired three-year term on the Personnel Advisory Board that will expire on June 7, 2022.

Council President Register stated that there is a vacant position on the Eufaula City Schools Board of Education. The council agreed to accept resumes for the position for the next two weeks with a deadline of Tuesday, March 30, 2021 at 5:00 p.m., and select the candidate at the April 5, 2021 city council meeting.

REGULAR AGENDA (NEW BUSINESS) COUNCIL COMMITTEE REPORTS

Mr. Garrison reported that the City of Eufaula continues an optimistic trend in its finances with great expectations of an economic boost in tourism.

Council President Register announced that substitute teachers received a pay increase. March is the month for the Dr. Suess birthday celebration, Read Across America, and student-athlete college signings. The city schools also recognized their maintenance workers with goody bags for their service. Third (3rd) through eighth (8th) grade will begin state testing next week.

Council President Register attended the library board meeting this morning. The Board has a new project called Bean Stack app. The app is offered to the public and a library card is not required. It keeps a record of the user's books, finds various online book clubs, etc. The library will also have a digital summer reading program.

Mr. Robinson reported that the Weedon Field Airport is doing well. Although COVID-19 is still restricting many activities, the city league teams held a tournament recently. Baseball registration is complete with 265 participants registered. T-ball orientation is being held this afternoon. The senior center is continuing to deliver meals to seniors five days a week. On Friday, April 2, 2021, the flashlight Easter egg hunt will be held at Old Creek Town Park. Various items and artifacts will be on display at the James S. Clark Center. Southern Plastics is expanding and increasing their workforce. A tournament will be held to assist with the expenses for Scott Woodruff's recent heart transplant.

The Chamber of Commerce is hosting "A Network at Noon" on March 23, 2021 at 12:00 noon for local restaurants and businesses to discuss the needs of the local businesses. The Chamber is partnering with the Auburn University-Extension Office to offer four (4) small business workshops on July 24, 2021 and July 28, 2021 to look at economics, marketing, bookkeeping, internet sites, etc., as it relates to starting a small business. Alabama has received \$8,900,000 that has affected 20 businesses and many jobs have been saved through PPP during the pandemic.

Mr. Brown reported that the garbage crew collected and hauled 62 tons of garbage. Trash crews picked up and hauled 83 tons of debris to the Barbour County landfill. The litter crew picked up 83 bags of trash throughout the city. The shop crew completed 15 work orders entered for vehicle and/or equipment repairs. Ten bales of cardboard and one bale of plastic was recycled.

Chief Watkins stated the need to watch the weather closely in the next day or two due to the prediction of inclement/stormy weather throughout this and adjacent counties in Alabama and neighboring states.

Council President Register noted the department reports listed on the agenda may be viewed online through the City of Eufaula website, www.eufaulaalabama.com.

ADJOURNMENT

There being no further business to come before the Council, the same was on motion by Mr. Garrison duly made and seconded by Mr. Robinson, adjourned this 15th day of March, 2021.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION

Wes Register, City Council President

ATTEST:

Joy White, City Clerk/Treasurer