

**MINUTES OF A SCHEDULED MEETING OF THE EUFAULA CITY COUNCIL HELD ON  
MONDAY, JULY 18, 2022**

The Eufaula City Council met in a regular session on Monday, July 18, 2022, at 5:15 p.m. in the police department courtroom at 545 East Barbour Street. Council President Wes Register called the meeting to order, and Chaplain Brad Mitchell offered the invocation. 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, Councilman Marvin Brown, Councilman Ben Garrison, and Councilman John Robinson.

Also present: Joy White, City Clerk/Treasurer, Joel Smith, City Attorney, and Representative Berry Forte.

**HONORS AND RECOGNITION**

Council President Register introduced Melanie Little, YouthBuild Director. YouthBuild, in partnership with Wallace Community College, services youths ages 16-24 to award GED graduation status. YouthBuild also teaches life skills, leadership, and workforce success. Staff and students introduced themselves and described their successful experiences with the program. Councilmen Robinson and Garrison encouraged the students to stay on the progressive path to success.

**APPROVAL OF AGENDA**

Councilman Garrison offered a motion to approve the order of the agenda for Monday, July 18, 2022. Councilman Robinson seconded the motion. President Register then announced that the agenda was approved and adopted.

**CONSENT AGENDA**

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

- (a) Motion and second to dispense with and approve the regular rescheduled session minutes of July 5, 2022.
- (b) Motion and second to dispense with and approve the Claims Docket dated July 13, 2022, in the amount of \$31,410.13.
- (c) Motion and second to dispense with and approve the Prepaid Claims Docket dated June 30, 2022 in the amount of \$2,030,067.62.

Councilman Robinson offered a motion to approve the Consent Agenda. Councilman Garrison seconded the motion. After a voice vote, President Register announced the Consent Agenda was approved and adopted.

**MAYOR'S REPORT**

**VISITORS**

## **ORDINANCES AND RESOLUTIONS**

President Register introduced Ordinance 2022-5 (2<sup>nd</sup> Reading – Conveyance of Real Estate – Bluff City Inn). City Attorney Joel Smith gave Ordinance 2022-5 (2<sup>nd</sup> Reading – Conveyance of Real Estate – Bluff City Inn) its second reading. President Register opened the floor for comments or concerns from the audience. There was no response. Councilman Garrison offered a motion to adopt Ordinance 2022-5 (2<sup>nd</sup> Reading – Conveyance of Real Estate – Bluff City Inn). President Pro Tem Hill seconded the motion. A roll call vote was taken and recorded as follows: Yeas: Councilman Robinson, Councilman Garrison, Councilman Brown, President Pro Tem Hill, and President Register. Nays: None. President Register announced that the ordinance was adopted.

### **ORDINANCE NO. 2022-5**

#### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EUFAULA, ALABAMA TO AUTHORIZE AND APPROVE THE CONVEYANCE OF THE BLUFF CITY INN PROPERTY FROM THE CITY OF EUFAULA TO THE EUFAULA DOWNTOWN REDEVELOPMENT AUTHORITY**

WHEREAS, the City of Eufaula, Alabama (the “City”), desires to provide for the redevelopment of the Bluff City Inn Hotel and has previously entered into a Project Development Agreement dated March 16, 2021, by and between the City, RAM Eufaula Hospitality Two, LLC (“RAM”), the Eufaula Downtown Redevelopment Authority (the “Authority”), and the Eufaula Barbour County Chamber of Commerce (together with any future amendments thereto, the “Development Agreement”) as authorized by City Council Resolution No. 14-2021; and

WHEREAS, pursuant to the Development Agreement, the City agreed to convey the Bluff City Inn property to the Authority; and

WHEREAS, RAM has requested the City convey the Bluff City Inn property to the Authority on or before July 31, 2022, in order that RAM may submit its application for historical tax credits with the Authority listed as the record owner of title to the Bluff City Inn property by said date; and

WHEREAS, pursuant to the Development Agreement, the City and Authority agreed to provide reasonable cooperation, assistance, and aid in RAM’s pursuit of obtaining historical tax credits; and

WHEREAS, the City Council has previously found and declared pursuant to Resolution 14-2021 that the conveyance by the City of the Bluff City Inn property to the Authority and the redevelopment of the Bluff City Inn property as contemplated by the Development Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity, as redevelopment of the Bluff City Inn is expected to have a significant positive impact on the tax base, tax revenues, and job opportunities in the City of Eufaula; and

WHEREAS, Bluff City Inn property is no longer needed by the City for public or municipal purposes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF EUFAULA, ALABAMA as follows:

1. The foregoing recitals are incorporated into this Ordinance by reference, and it is hereby established that the following described real property of the City of Eufaula, Alabama, is no longer needed by the City for public or municipal purposes, to wit:

**Parcel A.** (Bluff City Inn) That certain block of Real Estate in the City of Eufaula, Barbour County, Alabama, commencing at the northwest corner of Broad Street and Eufaula Avenue, 170 feet and 6 inches to the lot formerly belonging to the Independent Order of Odd Fellows; thence West 68 feet to the Southwest corner of the property formerly belonging to the Odd Fellows; thence North 40 feet to an alley; thence West along the South side of said alley 37 feet and 2 inches; thence South 210 feet and 6 inches to the North line of Broad Street; thence East along the North line of Broad Street 105 feet and 2 inches to the point of beginning. And the improvements thereon, including the building formerly described as the "Bluff City Inn Hotel" and the building on the West side of said Hotel Building and occupied for many years by the Eufaula Tribune and formerly occupied by McPherson Engineering and Realty and presently occupied by Barb's Country Kitchen. The lot being designated on the City map of Eufaula as part of Lot 5, Block D. Being that same parcel conveyed to Barbour County Historical Preservation Authority, a public corporation organized under the laws of Alabama, by Warranty Deed from J. Gorman Houston, Jr. and wife, Marthur Houston, Celeste Houston, Billy V. Houston and wife, Marie D. Houston dated February 22, 1985 and recorded February 26, 1985 in Official Record Book E91, at Pages 996-997 in the Eufaula Office of the Barbour County Judge of Probate, and also

**Parcel B.** (Bill's Dollar Footprint) That certain tract of Real Estate, together with all improvements thereon, described as follows: From the Southwest corner of the Real Estate formerly leased by W. Young Johnson and wife, Robert D. Powers and wife, and William H. Clark to the State of Alabama for use as and ABC store, as the point of beginning, run thence in a Southerly direction to a point on the North side of Broad Street, which point is 210' 87 degrees 6" West from the West side of Eufaula Street; run thence in an easterly direction along the North line of Broad Street to the property formerly belonging to the J.L. Houston Estate; run thence along the said J.L. Houston Estate property in a northerly direction to the southeast corner of the property leased to the State of Alabama for use as and ABC store; run thence in a westerly direction along the south side of the property leased to the State of Alabama 100' feet, more or less to the point of beginning. Being that same parcel conveyed to Barbour County Historical Preservation Authority, a public corporation organized under the laws of Alabama, by Warranty Deed from W. Young Johnston and wife, Frances R. Johnston, Robert

D. Powers and wife, Kendall C. Powers, and William H. Clark dated August 1, 1985 and recorded August 13, 1985 in Official Record Book E-91, at Page 998 in the Eufaula Office of the Barbour County Judge of Probate, and also

**ALSO: (Alley)** That certain alley way located between parcels A and B presumed to have been previously abandoned and vacated.

**PARCEL D.** (Odd Fellows Building) That certain tract of Real Estate, together will all improvements thereon, described as follows: Beginning 170.5 feet North of the Point where West ROW of Eufaula Avenue intersection North ROW of Broad Street; North 40 feet, West 68 feet; South 40 feet; East 68 feet to the Point of Beginning, block D. Pl. Lot 5 City of Eufaula S/D PB 1 Page 57. S32 T11N, R29E, together with the improvements thereon and the appurtenances thereunto belongings. Being the same property previously conveyed to G.W. Whipple to Grand Lodge of Alabama, Independent Order of Odd Fellows, by deed dated June 6, 1849 and recorded in Deed Book H at Page 246 in the Office of the Judge of Probate of Barbour County, Alabama, at Clayton. Being the same property conveyed to Historic Bluff Inn, LLC, an Alabama Limited Liability Company from John W. Land by Warranty Deed dated December 27, 2006 and recorded in Official Record Book E280 at Page 1003 December 27, 2006 in the Office of the Probate Judge of Barbour County at Eufaula, and also;

**PARCEL E.** (ABC Store Footprint) That certain tract of Real Estate, together will all improvements thereon, described as follows: Lot 6, Block "D", Eufaula, Alabama, and more particularly described as follows: from the Northwest corner of the intersection of Eufaula Street and Broad Street in the City of Eufaula, Alabama run along the north line of Broad Street South 87 degrees 06 minutes West 105.2 feet to the point of beginning; thence continue South 87 degrees 06 minutes West 104.8 feet; thence North 2 degrees 52 minutes West 210.0 feet; thence North 87 degrees 06 minutes East 105.6 feet; thence South 2 degrees 39 minutes East 210.00 feet to the point of beginning. LESS AND EXCEPT: That certain tract of Real Estate, together with all improvements thereon, described as follows: From the Southwest corner of the Real Estate formerly leased by W. Young Johnston and wife, Robert D. Powers and Wife, and William H. Clark to the State of Alabama for use as an ABC Store, as the point of beginning, run thence in a Southerly direction to a point on the north side of Broad Street, which point is 210' 87 degrees 6" West from the West side of Eufaula Street; run thence in an easterly direction along the North line of Broad Street to the property formerly belonging to the J.L. Houston Estate; run thence along the said J.L. Houston Estate property in a northerly direction to the southeast corner of the property leased to the State of Alabama for use as an ABC Store; run thence in a westerly direction along the south side of the property leased to the State of Alabama 100' feet, more or less to the point of beginning. Being that same parcel conveyed to Barbour County Historical Preservation Authority a public corporation organized under the laws of Alabama, by Warranty Deed from W. Young Johnston and wife, Frances R. Johnston, Robert D. Powers and wife,

Kendall C. Powers, and William H. Clark dated August 1, 1985 and recorded August 13, 1985 in Official Record Book E-91, at Page 998 in the Eufaula Office of the Barbour County Judge of Probate. Being that same property conveyed from W. Young Johnston and Robert D. Powers to Historic Bluff Inn, LLC by Warranty Deed dated November 7, 2007 and recorded November 9, 2007 in Official Record Book E284 at Page 356 in the Office of the Probate Judge of Barbour County, Alabama. Subject to any and all covenants, restrictions, easements and rights of way, of any kind as recorded in the Office of the Judge of Probate of Barbour County, Alabama affecting said property.

2. The Mayor and City Clerk are hereby authorized, directed, and empowered to execute and attest, respectively, for and on behalf of the City of Eufaula, Alabama, a warranty deed, a copy of which is on file in the office of the City Clerk, whereby the City of Eufaula, Alabama does hereby convey the property described in Section 1 hereof to The Eufaula Downtown Redevelopment Authority for the aforesaid purposes.

3. This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED THIS \_\_\_\_\_ day of July, 2022.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Wes Register, President

ATTEST:

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Joy White, City Clerk/Treasurer

President Register introduced Resolution 68-2022 (ALDOT – Supplemental Transit Funding Agreement). Councilman Robinson offered a motion to adopt Resolution 68-2022 (ALDOT – Supplemental Transit Funding Agreement). Councilman Garrison seconded the motion. President Register announced that Resolution 68-2022 was adopted.

**RESOLUTION  
68-2022**

**BE IT RESOLVED**, by the City Council of the City of Eufaula, Alabama, as follows:

1. That the City Council enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, relating to public transportation, with partial funding by the Federal Transit Administration,

which agreement is before this City Council;

2. That the agreement to be executed in the name of the City of Eufaula, Alabama, by Mayor, Jack B. Tibbs, Jr., for and on behalf of the City of Eufaula, Alabama:
3. That such execution be attested by the City Clerk/Treasurer Joy White, and the seal of the City of Eufaula affixed thereto:

**BE IT FURTHER RESOLVED**, that upon completion of the execution of the agreement by all parties, a copy of such agreement be kept by the City Clerk/Treasurer in the minute book of the City of Eufaula.

Approved and adopted the 18th day of July, 2022.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Wes Register  
City Council President

ATTEST:

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Joy White  
City Clerk/Treasurer

President Register introduced Resolution 69-2022 (Adopting Title VI Program). Councilman Garrison offered a motion to adopt Resolution 69-2022 (Adopting title VI Program). Councilman Robinson seconded the motion. President Register announced that Resolution 69-2022 was adopted.

**RESOLUTION**  
**69-2022**

**WHEREAS**, the Eufaula Barbour Transit Authority is a recipient of Federal financial assistance from the Alabama Department of Transportation in support of transit services which imposes certain obligations upon the recipient, including complying with the Title VI Federal requirements; and

**WHEREAS**, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance; and

**WHEREAS**, the Eufaula Barbour Transit authority commits to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL100.259), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity regardless of the funding source;

**NOW, THEREFORE**, be it resolved by the Eufaula City Council of the Eufaula Barbour Transit Authority as follows:

The Eufaula City Council approves the proposed Title VI Program in order to comply with the Title VI Federal Requirements.

The Human Resource Specialist in their capacity, will serve as the Title VI Coordinator and is authorized to revise and update the Title VI Program as necessary.

Adopted this 18<sup>th</sup> day of July, 2022.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Wes Register, City Council President

ATTEST:

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Joy White, CMC  
City Clerk/Treasurer

**PUBLIC HEARING**

President Register introduced Resolution 65-2022 (Weed/Trash Abatement: James C. Bonner, Sr., Mack Street). President Register opened the floor for comments or concerns. There were no comments. Councilman Garrison offered a motion to adopt Resolution 65-2022 (Weed/Trash Abatement: James C. Bonner, Sr., Mack Street). President Pro Tem Hill seconded the motion. President Register announced that Resolution 65-2022 was adopted.

**RESOLUTION  
65-2022**

**BE IT RESOLVED** that we, the City Council of Eufaula, Alabama, having examined the report from the Public Works Superintendent for the following properties:

OWNER	LOCATION OF PROPERTY	PARCEL NUMBER
James C. Bonner Sr. c/o Anwar Fariha 3785 Highcroft Cir Peachtree Corners, GA 30092	Mack Street	062404181003003001

Do hereby find that the properties in question constitute a public nuisance due to the weeds and/or trash existing on the properties as defined under Ordinance 1997-13, and do hereby order the abatement of such public nuisance.

ADOPTED AND APPROVED this \_\_\_\_\_ day of July, 2022.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Wes Register, City Council President

ATTEST:

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Joy White, CMC  
City Clerk/Treasurer

President Register introduced Resolution 66-2022 (Weed/Trash Abatement: Buddy Lawrence, 538 South T. V. McCoo Boulevard). President Register opened the floor for comments or concerns. There were no comments. President Pro Tem Hill offered a motion to adopt Resolution 66-2022 (Weed/Trash Abatement: Buddy Lawrence, 538 South T. V. McCoo Boulevard). Councilman Brown seconded the motion. President Register announced that Resolution 66-2022 was adopted.

RESOLUTION  
66-2022

BE IT RESOLVED that we, the City Council of Eufaula, Alabama, having examined the report from the Public Works Superintendent for the following properties:

OWNER	LOCATION OF PROPERTY	PARCEL NUMBER
Buddy Lawrence 214 North Eufaula Ave. Eufaula, AL 36027	538 South TV McCoo Blvd	062402042004007000



Do hereby find that the properties in question constitute a public nuisance due to the weeds and/or trash existing on the properties as defined under Ordinance 1997-13, and do hereby order the abatement of such public nuisance.

ADOPTED AND APPROVED this \_\_\_\_\_ day of July, 2022.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Wes Register, City Council President

ATTEST:

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Joy White, CMC  
City Clerk/Treasurer

President Register introduced Resolution 67-2022 (Weed/Trash: Anthony Reeves, Wilson Street). President Register opened the floor for comments or concerns. There were no comments. Councilman Garrison offered a motion to adopt Resolution 67-2022 (Weed/Trash: Anthony Reeves, Wilson Street). President Pro Tem Hill seconded the motion. President Register then announced that Resolution 67-2022 was adopted.

RESOLUTION  
67-2022

BE IT RESOLVED that we, the City Council of Eufaula, Alabama, having examined the report from the Public Works Superintendent for the following properties:

<u>OWNER</u>	<u>LOCATION OF PROPERTY</u>	<u>PARCEL NUMBER</u>
Anthony Reeves 15230 Jennette Lane Woodbridge, VA 22193	Wilson Street	062403052010015000

Do hereby find that the properties in question constitute a public nuisance due to the weeds and/or trash existing on the properties as defined under Ordinance 1997-13, and do hereby order the abatement of such public nuisance.

ADOPTED AND APPROVED this \_\_\_\_\_ day of July, 2022.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Wes Register, City Council President

ATTEST:

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Joy White, CMC  
City Clerk/Treasurer

**UNFINISHED BUSINESS**

**COUNCIL ACTION/DISCUSSION**

President Register opened the floor for nominations to the Downtown Redevelopment Authority to serve an unexpired six-year term. Councilman Robinson nominated Charlie Schaeffer. There were no other nominations. A roll call vote was taken and recorded as follows: Yeas: Councilman Robinson, Councilman Garrison, Councilman Brown, President Pro Tem Hill, and President Register. Nays: None. President Register announced that Charlie Schaeffer was approved to serve the unexpired six-year term that will end on October 15, 2024.

**REGULAR AGENDA (NEW BUSINESS)**

**COUNCIL COMMITTEE REPORTS**

Councilman Garrison reported that although inflation is present, finances continue to be stable.

Council President Register reported that the school board will hold its monthly meeting Tuesday, July 19<sup>th</sup> at 5:15 p.m. All summer programs are finalizing, and the first day of school is Wednesday, August 10<sup>th</sup>. Carnegie Library continues its new program called LANA, "Learning about Nutrition through Activities", that will be held on each Tuesday for the month of July at 10:00 a.m. for pre-K and first graders. Friends of the Library will host a book sale August 3-6, 2022 during regular library hours. The schools and the Carnegie Library are working well together to provide helpful resources to its students and patrons.

Councilman Robinson reported that the next Airport Advisory Board meeting is September 8<sup>th</sup> at 4:00 p.m. He congratulated all participating baseball teams for a successful season. The disc golf project is progressing well. The community center now offers relaxation therapy services to the public for a fee. Early registration for soccer has begun through August 12<sup>th</sup>. Free pickle ball lessons are offered by the community center through its Facebook registration. The Wave Runners swim team will participate in a tournament in Opelika, Alabama this weekend. Councilman Robinson also announced that a youth fishing rodeo will be held this Friday, July 22, 2022 at Old Creek Town.

Councilman Brown reported for the week of July 11-15, 2022, that the garbage crew collected and hauled 66 tons of garbage. Trash crews collected and hauled 97 tons of debris to the Barbour County landfill. The litter crew collected 87 bags of litter throughout the city. The shop crew completed 12 work orders entered for vehicle and/or equipment repairs. The department recycled 17 bales of cardboard.

President Pro Tem Hill requested status on the police department. Chief Watkins stated that the department is working to reduce crime through more assertive operations and procedure.

**ADJOURNMENT**

There being no further business to come before the Council, the same was on motion by Councilman Garrison, and duly seconded by Councilman Robinson, adjourned this 18<sup>th</sup> day of July, 2022.

CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

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Wes Register, Council President

ATTEST:

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Joy White, City Clerk/Treasurer