COUNCIL MEETING

CITY OF LUVERNE

April 26, 2021

The City of Luverne Council met in regular session on April 26, 2021 at 5:30 p.m., in the City Hall Building. The following members were present:

Mayor Ed Beasley

Betty Dawson, Councilwoman

Kip Smith, Councilman

Kathy Smyth, Councilwoman

Elliott Jones, Councilman

Eddie Billings, Councilman

Mike Jones, Attorney – by phone conference

Michelle Royals, Engineer

Margie Gomillion, Clerk

William Neal, Building Inspector

Mike Johnson – Chief

Visitors:

Daniel Jones

John Powell

Melissa Coggins

Mayor Beasley called the meeting to order. The mayor called on Betty Dawson to lead the pledge of allegiance to the flag and Eddie Billings to say a prayer.

The mayor called for the approval of the minutes of April 12, 2021. Councilman Billings made a motion to approve the minutes as written. Councilman Jones seconded the motion and the vote was unanimously approved.

Mayor Beasley moved into old/unfinished business to continue the discussion from the previous meeting regarding providing RSA Tier 2 employees with Tier 1 benefits. Councilman Jones stated he had given paperwork about this to all the councilmembers except Councilman Billings and apologized that he was unable to make contact. Councilmember Jones stated he felt this was a move that the council could make that would be life changing for some of our employees. Also, it would give our city a competitive edge with other agencies that chose not to adopt it. If we have an employee offered more money at another agency, but they do not offer the Tier 1 benefits, they might not want to leave us to give up their 25 year retirement. Also, if we have individuals from other agencies that want to come work with our department and they are under a Tier 2 plan and we are a Tier 1 provider, I feel certain that would make them want to come. I know there is a cost to the city but the numbers were well under what I thought it would be. The E911 center adopted this for their 10 employees and their cost is going to be $10,000 per year where the city’s is $13,000. Councilman Jones stated it is not a question of if we can afford to do this but if we can afford not to do it. This is mainly for our employees but also for the city itself. The mayor asked Councilman Jones if he knew why the county did not adopt this. Councilman Jones stated he did not. The mayor also asked if the employees’ wages increase, will the city’s portion being discussed increase as well. Councilman Jones stated that it will increase because that is standard. The mayor stated he heard a rumor that the retirement systems of Alabama could possibly present another offer at a later date.

Councilman Smith stated he also heard a rumor that the state did not offer this to their employees. Councilman Smith stated he is concerned that if the city commits to this knowing that insurance costs increase regularly as well that it could present an issue with annual raises in the future. Councilman Smith stated that according to the information provided by Councilman Jones, if the plan is adopted, the city is committing to $13,000 a year for approximately fifteen years as a “buyback”. Councilman Jones stated the buyback which is approximately $7,000 of the $13,000 would basically bring everyone back to where they would have been if they entered the system as a Tier 1 and the remaining $5,000 is the city’s contribution had they never created a Tier 2 plan.

Councilman Billings stated he felt this is a good opportunity for those 22 employees. However, as a private businessman, I have to make ends meet. Meaning I have to know that what I am committing to can be paid for this year as well as next year and every year forward. I am not going to sit in this chair forever. I’ve been thinking and praying about this for the last week or so because those are my friends and whatever decision I make is going to impact them. But I also have to look at what’s in the best interest of the other 2,500 people who live in this city. And I can’t knowingly vote for a bill that I can’t report to everyone how much it will be every year or how much it could possibly go up. The employees may be better with what we are trying to do on the pay raises across the board. As a business man I have a hard time voting for something that’s going to cost without a way to pay. We are running out of fat to trim on the budget without raising utility rates and things along that line.

The mayor stated the only option would be to go up on services and pass along to the citizens. Do we need to give our police officers and other employees an annual raise every year, go Tier 1, or stay where we are and see what the state is going to do? The legislature could make a mandate to address the Tier 2 issue in the future. We have been looking at the budget and we are right about where we need to be on the first 6 months of this fiscal year.

Councilwoman Smyth stated she appreciates the work Councilman Jones has done on this subject. I am weighing that and it is a tuff decision. Councilwoman Smyth stated she believes everyone around the table knows and wants to support our departments fully in any way that we can. We do have a responsibility to the council who comes after us. The decisions that we make today will either benefit or adversely affect them. I’ve had a prior experience with RSA through their PACT program that did not honor contracts which makes me cautious from personal experience with my family. The other concern is that the State of Alabama has been reluctant to join. It seems that they may still be working with something that would tweak this to better offset the option for municipalities and counties. Lastly, I’ve been interested in a raise on the front end for a while now for all of our departments. We voted for that for the police department a couple of years ago to give them a good jump to retain and recruit officers. I feel like our other departments need that boost builder to do the same thing. It’s a tuff decision and I don’t want it to be misunderstood whichever way that I go that I’m not supporting our departments. It’s a decision that I have to weigh as a council person about the benefit verses the cost.

Councilwoman Dawson stated she appreciates what everyone has said but being a recent retiree from the state and receiving Tier 1 benefits from RSA has personally been a good thing. I know we are worried about how the sales tax will go and how we are going to have money, but if our benefits were a little better, we may be able to entice people to fill the four positions that we have open.

Councilwoman Smyth stated that she called the Alabama League of Municipalities to ask for some guidance and any information they may have from other municipalities. The League did not have an opinion.

After further discussion, Councilman Jones made a motion to approve the RSA’s Plan to provide Tier 2 employees with Tier 1 benefits. Councilwoman Dawson seconded the motion. The vote was as follows:

Yea: Betty Dawson Nay: Kip Smith

Elliott Jones Kathy Smyth

Eddie Billings

The motion failed.

Mayor Beasley stated for the record, that if any Councilmember had abstained, he would have voted nay.

Mayor Beasley stated everyone has a copy of Engineer Royals’ departmental reports. Ms. Royals reported the work began on the CCA lift station repairs today. Also, W. 10th Street between Forest and Woodford is currently closed due to a tricky water leak that could not be specifically located today. The water department had to excavate more of the street than we wanted to so we need more time to get proper compaction. The street has been barricaded with a dump truck and a backhoe. It will be closed overnight but will be reopened tomorrow. Next, Engineer Royals reported that all four dirt roads in the city have been bladed recently after all the rain caused some potholes. Engineer Royals also reported that repairs, such as runway lighting, have been made at the airport recently.

Mayor Beasley called on the city clerk for the administrative report. Routine work was performed.

Mayor Beasley stated everyone has a copy of Mr. Neal’s report. Mr. Neal stated he followed up on a request from Councilwoman Dawson concerning an occupancy load for the Fountain Sports Bar & Grill.

Councilwoman Smyth reported Jack’s is up and going and have a bang up business. They now have 56 employees including part-time workers.

The Engineer discussed the revised lease agreement that was approved at the last council meeting. Mr. Jamie Johnson has requested a clause be added to include a purchase option at the end of the term. If the council is ok with this option, Mr. Jones can add it to the lease. After further discussion, the council was in agreement for Mr. Jones to add a clause in the lease with Elite Contracting & Safety, LLC for an option to negotiate the purchase of the building at the end of the 3 year lease. Mr. Jones will make the change in the lease and bring back to the council for approval once signed by Mr. Johnson.

Councilwoman Dawson made a motion to go into executive session to discuss the good name and character of a local businessman. Councilman Billings seconded the motion and all was in favor. The council went into executive session at 6:03 p.m. Councilman Jones made a motion to come out of executive session. Councilman Billings seconded the motion and the vote was unanimously approved. The council came out of executive session at 6:14 p.m.

The council discussed an incident that happened at the Fountain Sports Bar & Grill. Councilwoman Dawson presented to the council some suggestions including requiring that the Fountain Sports Bar & Grill close at 10:00 p.m., remind the owner of occupancy limits for how many people are allowed in the bar at one time, curb patrons standing outside the bar, karaoke, and management. Attorney Jones stated that the council cannot single out a business. The way you regulate businesses is through ordinances and you have to treat all the businesses in the same category the same. The way you deal with someone who doesn’t do business the way they are supposed to is to revoke their recommendation letter or revoke their business license. After further discussion, Councilman Billings suggested passing an ordinance that there be no on-premises alcohol sales after 10:00 p.m. for any business in Luverne. Attorney Jones recommended drafting an ordinance to present at the next meeting for the council to approve. The council was in agreement.

Councilman Billings made a motion to adjourn the meeting. Councilwoman Dawson seconded the motion.

Meeting was adjourned.