COUNCIL MEETING

CITY OF LUVERNE

October 24, 2022

The City of Luverne Council met in regular session on October 24, 2022 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

Mike Jones, Attorney

Margie Gomillion, Clerk

William Neal, Building Inspector

Mike Johnson, Chief

Absent:

Eddie Billings, Councilman

Visitors:

Steve Defee Tracy Delaney

Robyn Snellgrove

Mayor Beasley called the meeting to order. The mayor called on Elliott Jones to lead the pledge of allegiance to the flag and Steve Defee to say a prayer.

The mayor called for the approval of the minutes of October 10, 2022. Councilman Jones made a motion to approve the minutes as written. Councilwoman Dawson seconded the motion and the vote was unanimously approved.

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

The mayor called everyone’s attention to the chief’s report. Since the last meeting, the police department had 188 calls for service, not including building checks. The department made 29 traffic stops, wrote 21 citations and gave 8 warnings. The department made 5 misdemeanor arrest. There was 2 animal control calls since the last meeting.

Mr. Steve Defee stated everything was good at the airport.

Mayor Beasley stated everything at the library is good.

The mayor stated everyone has a copy of Mr. Neal’s report. The Luverne Fire Department responded to a working structure fire just east of Glenwood in Pike County.

Councilman Smith reported the new unit for the Rescue department is on order.

Attorney Jones stated the council needed to go into executive session involving an economic development project and real estate. Councilman Jones made a motion to go into executive session to discuss an economic development project and real estate. Councilwoman Smyth seconded the motion and all was in favor. The council went into executive session at 5:34 p.m. Councilman Smith made a motion to come out of executive session. Councilwoman Dawson seconded the motion and all was in favor. The council came out of executive session at 5:52 p.m.

Mayor Beasley stated last Wednesday was a busy day. I, along with Councilwoman Smyth, Mrs. Snellgrove and Pepsi delegations visited with Congressman Barry Moore. We had a very eventful day touring a possible Pepsi site and the existing Pepsi plant.

Councilwoman Smyth stated the City of Luverne has been accepted in the League of Municipalities Economic Development Academy. Councilwoman Dawson, the mayor and myself will be representing the City of Luverne. The first meeting will be November 10th in Gulf Shores.

The mayor called on Tracy Delaney with South Central Alabama Development Commission for the presentation of the Luverne ACE Assessment Report. Ms. Delaney stated you all received a copy of the Luverne ACE Assessment Report which is the wrong one but has very few changes. Mrs. Delaney discussed recommendations in the report from outsiders but stated you are under no obligations to take these recommendations but it is intended to spur your thought process. The overall response from the nine outsiders and the community participants was that Luverne is enchanting. There are a lot of good things and recommendations. The assessment report is the end of Phase 1. Going into Phase II, I have a MOU (Memorandum of Understanding) that would need the mayor’s signature. Phase II of the program includes a strategic plan and leadership program. The City of Luverne has already done a strategic plan, so you would just need to update that plan and put it out for community review. Basically, no cost for the strategic plan. The leadership program is one of the things noted in the assessment report is to find a nonprofit that you can run a leadership program through. Then, Phase III is the Comprehensive Plan which is the physical growth and development of the city. The leadership program should not be a high dollar item but will have some nominal fees associated with it. The comprehensive I’m looking for funding because that can be a high dollar item. Generally, a plan is somewhere between $35,000-$50,000 range. We try to get as much of that covered with grant funds that we possibly can. Councilwoman Smyth discussed Florala and Geneva having already completed theirs and stated we could utilize what they have already done with their leadership program. We could also piece in that with part of the AIDT leadership training. The chamber is working on their nonprofit status and possibly the Historical Society that we can run it through. The council was in agreement for the mayor to sign the MOU to move forward to Phase II and III.

Mayor Beasley presented an event request from Brandy Mount for Team Correy Co-Ed Softball Tournament at Turner Park for November 12, 2022. Councilman Jones made a motion to approve the Team Correy Co-Ed Softball Tournament at Turner Park for November 12, 2022. Councilman Smith seconded the motion and the vote was unanimously approved.

Attorney Jones stated the chief has talked about purchasing vehicles for the police department. He wants to purchase four vehicles immediately. Chief Johnson stated the vehicles would be purchased from Stivers Dodge on state bid. They have four cars left and we logged them in about 38 days ago. Today was our deadline. I was not aware of some legal things we had to do until Attorney Jones emailed me Friday. We had to let them go today or lock them in. The total amount fully equipped for all four new Dodge Chargers is $127,576.25. The chief stated he would like to use $6,000 that is already budgeted to stripe the cars and use the remaining $30,000 that is budgeted to pay on the loan. Attorney Jones stated we are going to transfer the amount out of the general fund. Then we will borrow the money to replenish the general fund. You can do that but we are going to have to get David Ringelstein who handles our financing and sorts of bonding that knows what they are doing. That will cost about $3,500 to do it the way it needs to be done correctly. That is what we are going to do if that’s agreeable with the council. First, we will need a resolution to authorize the mayor to take whatever action is necessary to get a loan up to the amount of $130,000 for the purpose of repaying the general fund. Then we have a reimbursement resolution basically that preserves the right for 60 days to reimburse the general fund. This will allow the chief to go ahead and get his vehicles and then will allow the city to do what we need to do to borrow the money to pay back the general fund. The mayor presented Resolution 102422 to authorize the mayor to borrow the money to purchase the four police cars, with equipment. Councilman Smith made a motion to adopt Resolution 102422 to authorize the mayor to borrow the money to purchase the four police cars, with equipment. Councilman Jones seconded the motion and all was in favor. The resolution is as follows:

**RESOLUTION 102422**

**BE IT RESOLVED,** by the City Council of the City of Luverne that the Mayor is hereby authorized to secure a loan up to the amount of $130,000.00 for the purpose of purchasing four (4) police cars, with equipment.

**RESOLVED FURTHER,** that the Mayor is authorized to do any and all things necessary to obtain said loan and to purchase said vehicles.

Mayor Beasley presented Resolution 102422(a) for reimbursement to the general fund pursuant to United States Treasury Regulations Section 1.150-2. Councilman Jones made a motion to adopt Resolution 102422(a) for reimbursement to the general fund pursuant to United States Treasury Regulations Section 1.150-2. Councilman Smith seconded the motion and the vote was unanimously approved. The resolution is as follows:

**REIMBURSEMENT RESOLUTION 102422(a) PURSUANT TO**

**UNITED STATES TREASURY REGULATION SECTION 1.150-2**

Recitals. (a) The United States Department of the Treasury has issued final regulations relating to the use of proceeds of tax-exempt obligations for the reimbursement of expenditures made prior to the date of issuance of tax-exempt obligations. Under the regulations, in general, if specified requirements are satisfied, then proceeds used for reimbursement are deemed to be spent on the date of reimbursement. If such requirements are not satisfied, then proceeds used for reimbursement will remain subject to rebate, arbitrage and other rules relating to tax-exemption until ultimately spent.

(b) The City of Luverne, Alabama, an Alabama municipal corporation (the “Borrower”) has determined to acquire and customize approximately four (4) police vehicles to be owned by the Borrower and operated by the Borrower’s police force (the “Project”).

(c) In order to proceed with acquisition and construction of such necessary capital improvements for the Project pending the issuance of the tax-exempt obligations, it may be necessary for the Borrower to use its own funds to pay certain expenses in connection with such capital improvements for the Project and the financing thereof.

(d) If the Borrower is required to spend its own funds on such capital improvements pending the issuance of such tax-exempt obligations as may be required to provide temporary or long-term financing for such improvements, it is the Borrower’s official intent to reimburse itself for such expenditures out of proceeds of such tax-exempt obligations issued by the Issuer in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BORROWER, as follows:

1. The Borrower hereby declares its official intent to reimburse the expenditures made by the Borrower with respect to its Project hereinabove described and herein incorporated by reference and all related improvements thereto in whole or in part from the proceeds of tax-exempt obligations which may be issued hereafter by the Issuer. Pending the issuance of the tax-exempt obligations, any Borrower funds spent on such capital improvements will be expended from its general fund.
2. The principal amount of the tax-exempt obligations to be issued for the project for which expenditures are to be made is expected to be not more than approximately $175,000. The amount for which the Borrower expects to reimburse itself from the proceeds of the borrowing is not more than approximately $100,000.
3. Any reimbursement to the Borrower shall be on or before the later of the date 18 months after the first expenditure is paid or after the property is placed in service. Any expenditure to be reimbursed shall be a capital expenditure properly chargeable to capital account (or would be so chargeable with a proper election, such as an election under Section 266 of the Internal Revenue Code) under general Federal income tax principles.

Duly adopted this 24th day of October, 2022.

Councilwoman Smyth stated the Friendliest City Festival is Saturday. There will be around 7 to 8 food trucks, live entertainment from 10 a.m. to 10 p.m., CCA majorettes, pet costume contest, there was a t-shirt design contest so they will be available, live petting zoo, a number of activities and 12-15 vendors.

Councilman Jones made a motion to adjourn the meeting. Councilman Smith seconded the motion.

Meeting was adjourned.