COUNCIL MEETING

CITY OF LUVERNE

January 9, 2023

The City of Luverne Council met in regular session on January 9, 2023 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

Mike Johnson, Chief

Margie Gomillion, Clerk

Visitors:

Steve Defee Jeff Strowd Ryan McGhee

Nic Atkinson Brock Flynn Christopher White

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

The mayor stated William Neal, a dear friend and a dedicated employee of the city, is not doing well at all. We will keep him and his family in our prayers. Councilman Smith stated W.A. has had a rough go and we need to keep “Troop” in our prayers.

Mayor Beasley called for the approval of the minutes of December 12, 2022. Councilman Billings made a motion to approve the minutes as written. Councilman Jones seconded the motion and the vote was unanimously approved.

The mayor asked Attorney Jones for an update on the Glenwood Project. Attorney Jones stated he and Troy Hudson are still communicating with them. We are in the process of working up some agreements. We will need one between the city and Town of Glenwood. We will also need some agreements between the city and South Crenshaw about the water. I’ve gotten some that have been used by other people with the same circumstances. We are in the process of working those up. Hopefully in the not too distant future we will have you all some agreements you can review.

Mayor Beasley called on the city clerk 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 313 calls for service, not including building checks. The department made over 54 traffic stops, wrote 23 citations and gave 31 warnings. The department made 5 misdemeanor arrests and 1 felony arrest. There was 4 animal control calls since the last meeting.

Councilman Billings reported Lee Simmons has moved the gazebos from Person to Person Park. We had to go up $10 on the registration fees for the kids. We are not going to let that stand in the way of any kid being able to play. With everything going up we didn’t have a choice. Sign up for ball will be the last week of January. Hopefully, we are going to enforce the no late sign ups this year because we are trying to put out the information to all the schools and everywhere we can a little earlier than what we normally do.

Mayor Beasley called on Steve Defee to report on the airport. Mr. Defee stated Mr. Leon Hiebert would like to do some maintenance on the old hangar. He would like the city to help with some labor and he would provide the materials. If he does this work he would like to extend his lease contract a little longer than what we normally do to make sure he is covered on money he has invested, but does not have a time frame on how long he wants it extended. Mr. Defee stated he talked to Attorney Jones about sending a letter to Debra Crowell who owns the property behind the airport. Attorney Jones stated a letter just went out and I haven’t heard anything. The mayor asked Mr. Defee to get with Mr. Hiebert on the terms of a new lease.

The mayor stated he spoke with Mrs. Kathyrn at the library and they are having a really good turnout for the reading program.

Mayor Beasley called on Councilman Smyth for a report on Fire/Rescue. Councilman Smith stated everything is rolling along. We have an issue with a roll up door on the back side of the station. We haven’t gotten it fixed but we can open it manual. We may have to replace the door.

The mayor called on Councilwoman Smyth for economic development. Councilwoman Smyth reported there are projects coming forward. That’s going to be one of those issues that with growth we are going to have to look at some planning at some point.

Mayor Beasley stated there was a public hearing Thursday for Crenshaw County Economic Industrial Development Authority to rezone the property located at 169 Richburg Hill Road from RS to M1. Councilman Jones made a motion to adopt the amendment to the official zoning ordinance to rezone the property located at 169 Richburg Hill Road from RS to M1. Councilwoman Dawson seconded the motion and all was in favor. The ordinance is as follows:

ORDINANCE 22-03

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LUVERNE, ALABAMA.

Be it ordained by the City Council of the City of Luverne, Alabama, that the Official Zoning Map of the City of Luverne, Alabama be and is hereby amended as follows:

The following property located within the limits of the City of Luverne, Alabama, is hereby designated as M1 property:

Commence at an iron known as the Northwest corner of the Southeast Quarter of the Southeast Quarter, Section 8, Township 8 North, Range 18 East, said iron being the point of beginning of the property herein described; run thence S 89 degrees 54' 31" E along the North line of the Southeast Quarter of the Southeast Quarter for 970.00 feet to an iron, run thence S 00 degrees 49' 13" E for 200.00 feet to an iron, run thence N 89 degrees 54' 31" W for 170.00 feet to an iron, run thence S 00 degrees 49' 13" E for 460.00 feet to an iron, run thence N 89 degrees 54' 31" W for 800.00 feet to an iron on the West line of the Southeast Quarter of the Southeast Quarter, run thence N 00 degrees 49' 13" W along said West forty line for 660.00 feet to the point of beginning, said tract of land lying in the Southeast Quarter of the Southeast Quarter, Section 8, Township 8 North, Range 18 East, Crenshaw County, Alabama, and containing 12.90 cid:image003.jpg@01D8CC1C.F941A890acres, more or less.

That this ordinance shall become effective immediately upon its passage and publication as provided by law.

Adopted and approved this 9th day of January, 2023.

The mayor stated there was a public hearing Thursday for Crenshaw County Economic Industrial Development Authority to rezone the property located at Hwy 331 and Richburg Hill Road from RS to M1. Councilman Jones made a motion to adopt the amendment to the official zoning ordinance to rezone the property located at Hwy 331 and Richburg Hill Road from RS to M1. Councilman Smith seconded the motion and all was in favor. The ordinance is as follows:

ORDINANCE 22-04

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LUVERNE, ALABAMA.

Be it ordained by the City Council of the City of Luverne, Alabama, that the Official Zoning Map of the City of Luverne, Alabama be and is hereby amended as follows:

The following property located within the limits of the City of Luverne, Alabama, is hereby designated as M1 property:

A LOT OR PARCEL OF LAND LYING ON THE SOUTH SIDE OF RICHBURG HILL ROAD, LYING ON THE WEST SIDE OF U.S. HIGHWAY #331, BEING SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 8, TOWNSHIP 8 NORTH OF RANGE 18 EAST, LUVERNE, CRENSHAW COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 5/" REBAR AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 8 NORTH OF RANGE 18 EAST; THENCE SOUTH 59°57'03" EAST 2675.43 FEET TO A 1/2" REBAR WITH CAP PLS CA#1067-LS AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 88°10'00" EAST 204.83 FEET TO A 1/2" REBAR WITH CAP PLS CA#1067-LS ON THE WEST RIGHT OF WAY OF U.S. HIGHWAY #331; THENCE ALONG SAID RIGHT OF WAY SOUTH 00°50'43" WEST 21.43 FEET TO A 1/2" REBAR WITH CAP PLS CA#1067-LS; THENCE CONTINUE ALONG SAID RIGHT OF WAY SOUTH 41°58'03" EAST 94.54 FEET TO A 6"X6" CONCRETE MONUMENT, DISTURBED; THENCE CONTINUE ALONG SAID RIGHT OF WAY (150 FEET FROM CENTERLINE) SOUTH 00°48'26" EAST 197.07 FEET TO A 1/2" REBAR WITH CAP PLS CA#1067-LS; THENCE LEAVE SAID RIGHT OF WAY SOUTH 89°08'11" WEST 239.86 FEET TO A 1/2" REBAR WITH CAP CA 0673-LS; THENCE SOUTH 00°48'28" EAST 353.12 FEET TO A X1/2" REBAR WITH CAP CA 0431-LS; THENCE NORTH 86°41'59" WEST 194.98 FEET TO A 5/8" REBAR WITH CAP ILLEGIBLE; THENCE NORTH 00°57'20" WEST 460.10 FEET TO A 1/2" REBAR WITH CAP CA 0431-LS; THENCE NORTH 89°56'32" EAST 169.85 FEET TO A 5/8" REBAR WITH CAP ILLEGIBLE; THENCE NORTH 00°58'38" WEST 180.62 FEET BACK TO THE POINT OF BEGINNING, AND CONTAINING 3.72 ACRES, MORE OR LESS.

That this ordinance shall become effective immediately upon its passage and publication as provided by law.

Adopted and approved this 9th day of January, 2023.

Mayor Beasley stated there was a public hearing today for Kathy Dowdy to rezone the property located at 311 S Forest Avenue from RP to R3. Councilwoman Smyth made a motion to adopt the amendment to the official zoning ordinance to rezone the property located at 311 S Forest Avenue from RP to R3. Councilwoman Dawson seconded the motion and all was in favor. The ordinance is as follows:

ORDINANCE 22-06

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LUVERNE, ALABAMA.

Be it ordained by the City Council of the City of Luverne, Alabama, that the Official Zoning Map of the City of Luverne, Alabama be and is hereby amended as follows:

The following property located within the limits of the City of Luverne, Alabama, is hereby designated as R3 property:

A certain lot or parcel of land situated in the City of Luverne, Crenshaw County, Alabama, being more particularly described as follows: Beginning at a point on the west side of South Forest Avenue two hundred (200) feet north of the north side of Tenth Street (said starting point being the northwest corner of I. J. Brunson lot) and running north with east side of Forest Avenue four hundred (400) feet to a stob near the run of the branch, thence east two hundred twenty (220) feet to the west side of Glenwood Avenue, thence south along west side of Glenwood Avenue four hundred (400) feet, thence west two hundred twenty (220) feet to point of beginning on Forest Avenue, and containing about one and three-fourths (1 ¾) acres, more or less, according to the Plat of the Luverne Land Company extended of the Town of Luverne, Alabama on record in the Office of the Probate Judge of Crenshaw County, Alabama, and being the same lot where the Zion Primitive Baptist Church is presently located in the City of Luverne, Crenshaw County, Alabama, whether correctly described herein or not.

More particularly described as follows:

Beginning at the intersection of the East right of way line of Forest Avenue (U.S. Highway #331) with the North right of way line of East Ninth Street, said point being a ½” rebar with cap (Bush 25293) and thence run North 00 degrees 16 minutes 25 seconds West along said East right of way line of Forest Avenue for a distance of 131.66 feet to a ½” rebar with cap (Bush 25293); thence leaving said right of way run South 89 degrees 32 minutes 20 seconds East for a distance of 210.77 feet to a ½” rebar with cap (Bush 25293) on the West right of way line of Glenwood Avenue; thence run South 01 degrees 01 minutes 48 seconds East along said West right of way line for a distance of 131.69 feet to a ½” rebar with cap (Bush 25293) on the North right of way of said East Ninth Street; thence run North 89 degrees 32 minutes 20 seconds West along said North right of way line for a distance of 212.51 feet to the point of beginning. Said parcel lying in and being a part of the Southwest Quarter of the Northwest Quarter of Section 33, Township 9 North, Range 18 East, Crenshaw County, Alabama and containing 0.64 acres more or less.

That this ordinance shall become effective immediately upon its passage and publication as provided by law.

Adopted and approved this 9th day of January, 2023.

The mayor presented the council with Resolution 010923 approving the Frazer Lanier Co as investment banker and Maynard Cooper & Gale as bond counsel. Councilman Jones made a motion to adopt Resolution 010923 approving the Frazer Lanier Co as investment banker and Maynard Cooper & Gale as bond counsel. Councilwoman Dawson seconded the motion and all was in favor. The resolution is as follows:

**RESOLUTION 010923 APPROVING**

**THE FRAZER LANIER COMPANY, INCORPORATED, AS INVESTMENT BANKER,**

**AND**

**MAYNARD COOPER & GALE, AS BOND COUNSEL,**

**IN CONNECTION WITH THE ISSUANCE OF**

**GENERAL OBLIGATION WARRANTS, SERIES 2023**

**BY THE CITY OF LUVERNE**

Whereas, the City of Luverne (the “City”) is considering the issuance of General Obligation Warrants (the “Warrants”) in order to fund certain capital improvements, and

Whereas, the City hereby engages The Frazer Lanier Company, Incorporated (“Frazer Lanier”), as investment banker, and Maynard Cooper & Gale (“Maynard”), as bond counsel, to assist the City with the issuance of the Warrants;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LUVERNE, as follows:

1. Frazer Lanier and Maynard are hereby directed to proceed with the preparation of all documents and information necessary to prepare the City to enter the market for the issuance of the Warrants.
2. The Mayor is authorized to enter into a Warrant Purchase Agreement with Frazer Lanier.
3. Should the City, in its sole discretion, elect not to proceed with the issuance of the Warrants, no fees nor expenses shall be charged by Frazer Lanier nor Maynard to the City.

Duly adopted this 9th day of January, 2023.

Councilman Jones stated he spoke with Sarah Byard about moving forward with the grant for the electric vehicle charging station. The council needs to decide on the exact location to put the charging station so I can start working on this grant. In the past we had discussed the charging station going across the street either in the parking lot or across from B&B Drugs in the parking spot areas. After some discussion, the council was in favor for Councilman Jones and Brock Flynn to work together on this project and report back to the council.

Councilwoman Dawson stated she wanted to encourage everyone to send someone to donate blood tomorrow if you can’t come. The drive is from 11 a.m. to 4 p.m. in the parking lot across from the police department.

Councilman Billings stated he appreciates all the work that all of the city employees do but today is National Law Enforcement Appreciation Day. So a special tip of my hat to the work they do on a daily basis.

Attorney Jones stated the clerk had sent a letter from AT&T to everyone. They are wanting to renegotiate their lease. We need to look at that and respond to them one way or another. After some discussion, the council was in agreement to respond by leaving it as it is. Attorney Jones will respond to the letter.

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

Meeting was adjourned.