

**MINUTES OF A RESCHEDULED MEETING OF THE CITY COUNCIL OF THE
CITY OF SYLACAUGA HELD JANUARY 4, 2018**

1. Council President, Lee Perryman called the meeting to order at 5:55 p.m.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Donnie Blackmon, Lee Perryman, and Dallas Davenport; Absent: None. Mayor James Heigl and City Clerk-Treasurer Patricia Carden were also present.
3. Invocation was given by Donnie Blackmon, Councilman District 3.
4. Pledge of Allegiance to the Flag was led by Council President.

City Council President called a recess of the council meeting at approximately 6:06 p.m. in order to allow the Planning Commission use of the Council Chambers to conduct a public hearing. Council President called the meeting back to order at approximately 6:10 p.m.

5. Mayor Jim Heigl welcomed and wished everyone a happy and prosperous new year and briefly gave updates on several projects and noted various accomplishments throughout the city.

6. Adopt Agenda:

A motion by Councilwoman Nix, second by Councilman Fowler to adopt agenda was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

7. Approve minutes of the regular city council meeting held December 19, 2017:
A motion by Councilman Blackmon, second by Councilman Davenport to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

8. Approve following excerpts from the work session held December 19, 2017, relative to an executive session which was entered into during work session:

Excerpts from the work session held December 19, 2017, relative to an executive session which was entered into during said work session:

Council President Lee Perryman advised Council of the need to go into executive session in order to discuss with legal counsel the legal options and legal ramifications of controversies currently being litigated and not currently being litigated but likely to be litigated if the City Council takes a particular course of action. Perryman presented a letter from City Attorney, Edwin B. Livingston, Jr., recommending and detailing the OMA section allowing such executive session. Perryman further stated that Council would go straight to the regularly scheduled city council meeting following the executive session. Councilman Davenport left the work session prior to the decision to enter executive session was made. Mayor Heigl was not present for work session or council meeting.

A motion by Councilman Fowler, second by Councilwoman Nix to enter executive session was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

All Council members except Davenport, City Attorney Win Livingston, Attorney Luke Montgomery, and City Clerk Patricia Carden entered into executive session at approximately 5:36 p.m.

A motion by Councilman Fowler, second by Councilwoman Nix to exit executive session was carried at approximately 6:28 p.m. by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

No further business was discussed and Council moved to the Council Chambers for the regularly scheduled council meeting immediately after exiting the executive session.

A motion by Councilman Fowler, second by Councilwoman Nix to approve excerpts as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

OLD BUSINESS: None.

NEW BUSINESS:

9. Public Hearing relative to authorizing a Redevelopment Reimbursement Agreement between the City of Sylacauga and Second Street of Sylacauga, LLC, pursuant to Alabama Constitution Amendment No. 772 (recodified as Section 94.01 of the Recompiled Constitution of Alabama)—*Public Hearing date set 12/19/17, Resolution 59-2017*:

Council President opened the public hearing and called for comments. No one spoke in favor of or in opposition to the proposed action. Council President closed the public hearing and called for action by the Council.

Resolution #01-2018 was introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilman Fowler, second by Councilwoman Nix to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 01-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

10. Action that is necessary to accept recommendation from Engineering Environmental Forestry Services Company on listing of proposed streets to be included in the upcoming 2018 paving project—List attached:

A motion by Councilwoman Nix, second by Councilman Fowler to accept recommended street listing as presented was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

11. Action that is necessary to accept the recommendation of Interim Director of Code Enforcement Mike Whetstone to authorize funding of \$60,518.00 for Lake Howard boat dock roof to be completed by M. J. Brooks and Son (proposals opened and approved by Lake Howard Recreational Authority; to be paid from funds held in escrow per agreement between City and Sylacauga Utilities Board:

A motion by Councilman Blackmon, second by Councilman Davenport to authorize funding for work as recommended was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

12. Action that is necessary to accept the recommendation of Interim Director of Code Enforcement Mike Whetstone to authorize funding in the amount of \$24,630.00 in labor costs and \$10,499.00 for tax exempt material costs (total of \$35,129.00) for Lake Howard restrooms to be completed by M. J. Brooks and Son (proposals opened and approved by Lake Howard Recreational Authority; to be paid from funds held in escrow per agreement between City and Sylacauga Utilities Board:

A motion by Councilman Blackmon, second by Councilman Davenport to authorize funding for work as recommended was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

13. Action that is necessary to approve refund to Alabama Fire Control Systems for overpayment of Building Permit #2017-602 in the amount of \$25.00:

A motion by Councilman Fowler, second by Councilwoman Nix to authorize refund of overpayment was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

14. Action that is necessary to authorize a petty cash disbursement in the amount of \$3,000.00 to Sylacauga Parks and Recreation Department for Lake Howard operating expenses:

A motion by Councilman Blackmon, second by Councilman Davenport to authorize petty cash as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

15. Action that is necessary to authorize correction of enrollment error in rate of pay from PS-1-1 to PS-1-2 for Police Officer Angela Tait (to reflect credit for qualifications and education), retroactive to date of hire, including Click It or Ticket grant pay – total estimated back pay of \$591.14 due:

A motion by Councilwoman Nix, second by Councilman Fowler to authorize correction of error and payment of back pay as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

16. Action that is necessary to accept recommendation from Interim Fire Chief Adam Gardner and HR Specialist Jayne McGee to approve the revised job description for Firefighter-Full-time and to confirm that the position is assigned to Pay Grade PS-1 (current pay range is \$34,108.24 probation to \$47,573.98 max) of the City's compensation plan:

A motion by Councilman Fowler, second by Councilwoman Nix to approve revised job description and establish rate of pay as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

17. Action that is necessary to accept recommendation from Interim Fire Chief Adam Gardner and HR Specialist Jayne McGee to approve the revised job description for Firefighter-Part-time and to confirm that the flat-rate hourly rate of pay established for the position is currently \$10.82 per hour:

A motion by Councilman Blackmon, second by Councilman Davenport to approve revised job description and establish rate of pay as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

18. Action that is necessary to approve request from Interim Fire Chief Adam Gardner for authorization of job postings for the positions of Firefighter-Full-time and Firefighter-Part-time—The FY2018 Budget included funding for three (3) vacant F/T positions and funding for six (6) P/T positions per shift; Previous Councils have established a P/T roster of up to 20 positions:

A motion by Councilman Fowler, second by Councilwoman Nix to authorize postings as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

Item Deleted During Work Session Prior to Meeting—

19. Action that is necessary to (appoint / promote / or hire) _____ as the Fire Chief and to establish Grade PS-6. Step _____ as the entry level of pay for _____ --Action to become effective [with the first day of the pay period beginning following approval by Council OR with the first pay period ending following approval by Council OR immediately (1/05/2018)].

A motion by Councilman _____, second by Councilman _____ to
was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman,
Blackmon, Davenport; Nays: None.

Items 20-22 Deleted Prior to Meeting—

20. Action that is necessary to approve travel/expenses for Firefighter Nate Osgood to attend the ISO class in Tuscaloosa February 6, 2018—No registration fee; Osgood is requesting 12 hours off with pay and use of a city vehicle for travel to training:

A motion by Councilman _____, second by Councilman _____ to
was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman,
Blackmon, Davenport; Nays: None.

21. Action that is necessary to approve travel/expenses for Interim Fire Chief Adam Gardner to attend the ISO class in Tuscaloosa February 6, 2018—No registration fee; Gardner is requesting 12 hours off with pay and use of a city vehicle for travel to training:

A motion by Councilman _____, second by Councilman _____ to
was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman,
Blackmon, Davenport; Nays: None.

22. Action that is necessary to approve travel/expenses for Firefighter Kyle McColium to attend Fire Inspector II class in Westover February 5-9, 2018—No registration fee; McColium is requesting 24 hours off with pay and use of a city vehicle for travel to training:

A motion by Councilman _____, second by Councilman _____ to
was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman,
Blackmon, Davenport; Nays: None.

23. Action that is necessary to authorize payments totaling \$66,354.39 for accounts payable invoices received for December, 2017:

A motion by Councilwoman Nix, second by Councilman Fowler to authorize payment of accounts payable invoices as presented was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

24. Action that is necessary to authorize Police Chief Kelley Johnson to offer up to Step 2 of pay plan for up to four new hires meeting the required training and/or educational requirements:

A motion by Councilman Fowler, second by Councilwoman Nix to authorize action as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

25. Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council.

Rocky Sims, 2513 Overhill Road—Questioned whether Council has had an opportunity to discuss the situation with Little League and setting up a meeting to discuss the land use lease? Councilman


Fowler responded that Council has not talked about it, so they have not been able to schedule a meeting yet.

Jodie Johnson, 63 Hamilton Avenue—Stated that she had been able to talk with a few of the Council members after the meeting last night. Asked that Council consider rescinding the land use lease termination and continue to try to resolve matters—would like to see Council set a timeline & start negotiations about resolving the field issues.

25. Having no further business to discuss,
A motion by Councilwoman Nix, second by Councilman Fowler to adjourn was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

(Time of adjournment 6:29 p.m.)

APPROVED BY COUNCIL JANUARY 18, 2018:



Lee Perryman, President of City Council

CERTIFICATION:

I, PATRICIA G. CARDEN, as City Clerk-Treasurer of the CITY OF SYLACAUGA, ALABAMA, do hereby certify that the foregoing document constitutes a true and correct permanent record of the action taken during a rescheduled regular meeting of the Sylacauga City Council held January 04, 2018.



Patricia G. Carden, City Clerk-Treasurer