

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SYLACAUGA HELD JANUARY 20, 2022

1. Meeting was called to order at 6:00 P.M. by Council President, Lee Perryman.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Nate Brewer, and Lee Perryman. Council Members Absent: Laura Heath. Mayor James Heigl and Interim City Clerk/Treasurer Kim Morris were also present.
3. Invocation was provided by Dr. Rick Patrick, First Baptist Church of Sylacauga, prior to the work session.
4. Council President led the group in the Pledge of Allegiance to the Flag.
5. Report from Mayor James Heigl:
Mayor Heigl gave no report at the meeting.
6. Adopt Agenda:
A motion by Councilwoman Nix, second by Councilman Fowler to amend the agenda as follows was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.
 - 1). Remove Item #13 – Accept FY20 Audit until after Council reviews with auditor
 - 2). Add Item #13 - Consider Resolution #05-2022 to declare emergency repairs to Lake Howard bridge
 - 3). Remove Item #14 – Revisions to Harassment, Discrimination, Bullying Policy until all concerns are addressed
 - 4). Add Item #26 – Authority to seek bids for Phase II of FY19 CDBG Demolition Project LR-CE-PF-19-011
7. Approve minutes of the regular city council meeting held January 6, 2022:
A motion by Councilman Brewer, second by Councilwoman Nix to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

Old Business:

8. Action that is necessary to adopt Special Paid Time-Off Policy related to the COVID pandemic for calendar year 2022, as presented by HR Specialist Jayne McGee:
A motion by Councilwoman Nix, second by Councilman Fowler to approve policy as submitted, allowing up to ten days of paid COVID leave to eligible employees, was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

New Business:

9. Public hearing to consider rezoning of property located at 900 Crestline Avenue from an R-3 (Residential Three, Multi-Family) district to an MX-2 district (Limited Mix Use) district as recommended by the Planning Commission; *Public Hearing set December 7, 2021 by Resolution #105-2021.*

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 Council.

Ordinance #2239-22 was introduced by Councilman Brewer; Dispensed with reading of the ordinance.

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

Upon unanimous consent to consider ordinance at this meeting,

A motion by Councilman Brewer, second by Councilwoman Nix to adopt Ordinance #2239-22 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

10. Public hearing to consider rezoning of property located at 228 Ray's Loop from an M-2 district (Manufacturing-General Industry) district to an AG-2 (General Agriculture) district as recommended by the Planning Commission; *Public Hearing set December 7, 2021 by Resolution #106-2021:*

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 Council.

Ordinance #2240-22 was introduced by Councilman Brewer; Dispensed with reading of the ordinance.

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

Upon unanimous consent to consider ordinance at this meeting,

A motion by Councilwoman Nix, second by Councilman Brewer to adopt Ordinance #2240-22 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

11. Action that is necessary to approve Resolution 03-2022 authorizing Addendum #2 to the Transportation Services agreement with East Alabama Regional Planning and Development Commission at the request of DHR, to amend Sections 15-23 of *Further Financial Agreements and removing all references to JARC; action authorizes Mayor Heigl to sign required documents:*

Resolution #03-2022 was introduced by Councilwoman Nix; Dispensed with reading of the resolution.

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

Upon unanimous consent to consider resolution at this meeting,

A motion by Councilman Brewer, second by Councilwoman Nix to approve Resolution #03-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

12. Action that is necessary to accept recommendation from Parks and Recreation Department to approve Resolution 04-2022 authorizing award of bids opened on January 14, 2022, for the Replacement of Fencing at the Donald Comer Complex to Custom Fence with the low bid price of \$70,851.00; *funding to be from Capital Improvement funds:*

If to consider at this meeting:

Resolution #04-2022 was introduced by Councilman Brewer; Dispensed with reading of the resolution.

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

Upon unanimous consent to consider resolution at this meeting,
A motion by Councilman Brewer, second by Councilwoman Nix to adopt Resolution #04-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

13. Action that is necessary to accept FY2020 audit as prepared by Machen McChesney.
Item removed from agenda during work session and replaced with the following:

13. Action that is necessary to accept recommendation from Street Supt. Reed Calfee and City's consulting engineer, EEFS, to declare emergency repairs to a bridge on Lake Howard Road. EEFS has recommended immediate repairs; weight limit has been reduced from 15 tons to 3 tons. Action authorizes EEFS to assist City in hiring contractor to make necessary emergency repairs to bridge:

Resolution #05-2022 was introduced by Councilman Brewer; Dispensed with reading of the resolution.

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

Upon unanimous consent to consider resolution at this meeting,

A motion by Councilman Brewer, second by Councilwoman Nix to adopt Resolution #05-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

14. Action that is necessary to accept recommendation of HR Specialist Jayne McGee to adopt revisions to the Sylacauga Personnel Policies and Procedures Manual, Chapter 1.4 Policy Prohibiting Harassment, Discrimination, and Bullying.
Item removed during work session.

15. Action that is necessary to approve request from Fire Chief Nate Osgood to contract with Vickers Consulting at a fee of \$1,200.00 to complete and file application for Department of Homeland Security FY21 Staffing for Adequate Fire and Emergency Response (SAFER) grant; action authorizes Mayor Heigl to sign required grant documents on behalf of the City:

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

16. Action that is necessary to approve 010-Lounge Retail Liquor-Class I and 990-Tobacco Only application from Kelly Lynn Prince, member of Bourbon on Broadway, DBA Bourbon on Broadway Aperitifs, located at 112 N Broadway Avenue; Police report received; Council can waive two-week waiting period:

A motion by Councilman Brewer, second by Councilwoman Nix to approve application as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

17. Action that is necessary to accept new electrical services installed as part of the the TAPAA-TA18(914) project in the rear parking lot behind 207 North Broadway Avenue; action authorizes assumption of monthly charges of Sylacauga Utilities Board account #1-50-0243-00:

A motion by Councilwoman Nix, second by Councilman Fowler to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

18. Action that is necessary to amend travel/training dates for PD Investigator Willis Whatley to attend CLEEP Training in Dothan to February 10-11, 2022. Classes rescheduled from January 13-14 due to COVID; travel/training approved by Council on January 6, 2022:

A motion by Councilwoman Nix, second by Councilman Brewer to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

19. Action that is necessary to authorize travel/training expenses for FD Inspector Chad Toland to attend the Fire Marshal's Association of Alabama Spring Conference in Guntersville, March 1-4, 2022. Registration fee of \$100.00; additional expenses for lodging, meals, and use of a city-provided vehicle will be incurred. Total Estimated expenses for Toland are \$427.40.

A motion by Councilman Brewer, second by Councilman Fowler to approve travel/training as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

20. Action that is necessary to authorize travel/training expenses for FD Captain Sam Ogilvie and Lt. Scott Kines to attend the Alabama Fire College Rescue Technician: Wilderness Rescue I/II courses in Anniston, February 21-25, 2022; No registration fee; expenses for meals and use of a city-provided vehicle will be incurred; employees will carpool. Total estimated expenses for Ogilvie and Kines are \$75.00 each.

A motion by Councilman Brewer, second by Councilman Fowler to approve travel/training as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

21. Action that is necessary to authorize travel/training expenses for PD Investigator Chris Vinson and Officer Josh Jones to attend Taser Recertification in Pell City, February 1, 2022. Registration fee of \$375.00 each; expenses for meals and use of a city-provided vehicle will be incurred; employees will carpool. Total estimated expenses for Vinson and Jones are \$400.00 each.

A motion by Councilman Brewer, second by Councilwoman Nix to approve travel/training as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

22. Action that is necessary to authorize travel/training expenses for PD Investigators Ben Layton and Willis Whatley to attend the Crime Scene Professional Development course in Gulf Shores, January 27-28, 2022; No registration fee; expenses for meals and use of a city-provided vehicle will be incurred. Total estimated expenses for Layton of \$200.00; no expenses for Whatley.

A motion by Councilwoman Nix, second by Councilman Brewer to approve travel/training as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

23. Action that is necessary to authorize payments totaling \$150.00 for additional FY21 accounts payable invoices received:

A motion by Councilwoman Nix, second by Councilman Fowler to approve payments as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

24. Action that is necessary to authorize payments totaling \$268,046.62 for balance of December accounts payable invoices received:

A motion by Councilwoman Nix, second by Councilman Fowler to approve payments as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

25. Action that is necessary to authorize payments of December payrolls totaling \$532,582.41:

A motion by Councilman Brewer, second by Councilman Fowler to approve payments as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

26. Action that is necessary to authorize seeking bids for Phase II Demolition of Structures, for those properties identified and determined to be public nuisances

under the FY19 CDBG LR-CE-PF-19-011 project: *Bids to be prepared by Focused Construction Services, LLC, the City's Resident Inspection Services contractor.*

A motion by Councilwoman Nix, second by Councilman Fowler to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman; Nays: None.

27. Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council. There were no speakers at the meeting.

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

(Time of adjournment 6:17 PM)

APPROVED BY COUNCIL FEBRUARY 1, 2022:



Lee Perryman, President of City Council

CERTIFICATION

I, KIMBERLY S. MORRIS, as Interim 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 regular meeting of the City Council held February 1, 2022.



Kimberly S. Morris, Interim City Clerk/Treasurer
City of Sylacauga