

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF SYLACAUGA HELD FEBRUARY 6, 2018

1. Meeting called to order at 6:05 p.m. by Council President, Lee Perryman.
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 Rev. Nathan Paschal, Dayspring Assembly of God.
4. Pledge of Allegiance to the Flag was led by Council President.
5. Mayor James Heigl recognized several people who volunteer their services for the city animal shelter and presented each volunteer with a certificate of appreciation, along with a stuffed dog for each to "adopt". Those recognized were Carolyn Morse, Ron Morse, Mitzi Smith, Terri Brooks, Sonja Chandler, and Janet Hemnes.
6. Adopt Agenda:
A motion by Councilman Blackmon, second by Councilman Davenport to adopt agenda was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
7. Approve minutes of the rescheduled city council meeting held January 18, 2018:
A motion by Councilman Fowler, second by Councilwoman Nix to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

OLD BUSINESS: None.

NEW BUSINESS:

8. Reading into Minutes as record of Mayor Heigl's re-appointment of Marvin Miller as Commissioner of the Sylacauga Housing Authority for the five-year term expiring February 3, 2023—*Informational only, no action required by Council.*
9. Action necessary to adopt ordinance conveying 5 (five)-foot easement across city-owned sidewalk property behind the former Stanton's retail store located at 201 N. Broadway Avenue, approving agreement with building owner for use of property, and authorizing Mayor James Heigl to execute said agreement; easement is necessary for owner to be able to place supports for second story balcony being installed for residential loft space:
Ordinance #2194-18 was introduced by Councilwoman Nix; Read by City Clerk.
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, Perryman, Blackmon, Davenport; Nays: None.
Upon unanimous consent by Council to give ordinance immediate consideration:
A motion by Councilwoman Nix, second by Councilman Fowler to adopt Ordinance 2194-18 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
10. Action necessary to approve resolution to declare PD Sgt. Mike Smith's badge and firearm as surplus property and approving presentation of same to Sgt.

Smith upon this retirement as authorized through Ordinance 1985, adopted 3-18-2003:

If to consider at this meeting:

Resolution #04-2018 was introduced by Councilman Blackmon; Read by City Clerk.

If to take action at this meeting:

A motion by Councilwoman Nix, second by Councilman Fowler to approve Resolution #04-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

11. Action necessary to approve Resolution accepting contribution from Sylacauga Utilities Board and authorizing expenditure in the amount of \$10,000.00 to the Sylacauga Arts Council, Marble Festival Fund to be used to promote the City of Sylacauga, its marble resources and history, and to help defray expenses of promoting and hosting Sylacauga's annual "Magic of Marble Festival" to be held April 3-14, 2018:

Resolution #05-2018 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilman Blackmon, second by Councilman Fowler 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 Councilwoman Nix, second by Councilman Fowler to approve Resolution #05-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

12. Action that is necessary to approve resolution accepting grant award in the amount of \$24,000.00 through the ADECA Law Enforcement/Traffic Safety Division (LETS), Byrne JAG Program to be used for the purchase of twenty-four (24) Taser units only (quoted cost per Taser unit alone is \$964.05 each; cost per Taser unit & necessary components is \$1,108.77 each)—Grant application/purchase authorized by Resolution 37-2017, 9/5/2017:

Resolution #06-2018 was introduced by Councilwoman Nix; Read by City Clerk.

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, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilwoman Nix, second by Councilman Fowler to approve Resolution #06-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

13. Action that is necessary to authorize seeking bids on repair/improvement projects for various city-owned buildings; Projects are based upon recommendations from Interim Building/Code Director Mike Whetstone in conjunction with Lathan & Associates with fees based on state-approved sliding scale for design and construction of the projects—Approval authorizes Mayor Heigl to execute the three (3) related O/A agreements with Lathan:

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

14. Action that is necessary to accept the recommendation to approve the request from Blue Bell Creameries to authorize extensions of the various construction-related permits listed below which were purchased in 2015 during the company's planned expansion project which was halted due to unforeseen circumstances:

- 1) Permit 2015-18 Building Permit purchased 1-15-15 by Brasfield & Gorrie.
- 2) Permit 2015-59 Electrical Permit purchased 2-9-15 by Feyen Zylstra LLC.
- 3) Permit 2015-97 Building Permit purchased 3-12-15 by Brasfield & Gorrie.
- 4) Permit 2015-138 Plumbing Permit purchased 5-13-15 by Brown Mechanical Contractors.
- 5) Permit 2015-139 Gas Permit purchased 5-13-15 by Brown Mechanical Contractors.
- 6) Permit 2015-140 Mechanical Permit purchased 5-13-15 by Brown Mechanical Contractors.

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

15. Action that is necessary to approve request from Street Supt. Reed Calfee for authorization to post/advertise the position of Construction Worker II; Action will result in one additional CWII temporarily until such time as the vacant position of Equipment Operator II is filled through promotion:

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

16. Action that is necessary to approve request from Fire Chief Adam Gardner 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 as presented was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

17. Action that is necessary to approve request from Fire Chief Adam Gardner 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 as presented was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

18. Action necessary to approve request from Sylacauga City School Supt. Todd Freeman for withdrawal of \$420,000.00 from the 18.5 Ad Valorem Tax Reserve Fund to be used for SCS building and operations that include insurance, technology infrastructure improvements including the 1:1 Chromebook initiative, safety upgrades, and projects related to insurance audit:

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

19. Action that is necessary to approve request from the Sylacauga Planning Commission to authorize funding for a legal review relative to the bond(s)/assurance(s) requirements of the proposed Subdivision Regulations:

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.

20. Action that is necessary to approve requested refund in the amount of \$100.00 to Linda Chace for animal shelter canine adoption fees paid through receipt #60918, dated 1/09/2018; Chace was not able to keep animal & dog was returned to Shelter.

A motion by Councilman Blackmon, second by Councilman Davenport to authorize refund as stated 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 Police Chief Kelley Johnson to attend the AACOP Winter Conference to be held in Montgomery, February 26 through March 1, 2018—Registration fee is \$200.00; No additional costs other than use of a city vehicle will be incurred. Estimated total cost of travel/training for Johnson is \$200.00.

A motion by Councilwoman Nix, second by Councilman Fowler to approve travel/expenses as requested 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 Police Captain Rondell Muse to attend the AACOP Winter Conference to be held in Montgomery, February 26 through March 1, 2018—Registration fee is \$200.00; Muse will carpool with Johnson so there will be no additional costs incurred for Muse. Estimated total cost of travel/training for Muse is \$200.00.

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

23. Action that is necessary to approve travel/expenses for Mayor, City Council members and City Clerk to attend the Alabama League of Municipalities 2018 Annual Convention to be held in Montgomery, May 19-22, 2018—Early registration fee is \$400.00 each through 4/13/2018; Additional expenses for mileage, lodging & meals may be incurred.

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

24. Action that is necessary to authorize payments totaling \$768,157.43 for accounts payable invoices received to date for January, 2018:

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.

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

Councilman Donnie Blackmon announced that he had been informed by the owners that the anchor store for the new Second Street development in the former Kmart building will be Dirt Cheap and is expected to open later this year in May or June.

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

(Time of adjournment 6:23 p.m.)

APPROVED BY COUNCIL FEBRUARY 22, 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 regular meeting of the Sylacauga City Council held February 6, 2018.



Patricia G. Carden, City Clerk-Treasurer