

## MINUTES OF A RESCHEDULED REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SYLACAUGA HELD FEBRUARY 18, 2021

1. Meeting was called to order at 6:00 P.M. by Council President, Lee Perryman.
2. Roll Call: Council Minutes Present: Ashton Fowler, Tiffany Nix, Nate Brewer, Lee Perryman, and Laura Heath. Mayor Heigl and Interim City Clerk/Treasurer Kim Morris were also present.
3. Invocation was provided by Councilman Nate Brewer.
4. Council President Perryman led the group in the Pledge of Allegiance to the Flag.
5. Report from Mayor James Heigl:  
Mayor Heigl presented a proclamation declaring February 15, 2021, as Jesse and Priscilla Cleveland Day. The Mayor also presented Prosecutor Joe Cariton with a proclamation thanking him for his service as Prosecutor to the City of Sylacauga. Mayor Heigl also updated the group on current COVID19 statistics.
6. Adopt Agenda:  
*A motion by Councilman Brewer, second by Councilwoman Heath to amend the agenda by adding Item 23 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
7. Approve minutes of the regular city council meeting held February 2, 2021:  
*A motion by Councilwoman Heath, second by Councilman Brewer to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
8. Council President announced that the Council had a need to go into executive session to discuss certain matters for which an executive session is allowed pursuant to Section 36-25A-7(a)(1) Code of Alabama 1975, as amended, and referenced a letter from the City Attorney supporting such action—**Perryman advised that Council would return to the council meeting following adjournment of the ES for conclusion of the rescheduled regular meeting.**  
*A motion by Councilwoman Nix, second by Councilman Fowler to enter into executive session was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Brewer, Heath; Nays: None.*

**All Council members, joined by the City Attorney, Mayor, and Interim City Clerk-Treasurer entered into executive session at approximately 6:07 p.m.**

*A motion by Councilman Brewer, second by Councilwoman Heath to exit the executive session and to return to the council meeting at approximately 6:34 p.m. was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Brewer, Heath; Nays: None.*

### Old Business:

9. Action necessary to adopt ordinance to reinstate a Municipal Housing Code Abatement Board and to provide for the abatement of nuisances:  
**Ordinance #2232-21** was introduced by Councilman Brewer; Dispensed with reading of the ordinance.  
*A motion by Councilwoman Heath, second by Councilman Brewer to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*  
**Upon unanimous consent to consider ordinance at this meeting,**  
*A motion by Councilwoman Nix, second by Councilman Fowler to adopt Ordinance 2232-21 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

**New Business:**

10. Action that is necessary to approve resolution setting date for public hearing to consider approval of incentive agreement between the City and Robo Motors, LLC, Richard L. Wright, Sr., and Betty A. Wright for an economic development project at 40811 US Hwy 280—*First available date for public hearing is 3-16-2021 at 6:00 p.m.*:

**Resolution #07-2021** was introduced by Councilwoman Nix; Dispensed with reading of Resolution.

*A motion by Councilwoman Heath, 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, Heath; Nays: None.*

**Upon unanimous consent to consider resolution at this meeting,**

*A motion by Councilwoman Nix, second by Councilwoman Heath to approve Resolution 07-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Heath; Nays: None; Abstain: Brewer.*

11. Action that is necessary to accept the resignation of City Prosecutor Joe Carlton effective February 28, 2021, and to accept Judge Barry Vaughn's recommendation to appoint Matthew T. West as City Prosecutor for the Municipal Court effective March 1, 2021, at the rate of \$1,500.00 per month:

**Resolution #08-2021** was introduced by Councilwoman Heath; Dispensed of reading of Resolution.

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

**Upon unanimous consent to consider resolution at this meeting,**

*A motion by Councilman Brewer, second by Councilwoman Heath to approve Resolution 08-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath. Nays: None.*

12. Action that is necessary to accept ADEM Air permit #309-0077-X001 and to agree to the provisos stipulated by ADEM in order to operate air curtain incinerator:

**Resolution #09-2021** was introduced by Councilman Brewer; Dispensed with reading of Resolution.

*A motion by Councilwoman Heath, 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, Heath; Nays: None.*

**Upon unanimous consent to consider resolution at this meeting,**

*A motion by Councilman Brewer, second by Councilwoman Heath to approve Resolution 09-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

13. Action that is necessary to accept recommendation of Street Supt. Reed Calfee to purchase 10' Rotary Cutter from Coblenz Equipment and Parts Specialty Co. through State Bid #MA-T226 at a cost of \$13,408.39:

**Resolution #10-2021** was introduced by Councilman Brewer; Dispensed with reading of Resolution.

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

**Upon unanimous consent to consider resolution at this meeting,**

*A motion by Councilwoman Nix, second by Councilman Fowler to approve Resolution 10-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

14. Action that is necessary to amend Special Paid Leave Policy by adding language to clarify that the benefit was intended to be provided to full-time employees only; *part-time employees are not eligible for any type of paid leave benefit:*

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

15. Action that is necessary to reimburse Sylacauga P/Rec for one (1) ExMark Lazer Z X Series 60 Lawn Mower for Lake Howard, purchased from Argo Power Equipment, Inc., through the Sourcewell Purchasing Cooperative Program, at a price of \$12,454.30; *purchase was previously authorized by the Lake Howard Recreational Authority:*

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

16. Action that is necessary to approve the request from Police Chief Kelley Johnson to assist the Talladega County Sheriff's Department with mental health transports for those cases originating within the City. Probate Judge to reimburse mileage; City to reimburse meal expense if officer's travel exceeds four hours:

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

17. Appointment to the Municipal Housing Code Abatement Board, District 1, for the term to run concurrently with that of the Elected Officials:

*Councilman Fowler nominated Teresa Conville and Randy Benefield as District 1 representatives to the Municipal Housing Code Abatement Board for the term expiring with that of the Elected Officials.*

*A motion by Councilwoman Nix, second by Councilwoman Heath to appoint Teresa Conville and Randy Benefield to the Municipal Housing Code Abatement Board representing District 1 for the term expiring with that of the Elected Officials (November 3, 2024) was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

18. Appointment to the Municipal Housing Code Abatement Board, District 2, for the term to run concurrently with that of the Elected Officials:

*Councilwoman Nix nominated Glenda Gaines and Lesa McNealey as District 2 representatives to the Municipal Housing Code Abatement Board for the term expiring with that of the Elected Officials.*

*A motion by Councilwoman Heath, second by Councilman Brewer to appoint Glenda Gaines and Lesa McNealey to the Municipal Housing Code Abatement Board representing District 2 for the term expiring with that of the Elected Officials (November 3, 2024) was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

19. Appointment to the Municipal Housing Code Abatement Board, District 3, for the term to run concurrently with that of the Elected Officials:

*Councilman Brewer nominated Ken Brewer and Sharman Brown as District 3 representatives to the Municipal Housing Code Abatement Board for the term expiring with that of the Elected Officials.*

*A motion by Councilman Brewer, second by Councilwoman Nix to appoint Ken Brewer and Sharman Brown to the Municipal Housing Code Abatement Board representing District 3 for the term expiring with that of the Elected Officials (November 3, 2024) was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

- 20.** Appointment to the Municipal Housing Code Abatement Board, District 4, for the term to run concurrently with that of the Elected Officials:
- Councilman Perryman nominated Hal Godwin and Alana Mintz as District 4 representatives to the Municipal Housing Code Abatement Board for the term expiring with that of the Elected Officials.*
- A motion by Councilman Brewer, second by Councilwoman Nix to appoint Hal Godwin and Alana Mintz to the Municipal Housing Code Abatement Board representing District 4 for the term expiring with that of the Elected Officials (November 3, 2024) was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
- 21.** Appointment to the Municipal Housing Code Abatement Board, District 5, for the term to run concurrently with that of the Elected Officials:
- Councilwoman Heath nominated Brandon Harp and Randy Clark as District 5 representatives to the Municipal Housing Code Abatement Board for the term expiring with that of the Elected Officials.*
- A motion by Councilwoman Nix, second by Councilwoman Heath to appoint Brandon Harp and Randy Clark to the Municipal Housing Code Abatement Board representing District 5 for the term expiring with that of the Elected Officials (November 3, 2024) was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
- 22.** Action that is necessary to approve application for transfer of 050 Retail Beer (Off Premises Only) License and 070 Retail Table Wine (Off Premises Only) License from Moran Foods, LLC, to Community Resources, LLC, DBA Save A Lot for the business located at 204 West Ft. Williams Street, Sylacauga—Police report complete; Council can waive waiting period:  
*A motion by Councilman Brewer, second by Councilwoman Nix to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
- 23.** Action that is necessary to approve travel/training expenses for HR Specialist Jayne McGee to attend the AAPPA Compensation and Job Evaluation course in Auburn April 29-30, 2021. Registration fee of \$240.00; additional expenses for mileage and meals will be incurred—Total estimated expenses for McGee are \$343.02:  
*A motion by Councilwoman Nix, second by Councilwoman Heath to approve travel/training expenses as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
- 24.** Action that is necessary to approve resolution amending the FY2021 budget, increasing Account 010-585-46025-000 (Contract-Drug Task Force) from \$45,000.00 to \$82,940.00, by transferring \$37,940.00 from Police Salaries and Fringe:  
*Resolution #11-2021 was introduced by Councilman Brewer; Dispensed with reading of Resolution.*
- A motion by Councilwoman Heath, second by Councilman Brewer to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

**Upon unanimous consent to consider resolution at this meeting,**

*A motion by Councilwoman Nix, second by Councilwoman Heath to approve Resolution 11-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

**25.** Action that is necessary to authorize payments totaling \$420,801.52 for January 2021 payrolls:

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

**26.** Action that is necessary to authorize payments totaling \$47.90 for additional FY2020 accounts payable invoices received after year-end:

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

**27.** Action that is necessary to authorize payments totaling \$174,748.02 for balance of accounts payable invoices received for January 2021:

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

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

Clara Curtis of West Bay Street commented on the ADEM permit issued to the City and noted the items ADEM allows to be burned. Ms. Curtis reported that she recently had her roof replaced, and the roofers found no evidence of mold.

**29.** Having no further business to discuss,

*A motion by Councilman Brewer, second by Councilwoman Heath to adjourn was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

*(Time of adjournment 6:55 P.M.)*

APPROVED BY COUNCIL MARCH 2, 2021:

  
\_\_\_\_\_  
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 rescheduled regular meeting of the City Council held February 18, 2021.

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