

## MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SYLACAUGA HELD FEBRUARY 20, 2020

1. Meeting was called to order at 5:30 p.m. by Council President, Lee Perryman.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Donnie Blackmon, and Lee Perryman. Absent: Dallas Davenport. Mayor James Heigl and City Clerk/Treasurer Patricia Carden were also present.
3. Invocation was given by Donnie Blackmon, City Council D-3;
4. Council President Lee Perryman led the group in the Pledge of Allegiance to the Flag.
5. Mayor James Heigl gave no report at this meeting.
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; Nays: None.*
7. Approve minutes of the regular city council meeting held February 4, 2020:  
*A motion by Councilman Blackmon, second by Councilwoman Nix to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

### OLD BUSINESS: None.

### NEW BUSINESS:

8. Bobby Holmes asked to address the Council concerning the Farmer's Market. He commented that the Farmer's Market is not being run according to State regulations and offered some suggestions for improvements, including forming a committee to oversee the operation and paying someone to handle the market. Mr. Holmes also commented on the deteriorated state of the City's parks, especially the swimming pool. He suggested adding a two or three cent tax on every bottle, can, or fountain drink, including water, sold in Sylacauga. Holmes suggested using the proceeds for improvements to the recreation facilities and to pay the debt on building a new enclosed heated pool, and for operation and maintenance once the debt was paid. Councilwoman Nix expressed her appreciation to Mr. Holmes for his comments and suggestions. Council President asked Mr. Holmes if he would be willing to help with the Farmer's Market and Holmes agreed to help to the extent he was able. **No formal action was requested and no action was taken by Council.**

9. Action that is necessary to adopt ordinance granting an extension of the Electric Franchise Agreement with the Sylacauga Utilities Board:

**Ordinance #2220-20** was introduced by Councilwoman Nix; Read by City Clerk.

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

**Upon unanimous consent by Council to give the ordinance immediate consideration:**

*A motion by Councilwoman Nix, second by Councilman Fowler to adopt Ordinance 2220-20 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

10. Action that is necessary to adopt ordinance granting an extension of the Natural Gas Franchise Agreement with the Sylacauga Utilities Board:  
**Ordinance #2221-20** 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; Nays: None.

**Upon unanimous consent by Council to give the ordinance immediate consideration:**

A motion by Councilman Blackmon, second by Councilwoman Nix to adopt Ordinance 2221-20 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

11. Action that is necessary to adopt ordinance granting an extension of the Sewer Franchise Agreement with the Sylacauga Utilities Board:

**Ordinance #2222-20** 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; Nays: None.

**Upon unanimous consent by Council to give the ordinance immediate consideration:**

A motion by Councilman Blackmon, second by Councilwoman Nix to adopt Ordinance 2222-20 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

12. Action that is necessary to adopt ordinance granting an extension of the Water Franchise Agreement with the Sylacauga Utilities Board:

**Ordinance #2223-20** 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; Nays: None.

**Upon unanimous consent by Council to give the ordinance immediate consideration:**

A motion by Councilman Blackmon, second by Councilman Fowler to adopt Ordinance 2223-20 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

13. Action that is necessary to adopt ordinance conveying a five and one half (5.5) foot easement across city-owned sidewalk property along the West 2nd Street side of the former Stanton's retail store located at 201 N. Broadway Avenue, approving agreement with building owner for use of property subject to easement, and authorizing Mayor James Heigl to execute said agreement and easement—Easement is necessary to enable owner to install supports (on the sidewalk) for second story balcony of the residential loft space:

**Ordinance #2224-20** 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; Nays: None.

**Upon unanimous consent by Council to give the ordinance immediate consideration:**

A motion by Councilman Blackmon, second by Councilman Fowler to adopt Ordinance 2224-20 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

14. Action that is necessary to accept recommendation from Interim Code Enforcement Director Mike Whetstone to approve resolution declaring one (1) 2008 Ford Ranger, S/N 1FTYR10D08PA39157 as surplus property no longer needed for municipal purposes and authorizing disposal of same through GovDeals online auction or other appropriate disposal means:
- Resolution #09-2020** was introduced by Councilwoman Nix; 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; Nays: None.
- Upon unanimous consent by Council to give the resolution immediate consideration:**
- A motion by Councilman Blackmon, second by Councilwoman Nix to approve Resolution 09-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.
15. Action that is necessary to approve resolution to accept quote in the amount of \$64,220.00 from Engineering Design Technologies, Inc. (EDT), for the provision of Preliminary Design Phase services for the proposed (New) Community Center Project to be located at the former Food World site on Main Avenue:
- Resolution #10-2020** was introduced by Councilwoman Nix; 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; Nays: None.
- Upon unanimous consent by Council to give the resolution immediate consideration:**
- A motion by Councilman Blackmon, second by Councilwoman Nix to approve Resolution 10-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.
16. Action that is necessary to approve resolution setting date for public hearing for consideration of adoption of new Codes as recommended by Interim Code Enforcement Director Mike Whetstone—First available date for public hearing is 4/07/2020 (6:00 p.m.):
- Resolution #11-2020** 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; Nays: None.
- Upon unanimous consent by Council to give the resolution immediate consideration:**
- A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 11-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.
17. Action that is necessary to accept recommendation from HR Specialist Jayne McGee to approve resolution designating certain classes of employee positions as safety sensitive positions subject to random drug/alcohol testing requirements:
- Resolution #12-2020** 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; Nays: None.

**Upon unanimous consent by Council to give the resolution immediate consideration:**

*A motion by Councilman Blackmon, second by Councilwoman Nix to approve Resolution 12-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

18. Action that is necessary to approve request from Street Supt. Reed Calfee for authorization to submit application for an ADEM Recycling Grant for the purchase of a new horizontal closed-end baler at a quoted cost of \$84,200.00:

**Resolution #13-2020** was introduced by Councilman Blackmon; 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; Nays: None.*

**Upon unanimous consent by Council to give the resolution immediate consideration:**

*A motion by Councilman Blackmon, second by Councilwoman Nix to approve Resolution 13-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

19. Action that is necessary to approve resolution amending the uniform requirement for Street Department and Shop Department workers to include the provision of city-purchased work boots to coincide with the two-year uniform rental cycle:

**Resolution #14-2020** 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; Nays: None.*

**Upon unanimous consent by Council to give the resolution immediate consideration:**

*A motion by Councilman Blackmon, second by Councilwoman Nix to approve Resolution 14-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

20. Action that is necessary to correct Council action taken on 1/23/2020, accepting the donation of four (4) portable (classroom) units from the Sylacauga Housing Authority to properly reflect the actual donation of only one (1) unit:

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

21. Action that is necessary to accept quote in the amount of \$4,100.00 from O'Neal Electric for repairs to the lighting at the Welcome to Sylacauga sign located at Hwy 280 & W. Ft Williams:

*A motion by Councilman Blackmon, second by Councilwoman Nix to accept quote/authorize work as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

22. Action that is necessary to accept quote in the amount of \$1,500.00 from O'Neal Electric for repairs to the lighting at the Welcome to Sylacauga sign located at Hwy 280 & Hwy 21:

*A motion by Councilwoman Nix, second by Councilman Fowler to accept quote/authorize work as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

**23.** Action necessary to authorize removal of charges for garbage fees from utility billing for vacant residence located at 504 Willowood Street; former owner/resident is deceased and home has remained vacant for many years since:

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

**24.** Action that is necessary to approve request from Comer Museum to close the section of W 8th Street between N Broadway Avenue and N Norton Avenue from 9:00 a.m. to 2:00 p.m. on March 7, 2020, for the 7th Annual Car and Bike Show to be held at the Museum during that time:

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

**25.** Action necessary to authorize Police Department to move forward with purchasing body cameras and related items, including authorization to seek bids if required to meet Bid Law requirements, at a collective cost not to exceed \$22,683.46 (items & cost per PD's Capital Budget request):

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

**26.** Action necessary to authorize Police Department to move forward with purchasing in-car and body camera server with set-up and installation, including authorization to seek bids if required to meet Bid Law requirements, at a collective cost not to exceed \$25,097.00 (items & cost per PD's Capital Budget request):

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

**27.** Action that is necessary to approve travel/training expenses for Planning Commission Member Jayne McGee to attend the *Economic Development Leadership Institute EDAA Leadership Certification Program Courses: \*\*Building Community* to be held in Hoover, March 3, 2020; *Building Workforce* to be held in Scottsboro, April 14, 2020; and *Attracting Retail* to be held in Prattville, May 12, 2020—*Registration fee is \$95.00 per course (lunch included); Additional costs for mileage will be incurred--Estimated total cost of travel/training for McGee is \$549.85 for these three courses:*

**\*\*\$95.00 Registration fee for the Essentials of Economic Development course in Scottsboro, February 6, 2020, will be applied to this course; McGee was unable to attend.**

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

**28.** Action that is necessary to approve travel/expenses for CCT Accounting Specialist Yourlanda Burns to attend the *Alabama City/County Management Association (ACCMA) Certificate Program: Human Resource Management & Staff Effectiveness* segment of the Local Government Professional Management Certificate Program to be held in Prattville, March 26-27, 2020—*Registration fee is \$225.00; Additional cost for mileage and meals will be incurred--Estimated total cost of travel/training for Burns is \$400.00:*

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

**29.** Action that is necessary to approve travel/expenses for Municipal Court Magistrate Portia Ford to attend the *2020 Regional Seminar for Municipal Court Officials (certification requirement)* to be held in Birmingham, April 2-3, 2020—*Registration*

fee is \$195.00; Additional cost for mileage will be incurred--Estimated total cost of travel/training for Ford is \$284.55:

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

30. Action that is necessary to approve training travel/expenses for PD Sgt. Kelly White, PD Sgt. Donnie Landers, PD Lt. Jason McNeill, and PD Officer Mike Davenport to attend the Transformational Communication training to be held at the Vestavia Hills Police Dept., February 27, 2020--Registration fee is \$15.00; No additional costs other than \*use of a department vehicle/fuel will be incurred (\*All employees will carpool)--Estimated total cost of travel/training is \$15.00 each:

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

31. Action that is necessary to approve training travel/expenses for PD Officer Adam Peoples to attend the De-Escalation Instructor training to be held in Florence, March 8-11, 2020--Registration fee is \$325.00; Additional costs for lodging, meals, and \*use of a department vehicle/fuel will be incurred (\*All employees will carpool)--Estimated total cost of travel/training for Peoples is \$764.68 each:

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

32. Action that is necessary to approve training travel/expenses for PD Lt. Jason McNeill, PD Sgt. Chariton Kircus, and PD Investigator Chris Vinson to attend the DMT New Operator Training to be held in Pelham, March 5, 2020--No registration fee; Additional costs for one meal each and \*use of a department vehicle/fuel will be incurred (\*Employees will carpool)--Estimated total cost of travel/training is \$15.00 each:

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

33. Action that is necessary to authorize payments totaling \$437,234.18 for payrolls for January, 2020:

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

34. Action that is necessary to authorize payments totaling \$113,050.82 for balance of accounts payable invoices received for January, 2020:

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; Nays: None.

35. Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council: **No one addressed the Council.**

36. Public hearing to consider petitions for annexation and recommendations related to zoning of those certain properties located at or otherwise described as 134 Houston Road and 520 Fulton Gap Road --Hearing date set 1/07/2020; Resolution 01-2020:

**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 #2219-20** 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; Nays: None.

**Upon unanimous consent by Council to give the ordinance immediate consideration:**

A motion by Councilman Blackmon, second by Councilwoman Nix to adopt Ordinance 2219-20 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

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

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

(Time of adjournment 6:01 p.m.)

APPROVED BY COUNCIL MARCH 3, 2020:



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 20, 2020.

  
Patricia G. Carden, City Clerk-Treasurer