

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF SYLACAUGA HELD FEBRUARY 21, 2019**

1. Meeting was called to order at 5:40 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 was present, and Kim Morris attended in the absence of Patricia Carden, City Clerk/Treasurer.
3. Invocation was given by Frank Bryant of Frank Bryant Ministries.
4. Pledge of Allegiance to the Flag was led by Council President.
5. Mayor Heigl had no report, but asked that Councilman Blackmon introduce Dipak Patel, owner of the American Deli opening soon on Hwy 21. Blackmon announced that Mr. Patel has plans to open a second restaurant within 6 months to one year on Hwy 280 near Wal-Mart and that Mr. Patel plans to move to Sylacauga. Mr. Patel announced the grand opening within a few weeks and thanked everyone for welcoming him to Sylacauga.
6. Adopt Agenda:  
*A motion by Councilman Fowler, second by Councilwoman Nix 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 5, 2019:  
*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; Nays: None.*

**OLD BUSINESS: None.**

**NEW BUSINESS:**

8. Request from Comer Museum to close West 8<sup>th</sup> Street between Broadway and Norton Avenues from 9 am to 2 pm on Saturday, March 2, 2019, for their 6<sup>th</sup> Annual Car and Bike Show (rain date is March 9, 2019) – *Informational only, no formal action required by Council; street closings are handled by Police Chief as Traffic Director.*
9. Action that is necessary to set public hearing date for consideration of a request from Blue Bell Creameries for the closing/vacation of a portion of a public alley located within Blue Bell properties off of West 4<sup>th</sup> Street – *first available date for hearing is April 2, 2019; Planning Commission supports request for vacation.*  
**Resolution #04-2019** was introduced by Councilman Blackmon; Read by Kim Morris.  
*A motion by Councilwoman Nix, second by Councilman Blackmon to approve Resolution 04-2019 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*
10. Action that is necessary to approve resolution authorizing the purchase of two (2) Model 325D/72 Grasshopper Mowers for the Street Department, at the State Bid price of \$11,425.00/each from Morigde Manufacturing, Inc.—*to be paid from FY19 budgeted Capital Improvement Funds.*  
**Resolution #05-2019** was introduced by Councilman Blackmon; Read by Kim Morris.

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 resolution immediate consideration:**

A motion by Councilman Blackmon, second by Councilwoman Nix to approve Resolution 05-2019 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

11. Action that is necessary to approve resolution authorizing expenditure in the amount of \$5,000.00 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 2-13, 2019:

**Resolution #06-2019** was introduced by Councilman Blackmon; Read by Kim Morris.

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 resolution immediate consideration:**

A motion by Councilman Blackmon, second by Councilman Fowler to approve Resolution 06-2019 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

12. Action that is necessary to accept the recommendation of its consulting engineer Lathan Associates Architects, P.C., to approve resolution authorizing Change Order #1 (Contractor's CO #4) in the amount of \$26,830.00 from Standard Roofing of Montgomery, Inc., for the addition of 2,000 SF of additional roofing repairs at the former Food World building and waterproofing at the Comer Library as part of the Miscellaneous Roofing and HVAC for the City of Sylacauga project (Lathan Associates Architects, P.C. Job #18-08, Bid opened 5/17/2018; Contract awarded through Resolution 46-2018, 06/05/18). Funding for change order from remaining contingency funds of \$1,160.87, Library reimbursement of \$7,990.87, and balance to be paid from bond proceeds:

**Resolution #07-2019** was introduced by Councilman Blackmon; Read by Kim Morris.

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 resolution immediate consideration:**

A motion by Councilman Blackmon, second by Councilwoman Nix to approve Resolution 07-2019 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

13. Action that is necessary to accept the recommendation of Interim Director of Code Enforcement Mike Whetstone to approve the expenditure of up to \$7,626.00 to H & B Builders to secure and weather-tight the former Mountainview School building:

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

14. Action that is necessary to approve request for a refund of overpayment of 2019 business license fee to Shane Bland DBA CL Gunworks in the amount of \$62.50:  
*A motion by Councilman Blackmon, second by Councilman Fowler to authorize refund as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*
15. Action that is necessary to accept recommendation from Municipal Court Clerk Amber Johns to authorize return of \$800.00 cash bond to defendant Kanaji Bhatia, Case #MC09-558:  
*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.*
16. Action that is necessary to accept recommendation from Street Superintendent Reed Calfee and Mayor Jim Heigl to grant Request for Leave Without Pay for Street employee Evan Williams for the period December 31, 2018 through February 18, 2019:  
*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.*
17. Action that is necessary to authorize extension of waiver of the \$150.00 annexation fee on all annexation applications submitted through September 30, 2019. (Waiver of annexation fee for the period 06/19/18 through 3/31/19 authorized on 06/19/18):  
*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.*
18. **Appointment to the Commercial Development Authority—Vacant supernumerary four-year term beginning March 15, 2019—Jim Hethcox was the only applicant:**  
Action that is necessary to make appointment to the Commercial Development Authority for the four-year term ending March, 2023:  
*A motion by Councilman Blackmon, second by Councilman Fowler to appoint Jim Hethcox to the CDA for the four-year term ending March, 2023 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*
19. **Appointment to the Airport Authority—Expired six-year term of David Morrill expired August 2018—Robert Holmes was the only applicant:**  
Action that is necessary to make appointment to the Airport Authority for the six-year term ending August, 2024:  
*A motion by Councilman Fowler, second by Councilwoman Nix to appoint Robert Holmes to the Airport Authority for the six-year term ending August, 2024 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*
20. **Appointment to the Parks and Recreation Board—Expired five-year term of Darren Holland expired October, 2018—Rocky Lucas was the only applicant:**  
Action that is necessary to make appointment to the Parks and Recreation Board for the five-year term ending October, 2023:  
*A motion by Councilman Fowler, second by Councilwoman Nix to appoint Rocky Lucas to the Parks and Recreation Board for the five-year term ending October, 2023 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

21. Action that is necessary to approve travel/expenses for PD Officer Blake McGhee to attend the *Regional Counterdrug Training Academy Emergency Narcotics Operations* Course to be held in Meridian, MS, February 11-15, 2019-- No registration fee; Meals and lodging provided during training; Use of a departmental vehicle and fuel were incurred. No additional expenses were incurred by McGhee. (Training was removed from 02/05/19 agenda because school was full; McGhee was able to attend because of a cancellation):

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

22. Action that is necessary to approve travel/expenses for Code Enforcement Administrative Secretary Shannon Plexico to attend the *Alabama City/County Management Association (ACOMA) Certificate Program: Human Resource Management and Staff Effectiveness* segment of the Local Government Professional Management Certificate Program to be held in Prattville, March 7-8, 2019--Registration fee is \$195.00; Additional cost for meals will be incurred (Plexico will be carpooling with McGee)--Estimated total cost of travel/training for Plexico is \$220.00:

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

23. Action that is necessary to approve travel/expenses for PD Sgt. Shane Bland, Lt. Willis Whatley, Officer Stephen Ledbetter, Investigator Ben Layton, and Sgt. Chariton Kircus to attend the *NE AL Law Enforcement Academy's APOSTC Firearms Instructor Development Course* in Piedmont June 5-6, 2019. Registration fee is \$50.00 for four officers (fifth officer free). Officers will carpool in city vehicles--Estimated total costs of travel/training for the officers are \$200.00:

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

24. Action that is necessary to authorize payments totaling \$425,672.58 for payrolls for January, 2019:

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

25. Action that is necessary to authorize payments totaling \$707,115.92 for balance of accounts payable invoices received for January, 2019:

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

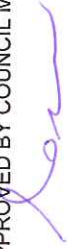
26. Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council. However, no speakers addressed the Council during this portion of the meeting.

27. Having no further business to discuss,

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

(Time of adjournment 5:56 P.M.)

APPROVED BY COUNCIL MARCH 5, 2019:



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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 21, 2019.



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Patricia G. Carden, City Clerk-Treasurer