

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF SYLACAUGA HELD FEBRUARY 23, 2023**

1. Meeting was called to order at 6:00 P.M. by Council President, Ashton Fowler.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Nate Brewer, Lee Perryman, and Laura Heath. Mayor James Heigl and Interim City Clerk/Treasurer Kim Morris were also present.
3. Invocation was provided by Police Chaplain Mark Ledbetter 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 thanked Norfolk Southern for repairs made at the railroad crossings and announced that Eastern Alabama Railroad will also be making repairs to their crossings.
6. Adopt Agenda:
A motion by Councilman Brewer, second by Councilwoman Heath to adopt agenda 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 7, 2023:
A motion by Councilman Brewer, second by Councilman Perryman to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
8. Approve minutes of the regular work session held February 7, 2023:
A motion by Councilman Brewer, second by Councilwoman Heath to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Old Business:

None.

New Business:

9. Public hearing to consider rezoning of property located at 1321 Coaling Road from a Low Density Residential (R-1) District to a Residential Agricultural (AG-1) District, as recommended by the Planning Commission; *Public Hearing set January 19, 2023 by Resolution #04-2023:*

Council President opened the public hearing and called for comments.
There were no speakers at the public hearing.

Council President closed the public hearing and called for action by Council.

Ordinance #2254-23 was introduced by Councilman Brewer; Dispensed with reading of the ordinance.

A motion by Councilman Brewer, 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 ordinance at this meeting:

A motion by Councilman Brewer, second by Councilwoman Heath to adopt Ordinance #2254-23 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

- 10.** Public hearing to consider request to enter into a redevelopment agreement with Wharf Casual Seafood Sylacauga LLC for a new restaurant to be located on US Hwy 280 in Sylacauga; *Public Hearing set February 7, 2023 by Resolution #06-2023.*

Council President opened the public hearing and called for comments.
There were no speakers at the public hearing.

Council President closed the public hearing and called for action by Council.

Resolution #10-2023 was introduced by Councilman Brewer; Dispensed with reading of the 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 Councilman Brewer, second by Councilman Perryman to approve Resolution #10-2023 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

- 11.** Action that is necessary to accept the recommendation of Police Chief Kelley Johnson to approve resolution declaring 2012 Dodge Charger, S/N 2C3CDXAG8CH221047 and 2011 Ford Crown Victoria, S/N 2FABP7BV4BX160124 as surplus property and authorizing disposal on GovDeals.com:

Resolution #11-2023 was introduced by Councilman Perryman; Dispensed with reading of the resolution.

A motion by Councilman Brewer, 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 Councilman Perryman to approve Resolution #11-2023 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

- 12.** Action that is necessary to accept the recommendation of Engineering Environmental and Forest Services Company, PC (EEFS) and Street Supt. Reed Calfee to approve resolution authorizing contract with G & H Ventures to remove sediment and clean out ditch along Central Avenue at a cost of \$8,700.00; *Funding from American Rescue Funds:*

Resolution #12-2023 was introduced by Councilman Brewer; Dispensed with reading of the 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 Councilman Brewer, second by Councilman Perryman to approve Resolution #12-2023 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

13. Action that is necessary to approve resolution authorizing the purchase of Transportation van through East Alabama Regional Planning and Development Commission and ALDOT, at a cost of \$92,489.00, with a required 20% local match of \$18,600.00; *Action repeals Resolution #03-2023 approved January 5, 2023, due to increase in van cost.*
Resolution #13-2023 was introduced by Councilman Perryman; Dispensed with reading of the resolution.
- A motion by Councilman Brewer, 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 #13-2023 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
14. Action that is necessary to approve resolution consenting to a tax abatement by the Talladega County Commission for Omya, Inc.; *Business located outside the city limits; but within the PJ.*
- Resolution #14-2023** was introduced by Councilman Perryman; Dispensed with reading of the resolution.
- A motion by Councilman Brewer, 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 #14-2023 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
15. Action that is necessary to approve resolution authorizing transfer of Verlie Collins Community Center to Sylacauga Housing Authority; *Action authorizes City Attorney to prepare deed of conveyance.*
Removed from agenda. Not ready per City & SHA attorneys.
16. Action that is necessary to approve application for Lounge Retail Liquor – Class II Package Store, received from Bunnat Heng, owner of Alex City Package Store located at 630 Old Birmingham Hwy, Sylacauga; *Police report complete.*
A motion by Councilman Brewer, second by Councilwoman Heath to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
17. Action that is necessary to accept recommendation of Fire Chief Nate Osgood to approve change of status for Fire Lt. Scott Kines to Interim Fire Captain effective February 1, 2023; *Action authorizes a 5% pay increase effective 2-1-23.*
A motion by Councilwoman Heath, second by Councilman Brewer to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
18. Action that is necessary to accept recommendation of Fire Chief Nate Osgood to approve change of status for Firefighter John Bryan to Interim Fire Lieutenant effective February 1, 2023; *Action authorizes a 5% pay increase effective 2-1-23.*
A motion by Councilman Brewer, second by Councilwoman Heath to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
19. Action that is necessary to approve travel/training request for PD Lt. Ryan Gaither to attend the Stop Stick Instructor course in Birmingham March 1, 2023.

No registration fee; no additional expenses other than use of a city-provided vehicle:

A motion by Councilman Brewer, 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.

20. Action that is necessary to approve travel/training request for PD Lt. Ryan Gaither to attend The Power of Trust-based Law Enforcement Leadership course in Wadley March 7, 2023. No registration fee; expenses for a meal and use of a city-provided vehicle will be incurred. Total estimated expenses for Gaither are \$20.00:

A motion by Councilman Brewer, 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.

21. Action that is necessary to approve travel/training expenses for PD Lt. Willis Whatley, Lt. Renea Cummings, and Lt. Ryan Gaither to attend the following CLEEP training in Jacksonville, Alabama: Effective Management in Volatile Society for the Police Executive on April 6, 2023; and Dealing Effectively with the External Environment on April 7. Registration fee of \$99.00 per course per employee; no additional expenses other than use of a city-provided vehicle. Employees will carpool. Total estimated expenses for Whatley, Cummings, and Gaither are \$198.00/ea.:

A motion by Councilman Brewer, 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.

22. Action that is necessary to approve travel/training expenses for PD SRO Officer Harry Brown to attend the TAASRO 24th Annual 2023 Safe Schools conference in Orange Beach June 5-9, 2023. Registration fee of \$200.00; additional expenses for lodging (BOE to reimburse 1/2 lodging fees), meals, and use of a city-provided vehicle will be incurred. Total estimated expenses for Brown are \$1,930.85.

A motion by Councilwoman Heath, second by Councilman Brewer to approve travel/training expenses 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 Firefighters Matt Carpenter and Brett Autrey to attend the Alabama Fire College Apparatus Operator: Pumper course hosted by the Anniston Regional Training Center April 3-7, 2023. No registration fee; expenses for meals and use of a city-provided vehicle will be incurred. Total estimated expenses for Carpenter and Autrey are \$75.00/ea.:

A motion by Councilman Brewer, 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 travel/training expenses for Fire Lt. Kyle Moseley to attend the Alabama Fire College Rescue Technician: Wilderness Rescue I and II courses hosted by the Auburn Fire Department April 3-7, 2023. Registration fee of \$350.00; expenses for meals and use of a city-provided vehicle will be incurred. Total estimated expenses for Moseley are \$425.00:
Item removed from agenda. Class cancelled per Chief Osgood.

25. Action that is necessary to approve travel/training expenses for Fire Inspector Chad Toland to attend the Hands-on Electrical Fire/Arson Investigation course hosted by the Anniston Fire Department April 4-6, 2023. Registration fee of \$350.00; expenses for meals and use of a city-provided vehicle will be incurred. Total estimated expenses for Toland are \$395.00:

A motion by Councilman Brewer, 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.

- 26.** Action that is necessary to approve balance of Accounts Payable invoices for January 2023 in the amount of \$404,896.87:
A motion by Councilman Brewer, 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 approve January payrolls in the amount of \$454,071.73:
A motion by Councilman Brewer, 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.
- 28.** Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council. Tina Sanders invited citizens to join her at the flagpole in prayer. Chief Johnson thanked the Council for their work on the proposed pay plan.
- 29.** Action that is necessary to amend agenda to add additional item necessary items relating to the adoption of a new Police Pay Plan as submitted by Chief Kelley Johnson:
A motion by Councilman Brewer, second by Councilwoman Heath to amend agenda to add Items #30, #31, #32, #33, and #34 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 30.** Action that is necessary to accept recommendation of Police Chief Kelley Johnson to approve PD pay plan to become effective with the pay period beginning March 25, 2023: *Action repeals 15-step previous pay plan and ten-year step adjustment adopted effective 4-1-21:*
A motion by Councilman Brewer, second by Councilwoman Heath to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 31.** Action that is necessary to accept recommendation of Police Chief Kelley Johnson to increase night shift differential for eligible sergeants and patrol from \$42.00 per pay period to \$84.00 per pay period effective with the pay period beginning March 25, 2023:
A motion by Councilman Brewer, second by Councilwoman Heath to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 32.** Action that is necessary to accept recommendation of Police Chief Kelley Johnson to increase night shift differential for all eligible police lieutenants from \$40.00 per pay period to \$80.00 per pay period with the pay period beginning March 25, 2023:
A motion by Councilman Brewer, second by Councilwoman Heath to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 33.** Action that is necessary to amend budget to transfer funds of \$135,991.86 received from FEMA reimbursement due to Hurricane Zeta to police salaries:
A motion by Councilwoman Heath, second by Councilman Brewer to approve transfer of funding as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

34. Action that is necessary to transfer funds (if needed) at the end of FY23 from unused PD salaries to supplement cost of new PD pay plan, up to an amount of \$33,011.07:

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

35. 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 6:23 pm)

APPROVED BY COUNCIL MARCH 7, 2023



Ashton Fowler, 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 23, 2023.



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