

**MINUTES OF A REGULAR MEETING OF CITY COUNCIL OF THE CITY OF
SYLACAUGA HELD APRIL 18, 2023**

1. Meeting was called to order at 5:25 p.m. by Council President, Ashton Fowler.
2. Roll Call: Council members present: Ashton Fowler, Tiffany Nix, Nate Brewer, Lee Perryman, and Laura Heath; Council Members Absent: None. Mayor James Heigl and City Clerk/Treasurer Alexandra Lambert 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 Heigl stated it was a great week at the Marble Festival. Heigl thanked those that participated in the Beautification Council and Talladega County's annual cleanup, and recognized the participants of the peaceful march on Saturday, April 15. He talked about the tragedy in Dadeville, AL.
6. Adopt Agenda:
A motion by Councilman Brewer, second by Councilwoman Heath to amend the 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 April 4, 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.
8. Approve minutes of the regular work session held April 4, 2023:
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.

Old Business:

9. Appointment to Board of Education – Five-year term of Melissa Garris expiring June 2023:

Council President opened the floor & called for nominations:

Nominations:

*Councilwoman Nix nominated Olwyn Twymon.
Councilwoman Heath nominated Eddie Varnadore.*

Hearing no other nominations, Council President called for nominations to be closed:

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

Council President closed the floor & called for the vote on nominations:

Vote on nominations:

*Those in favor of Olwyn Twymon: Roll call vote (Yeas): Nix, Perryman.
Those opposed: Roll call vote (Nays): Fowler, Heath.*

With no majority of votes:

*Those in favor of Eddie Varnadore: Roll call vote (Yeas): Fowler, Heath
Those opposed: Roll call vote (Nays): Nix, Perryman.*

With no candidate receiving a majority of votes, this item will carry over to the next agenda.

New Business:

10. Action that is necessary to approve Resolution 21-2023 authorizing FY24 Section 5311 Grant Application for Public Transportation program with East Alabama Regional Planning and Development Commission, requiring a local match of \$91,015.00.

Resolution #21-2023 was introduced by Councilwoman Nix; Dispensed with reading of the resolution.

A motion by Councilman Brewer, second by Councilwoman Heath to approve Resolution #21-2023 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

11. Action that is necessary to approve resolution authorizing Workforce Ready Transport agreement with SAFE through the East Alabama Regional Planning and Development Commission.

Item removed from agenda prior to work session for further discussion.

12. Action that is necessary to approve Capital Improvement Budget to add funding for one 2023 Ford Expedition to be purchased from Stivers Ford Lincoln at the State Bid price of \$52,759.00. Approval includes purchases of equipment (lights, striping, tinting and additional equipment) in the amount of \$27,496.37, for a total vehicle cost of \$80,255.37.

A motion by Councilwoman Heath, second by Councilman Brewer to approve action was carried by the following roll call vote: Yeas: Fowler, Brewer, Heath; Nays: Perryman, Nix.

13. Action that is necessary to approve request from Shop Supt. Ed Ford to approve contract with Culver Heating and Air to remove three 60,000 BTU infrared heaters and replace with three 100,000 BTU infrared heaters and 24v digital thermostats at a cost of \$4,500.00. Funding from Building Maintenance Fund.

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

14. Action that is necessary to approve request from Shop Supt. Ed Ford to approve contract with M J Brooks & Son Construction, Inc. to re-construct lean-to at City Shop at a cost of \$5,250.00 (expected insurance reimbursement).

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

15. Action that is necessary to amend Section 10.7.2.3.2, Procedure B of the COS Personnel Policies and Procedures Manual as follows; *Action becomes effective immediately following Council approval:*

A step-raise may be recommended for employees that meet certain educational requirements (i.e., certification pertinent to a specific job, college degree, etc.), pertinent to the employee's job, and earned during employment with the City of Sylacauga.

- (1) An employee receiving an Associate Degree shall be eligible for a recommendation of a one (1) step-raise.**
- (2) An employee receiving a Bachelor's Degree shall be eligible for a recommendation of a two (2) step-raise.**
- (3) An employee receiving a Master's Degree shall be eligible for a recommendation of a three (3) step-raise.**

A motion by Councilman Perryman, second by Councilwoman Nix to approve action 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 for the Alabama Department of Examiners of Public Accounts to conduct an audit of the books, accounts and records of the City of Sylacauga at a cost of \$0.00.

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

17. Action that is necessary for Human Resource Specialist Jayne McGee (re-certification) and Accounting Clerk III Nicole Brown (initial certification) to virtually attend AAPP/ACPS Payroll Processes I course May 5, 2023. Registration fee of \$230.00 for McGee and \$280.00 for Brown. Additional expenses for Brown include a membership fee of \$50.00. No additional expenses will be incurred.

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

18. Action that is necessary for Planning Commission Secretary Samantha Armstrong, Zoning Board of Adjustments & Appeals Members Fred Crum Sr, Stephen McClurg, Gary Wesson, Jeff Turner (Planning Commission also), Councilman Nate Brewer, Councilwoman Laura Heath, Council President Ashton Fowler and City Clerk Alexandra Lambert to attend the CAPZO Certification hosted by the University of North Alabama at City Hall on April 24, 2023. Registration fee of \$696.00 per person; no additional expenses will be incurred. Total estimated expenses are \$6,264.00.

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

19. Action that is necessary for Building Services Director Mike Whetstone, Administrative Secretary Shannon Plexico, Planning Commission Members Lucille Anderson, Jayne McGee, Julie Sanders, Lawrence McGhee, Nancy McKay, and Mayor Jim Heigl to attend the CAPZO Re-certification hosted by the University of North Alabama at City Hall on April 24, 2023. Registration fee of \$219.00 per person; no additional expenses will be incurred. Total estimated expenses are \$1,752.00.

A motion by Councilman Brewer, second by Councilman Perryman to approve 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 for PD Officer William Layton to attend the Grant Writing USA course in Cullman, AL May 17-19, 2023. Registration fee of \$495.00; additional expenses for meals, lodging, and mileage will be incurred. Use of a city provided vehicle. Total estimated expenses for Layton are \$879.44.

A motion by Councilwoman Heath, second by Councilwoman Nix 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 amend the minutes of March 21, 2023 to change the date of training for Firefighter Matt Carpenter to attend the Alabama Fire College Rope I course in Anniston from April 17-21 to May 15-19.

A motion by Councilwoman Heath, second by Councilman Perryman to amend minutes to correct dates of travel/training was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

22. Action that is necessary to approve the balance of Accounts Payable invoices received for March in the amount of \$872,939.86.

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.

23. Action that is necessary to approve March payroll in the amount of \$614,572.23.
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.

24. City Attorney Edwin B. Livingston, Jr., addressed Council regarding 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:

If to take action relative to Mr. Livingston's comments:

Council President Ashton Fowler read to Council the letter from City Attorney, Edwin B. Livingston, Jr., recommending and detailing the OMA section allowing such executive session.

Livingston suggested going into executive session in order to discuss matters of current or pending litigation.

Council President called for Council action on the recommendation:

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

Fowler stated once Council concludes its business of the special meeting that Council will reconvene city council meeting

All Council members, Mayor Heigl, Mayor's Admin. Asst. Kassey Epperson, City Clerk/Treasurer Alexandra Lambert, Administrative Assistant Kim Morris and City Attorney Win Livingston entered into executive session at approximately 5:39p.m.

A motion by Councilman Perryman, second by Councilman Brewer to exit executive session was approved at approximately 5:58 p.m was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

25. Action, if necessary, to amend action taken at the April 4, 2023 meeting to approve payment, according to Civil Service Board ruling, to Timmy Epperson.
No action taken.

26. 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 6:00 P.M.)

APPROVED BY COUNCIL APRIL 18, 2023



Ashton Fowler, President of City Council

CERTIFICATION

I, ALEXANDRA LAMBERT, 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 City Council held April 18, 2023.

Alexandra Lambert

Alexandra Lambert, City Clerk/Treasurer
City of Sylacauga