

**MINUTES OF A REGULAR MEETING OF CITY COUNCIL OF THE CITY OF SYLACAUGA HELD MAY 2, 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; Council Members Absent: None. Mayor James Heigl and City Clerk/Treasurer Alexandra Lambert were also present.
3. Invocation was provided by Council President Fowler 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 presented the proclamation for Small Business Week recognizing several small businesses: Pinhoti Outdoor Center, Harvey's on Noble, Coosa Pines Federal Credit Union, Coosa Valley Medical Center, Broadway Spinal Care, and the Sylacauga Chamber of Commerce. In addition, Mayor Heigl presented a proclamation designating May 4<sup>th</sup>, 2023 as National Day of Prayer for the City of Sylacauga.
6. Adopt Agenda:  
*A motion by Councilmember Brewer, second by Councilmember 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 18, 2023:  
*A motion by Councilmember Heath, second by Councilmember 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 April 18, 2023:  
*A motion by Councilmember Heath, second by Councilmember Brewer to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
9. Approve minutes of the regular work session held April 25, 2023:  
*A motion by Councilmember Heath, second by Councilmember Perryman to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

**Old Business:**

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

**Council President opened the floor & called for nominations:**

**Nominations:**

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

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

*A motion by Councilmember Nix second by Councilmember 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.

Abstained: Brewer

**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.  
Abstained: Brewer

*With no candidate receiving a majority of votes, Melissa Garriss will continue to serve until a resolution can be reached.*

**New Business:**

11. Public hearing to consider the annexation and zoning of property located at 415 Odena Road North. *Public Hearing set May 2, 2023 by Resolution #17-2023:*

**Council President—Open public hearing and call for comments:** None

**Council President—Close public hearing and call for action by Council:**

**If to consider at this meeting:**

**Ordinance #2258-23** as introduced by Councilmember Brewer; Provided by City Clerk/Treasurer.

**If to take action at this meeting:**

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

**If unanimous:**

*A motion by Councilmember Brewer, second by Councilmember Perryman to adopt Ordinance #2258-23 as presented was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

12. Action that is necessary to amend Development Agreement with Wharf Casual Seafood Sylacauga LLC to amend the dates due to permitting requirements with ALDOT and ADEM. Resolution required.

*A motion by Councilmember Nix, second by Councilmember Perryman to approve Resolution 22-2023 was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

13. Action that is necessary to adopt ordinance authorizing increase in General Sales/Use Tax from 3% to 4.5%, Vending from 3% to 4.5%, Amusement from 3% to 4.5%, Manufacturing Machinery from 0.75% to 1.125%, Auto from 1.25% to 1.875%, and Farm Machinery from 0.75% to 1.125%, to become effective August 1, 2023:

**If to consider at this meeting:**

**Ordinance #2257-23** as introduced by Councilmember Fowler; Provided by City Clerk/Treasurer.

**If to take action at this meeting:**

*A motion by Councilmember Brewer, second by Councilmember Fowler to suspend the rules and give immediate consideration was not passed by the following roll call vote Yeas: Fowler; Nays: Nix, Brewer, Perryman, Heath.*

14. **Removed from the agenda:** Action that is necessary to approve Resolution allocating sales tax proceeds to the following funds: Debt – 20%; Paving – 15%; Fire Department – 12.5%; Police Department – 12.5%; Recreation – 10%; Capital – 7.5%; Infrastructure – 7.5%; Street Department – 7.5%; Reserve – 7.5%. Any

amount generated by the aforementioned Ordinance which exceeds \$4.0M will be split 50% to General Operations Reserve and 50% to Special Projects Reserve.

15. Action that is necessary to accept recommendation from Police Chief Kelley Johnson to approve increase in funding for equipment for new police cars in the amount of \$7,684.63. Funding from Capital Improvement Reserve Fund.  
*A motion by Councilmember Perryman, second by Councilmember Nix to approve increase in funding for equipment for new police cars in the amount of \$7,684.63 with funding from the Capital Improvement Reserve Fund was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
16. Action that is necessary to accept recommendation of Mayor Heigl to approve new Police Department Administrative Assistant job description, which replaces the former Police Department Records Clerk job description.  
*A motion by Councilmember Brewer, second by Councilmember Heath to approve Police Department Administrative Assistant job description was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
17. Action that is necessary to set salary for the Police Department Administrative Assistant at a grade of AO-6.  
*A motion by Councilmember Brewer, second by Councilmember Heath to set salary for the Police Department Administrative Assistant was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
18. Action that is necessary to accept the resignation of Jon Hall from the Zoning Board of Adjustment and Appeals and authorize posting of vacancy.  
*A motion by Councilmember Brewer, second by Councilmember Heath to accept resignation of Jon Hall from the Zoning Board of Adjustment and authorize posting of vacancy was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
19. Action that is necessary to accept the recommendation from Mayor James Heigl to approve revised Building Inspector/Structural job description.  
*A motion by Councilmember Brewer, second by Councilmember Heath to approve Building Inspector/Structural was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
20. Action that is necessary to extend disinfecting services with Aaron's Cleaning & Disinfecting Services for an additional five-month term (May 9, 2023 to September 30, 2023) for City Hall (1<sup>st</sup> floor lobby) and Faye Hosey Chambers at a monthly fee of \$900.00. Funding from American Rescue Funds.  
*A motion by Councilmember Perryman, second by Councilmember Nix to approve extension of services with Aaron's Cleaning & Disinfecting to September 30, 2023 was approved by the following roll call vote: Yeas: Fowler, Nix, Perryman, Nays: Brewer, Heath.*
21. Action that is necessary to amend Capital Improvement Special Funds budget to add funding for UKG payroll system in the amount of \$39,907.75.  
*A motion by Councilmember Heath, second by Councilmember Brewer to approve budget amendment for UKG Payroll System was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

22. Action that is necessary to amend budget to transfer funds from E&L Other Professional Fees (010-511-41580-000) in the amount of \$19,065.60 to E&L Data Processing (010-511-45010-000).
- A motion by Councilmember Brewer, second by Councilmember Heath to transfer funds in the amount of \$19,065.50 from E&L (Other Professional Fees) to E&L (Data Processing) was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
23. Action that is necessary to accept the recommendation of Police Chief Kelley Johnson to purchase furniture in the amount of \$14,745.31 from Shoplet GSA (insurance reimbursement).
- A motion by Councilmember Heath, second by Councilmember Nix to accept the recommendation of Chief Johnson was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None..*
24. Action that is necessary to approve payment of FY22 legal fees to Alexander Hyde in the amount of \$1,120 from E&L Legal Fees Expense (010-511-41540-000).
- A motion by Councilmember Perryman, second by Councilmember Nix to approve payment to Alexander Hyde was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
25. Action that is necessary to amend the budget to transfer fund from E&L Other Professional Fees (010-511-41580-000) in the amount of \$15.0K to E&L Legal Fees Expense (010-511-41540-000).
- A motion by Councilmember Perryman, second by Councilmember Nix to amend the budget to allow for fund transfers in the amount of \$15.0K from E&L Other Professional Fees to E&L Legal Fees Expense was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
26. Action that is necessary to approve funding in the amount of \$40,346 for the Lake Howard Disc Golf. Funding will come from Lake Howard Recreational Authority funds.
- A motion by Councilmember Brewer, second by Councilmember Heath to approve funding for Lake Howard Disc Golf was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
27. **Item removed from the agenda** Action that is necessary to approve reimbursement to Feral Dogs of Avondale Mill in the amount of \$210.
28. Action that is necessary to reappoint Wayne Hall to the Industrial Development Board for the term of six years ending April 15, 2029.
- A motion by Councilmember Perryman, second by Councilmember Heath to reappoint Wayne Hall to the Industrial Development Board for the term of six years ending April 15, 2029 was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
29. Action that is necessary to reappoint Barry Vaughn to the Industrial Development Board for the term of six years ending April 15, 2029.
- A motion by Councilmember Perryman, second by Councilmember Brewer to reappoint Barry Vaughn to the Industrial Development Board for the term of six years ending April 15, 2029 was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

30. Action that is necessary to make appointment to the Industrial Development Board for the vacant term of six years ending April 2023. Brenda Minnifield was the only applicant.
- A motion by Councilmember Nix, second by Councilmember Heath to appoint Brenda Minnifield to the Industrial Development Board was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
31. Action that is necessary to hire Stephanie Engle for the position of Animal Shelter Manager effective with the pay period beginning May 6, 2023 at Grade AO-08, Step 2.
- A motion by Councilmember Brewer, second by Councilmember Heath to hire Stephanie Engle for the position of Animal Shelter Manager effective with the pay period beginning May 6, 2023 at Grade AO-08, Step 2 was approved by the following roll call vote Yeas: Fowler, Brewer, Perryman, Heath; Nays: Nix.
32. Action that is necessary to authorize Mayor Heigl to sign agreement and release in reference to the settlement of case # CV-2021-900284.
- A motion by Councilmember Brewer, second by Councilmember Heath to authorize Mayor Heigl to sign agreement and release in reference to the settlement of case # CV-2021-900284 was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
33. Action that is necessary to approve funding for Telemetry equipment and required training for Coosa Valley Medical Center in the amount of \$310,479.18 (Equipment in the amount of \$297,979.18 and training in the amount of \$12,500). Funding will come the American Rescue Fund.
- A motion by Councilmember Perryman second by Councilmember Heath to approve reimbursement to Coosa Valley Medical Center in the amount of \$310,479.18 for the Telemetry System (equipment in the amount of \$297,979.18 and training in the amount of \$12,500) was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
35. Action that is necessary to approve April Accounts Payable invoices received to date in the amount of \$866,235.40:
- A motion by Councilmember Brewer, second by Councilmember Heath to approve April Accounts Payable invoices in the amount of \$866,235.40 was approved by the following roll call vote Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
36. Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council. Greg Patterson; 1005 5<sup>th</sup> Place, asked why the Work Session convenes in the Mayor's Conference Room when there is a minimal amount of space. Fowler responded, it is easier for the Councilmembers to hear each other and pending the topics the Work Session may be moved to the Faye Hosey Chambers.
- In addition, Greg Patterson raised concerns regarding why the Council can't come to a consensus on the Board of Education appointment/sales tax increase. He also stated these matters should not be political; but, instead decided based on the best interest of the city.
- Kim Wright, 1764 Oldfield Road, asked the Council to provide a status update on the Entertainment District and would it be ready in time for Pinhoti Fest. Fowler responded discussions are in progress due to changeovers in both city and board positions.

37. Fowler briefed Council the \$15,000 contingency money for the Police Department previously approved was going to be used for the floor badge, cabinet upgrades, toilet sewer line clean out access doors X3, adjust some low voltage phone and data where cubicles were removed and offices added in investigation, remove control panel to the old generator that was changed during this process in officer work room and patch wall, remove old jail intercom and button beside it and patch wall, remove the exit side sally port door no longer in use to make it where the/a van will be able to drive through, re punch down data jacks that Serve-Pro pulled loose (several) mainly in training room, cut off conduit that went under old stage and patch wall in training room. They did not put stage back because of new ADA rules. Patch and paint wall behind gun safe if needed, install flooring under where it is now. Gun safe is being moved to new storage room if not included already

38. Having no further business to discuss:

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

*(Time of adjournment 6:28 P.M.)*

**APPROVED BY COUNCIL MAY 16, 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 May 16, 2023.



Alexandra Lambert, City Clerk/Treasurer  
City of Sylacauga