

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF SYLACAUGA HELD MAY 3, 2022**

1. Meeting was called to order at 5:37 P.M. by Council President, Lee Perryman.
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 Interim City Clerk/Treasurer Kim Morris were also present.
3. Invocation was provided by Councilman Nate Brewer 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 proclaimed May 2-6 as Small Business Week. Chamber Executive Director Laura Strickland informed the group of the many activities being promoted by the Chamber during Small Business Week.
6. Adopt Agenda:
A motion by Councilman Brewer, second by Councilwoman Heath to amend agenda to Remove Item #14 and to Add Items #18, #19, and #20 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 19, 2022:
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:

8. Police Chief Kelley Johnson to present Distinguished Service Awards and Officer/Employee of the Year Award.

Chief Johnson presented a 10-year service award to Sgt. Chris Vinson; 15-year service awards to Sgt. Ryan Gaither and Sgt. Stephen Ledbetter; 20-yr service awards to Officer Harry Brown and Lt. Willis Whatley; and 25-yr service awards to Officer Keith Thomas and Lt. Jason McNeill. Chief Johnson presented K9 Officer Lamar Taylor with Officer/Employee of the Year Award.
9. Action that is necessary to adopt Ordinance authorizing the City's participation in the 2022 Back-to-School Tax Holiday July 15-17, 2022:

Ordinance #2243-22 was introduced by Councilwoman Nix; 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 Councilwoman Nix, second by Councilman Brewer to adopt Ordinance #2243-22 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

10. Action that is necessary to approve resolution supporting tax abatement application from Heritage Plastics, Inc. and submitted to Talladega County Commission; *Heritage Plastics, Inc. to complete a \$10,200,000.00 expansion at its facility located within the police jurisdiction of Sylacauga.*
- Resolution #19-2022** was introduced by Councilman Brewer; Dispensed with reading of the resolution.
- A motion by Councilwoman Nix, 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 Nix to approve Resolution #19-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
11. Action that is necessary to accept recommendation from Street Supt. Reed Calfee, Interim Code Enforcement Director Mike Whetstone, and City's consulting engineer, Insite Engineering, to declare emergency repairs to the City's right-of-way primary drainage canal located near Coosa Valley Medical Center/Nursing Home; *InSite Engineering has recommended immediate repairs in order to protect the public and to restore safe public transportation within the area; action authorizes City to contract with InSite Engineering for engineering services, including preparation of emergency bid documents and inspections:*
- Resolution #20-2022** was introduced by Councilman Brewer; 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 Fowler to approve Resolution #20-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
12. Action that is necessary to approve resolution authorizing Memorandum of Understanding with Wharf Casual Seafood LLC; *MOU to expire in 180 days or once joint approval of a satisfactory economic development agreement is reached between City and developer.*
- Resolution #21-2022** was introduced by Councilman Brewer; Dispensed with reading of the resolution.
- A motion by Councilwoman Heath, second by Councilwoman Nix 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 #21-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
13. Action that is necessary to approve three-year lease renewal with Bobby Ray Green for city-owned parcel of land located on Lake Louise Drive, described as Lot No. 1 of Block 6, Section "B" of the Avondale Mills Subdivision; *lease renews effective May 1, 2022 and ends April 30, 2025, with the option of an additional three-year renewal, if agreed upon by both parties.*
- A motion by Councilman Brewer, second by Councilwoman Heath to approve three-year lease renewal as stated 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 Fire Chief Nate Osgood to purchase 2022 Ford Expedition from Stivers Ford at the State Bid cost of \$51,206.00 base vehicle price and additional costs of \$_____ for equipping vehicle; *funding to be from _____*
Item removed from agenda following work session discussion.
15. Action that is necessary to approve travel/training expenses for Interim Code Enforcement Director Mike Whetstone and Building Inspector Wayne Sayers to attend the Elevation Certificate Basics course in Birmingham June 16, 2022; No registration fee and no expenses will be incurred. *Employees will carpool in 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.
16. Action that is necessary to amend the March 15, 2022, minutes to reflect the changes in FD travel/training expenses as follows: Request for reimbursement of fuel expenses in the amount of \$63.20 by Fire Inspector Chad Toland, who attended the Plans Examiner course in Anniston April 18-22, 2022:
A motion by Councilwoman Heath, second by Councilman Brewer to amend March 15, 2022 minutes as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
17. Action that is necessary to authorize payments totaling \$110,143.82 for the April accounts payable invoices received to date:
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.
18. Action that is necessary to approve request from Sylacauga Parks and Recreation to reimburse cost of new equipment trailer for hauling of mowers and lawn equipment from Trailer World, Inc. in the amount of \$7,800.00; *funding to be from Capital Improvement Funds.*
A motion by Councilman Brewer, second by Councilwoman Nix to approve reimbursement request 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 request from Police Chief Kelley Johnson to purchase 2017 Dodge Ram, S/N 1C6RR6FT2HS662994 from ADECA Surplus at a cost of \$19,100.00; *funding from Capital Improvement Funds.*
A motion by Councilwoman Nix, second by Councilwoman Heath to approve purchase as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
20. Action that is necessary to approve request from Police Chief Kelley Johnson to purchase 2013 Ford Explorer, 4 door, S/N 1FM5K7B8DGC11083 from ADECA Surplus at a cost of \$7,400.00; *funding from Capital Improvement Funds.*
A motion by Councilman Brewer, second by Councilwoman Heath to approve purchase as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
21. Council President asked anyone wanting to address to Council to come to the microphone and state name and address for the record:
Lamar Edwards, 136 Cleveland Avenue, reported safety concerns in his neighborhood, stating he has contacted the PD on many occasions.
Ryan Coleman, 414 W Walnut St, provided information regarding the request from The Wharf Casual Seafood for assistance with site work.
Bobby Ray Green, 19 Lake Louise Drive, thanked the Council for renewing the three-year lease for Lake Louise property. Mr. Green also reminded the Council that he had a standing offer of \$30,000.00 for the City's property in the Lake Louise community.

22. Council President Lee Perryman read a letter from City Attorney, Edwin B. Livingston, Jr. detailing the OMA section allowing the council to go into executive session to discuss legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a course of action.

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

Council Perryman stated that once Council concludes its business of the special meeting that Council will adjourn the City Council meeting immediately following the executive session.

All Council members, City Attorney Win Livingston, Mayor James Heigl, Interim City Clerk/Treasurer Kim Morris, HR Specialist Jayne McGee, and Mayor's Administrative Assistant Kassey Epperson entered into executive session at approximately 6:03 p.m.

A motion by Councilman Brewer, second by Councilwoman Heath to exit executive session at approximately 6:28 p.m. was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

23. 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 6:28 p.m.)

APPROVED BY COUNCIL May 17, 2022:



Lee Perryman, 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 May 3, 2022.



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