

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF SYLACAUGA HELD MAY 17, 2022**

1. Meeting was called to order at 5:51 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 Bro. Wes Johnson, Pastor of Odena Baptist Church, 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 made no report at this meeting.
6. Adopt Agenda:
A motion by Councilman Brewer, second by Councilwoman Heath to amend agenda by adding Items #25 and #26 by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None. Council President Perryman also announced that the Council would enter into an executive session at the close of the Council meeting.
7. Approve minutes of the regular city council meeting held April 19, 2022:
A motion by Councilwoman Heath, second by Councilman Brewer to approve minutes as written was approved by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Old Business:
None.

New Business:

8. Action that is necessary to accept recommendation of Street Supt. Reed Calfee to declare 1998 Ford F150, S/N 1FTZX1762WNC25180 as surplus; and Police Chief Kelley Johnson to declare 2005 Ford Crown Victoria, S/N 2FAFP71W05X105654, 2006 Chevrolet Impala, S/N 2G1WB55K369390563, 2007 Ford Ranger Pickup, S/N 1FTYR10D97PA97010, 2012 Dodge Charger, S/N 2C3CDXAG4CH221045, and 2013 Dodge Charger, S/N 2C3CDXAGXDH575704 as surplus; *Vehicles are no longer needed for public or municipal purposes; action authorizes disposal through auction on GovDeals.com or by other appropriate disposition.*
Resolution #22-2022 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 Nix to approve Resolution #22-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
9. Action that is necessary to approve resolution authorizing agreement to accept cats and canines from the Town of Oak Grove at the City's Shelter, to be effective April 1, 2022 and ending March 31, 2023; *Town of Oak Grove has agreed to pay City \$500/quarter for services provided; agreement may be renewed annually upon mutual agreement of both parties:*

Resolution #23-2022 as introduced by Councilman Brewer; Dispensed with reading of the resolution.

A motion by Councilwoman Heath, second by Councilman Fowler 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 #23-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

10.

Action that is necessary to approve resolution granting easement to Alabama Power Company on and across City property located on Old Sylacauga Highway, to construct, install, operate, and maintain poles, towers, wires, cables, and additional equipment, as described in Alabama Power Company agreement made a part of Resolution:

Resolution #24-2022 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 Councilwoman Heath to approve Resolution #24-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

11.

Appointment to the Historical Commission—Three-year term of Ryan Coleman expired March 2022:

Action that is necessary to make appointment to the Historical Commission for the three-year term ending March 2025:

Council President opened the floor & called for nominations:
Councilwoman Heath nominated Ryan Coleman.

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

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

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

A motion by Councilman Brewer, second by Councilwoman Heath to appoint Ryan Coleman to the Historical Commission was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Council President declared Ryan Coleman elected as a member of the Historical Commission for the three-year term ending March 2025.

12.

Appointment to the Historical Commission—Three-year vacant term expiring March 2023:

Action that is necessary to make appointment to the Historical Commission for the vacant term ending March 2023:

Council President opened the floor & called for nominations:
Councilwoman Nix nominated Stephen McClurg.

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

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

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

A motion by Councilman Brewer, second by Councilwoman Nix to appoint Stephen McClurg to the Historical Commission was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Council President declared Stephen McClurg elected as a member of the Historical Commission for the three-year term ending March 2023.

13. Appointment to the Historical Commission—Three-year vacant term expiring March 2024:

Action that is necessary to make appointment to the Historical Commission for the vacant term ending March 2024:

Council President opened the floor & called for nominations:
Councilman Fowler nominated Missy Turner.

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

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

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

A motion by Councilman Brewer, second by Councilwoman Nix to appoint Missy Turner to the Historical Commission was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Council President declared Missy Turner elected as a member of the Historical Commission for the three-year term ending March 2024.

14. Appointment to the Historical Commission—Three-year vacant term expiring March 2024:

Action that is necessary to make appointment to the Historical Commission for the vacant term ending March 2024:

Council President opened the floor & called for nominations:
Councilwoman Nix nominated Tara Douglas.

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

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

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

A motion by Councilwoman Nix, second by Councilman Brewer to appoint Tara Douglas to the Historical Commission was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Council President declared Tara Douglas elected as a member of the Historical Commission for the three-year term ending March 2024.

15. **Appointment to the Zoning Board of Adjustments and Appeals—Three-year vacant term expiring January 2023:**
- Action that is necessary to make appointment to the Zoning Board of Adjustments and Appeals for the vacant term ending January 2023:
- Council President opened the floor & called for nominations:**
Councilman Fowler nominated Stephen McClurg.
- Hearing no other nominations, Council President called for nominations to be closed.**
- A motion by Councilman Brewer second by Councilwoman Heath to close nominations was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
- Council President closed the floor & called for the vote on nominations:**
- A motion by Councilman Brewer, second by Councilwoman Heath to appoint Stephen McClurg to the Zoning Board of Adjustments and Appeals was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
- Council President declared Stephen McClurg elected as a member of the Zoning Board of Adjustments and Appeals for the three-year vacant term ending January 2023.*
16. **Appointment to the Zoning Board of Adjustments and Appeals—Three-year vacant term expiring January 2024:**
- Action that is necessary to make appointment to the Zoning Board of Adjustments and Appeals for the vacant term ending January 2024:
- Council President opened the floor & called for nominations:**
Councilwoman Nix nominated Fred Crum, Sr.
- Hearing no other nominations, Council President called for nominations to be closed.**
- A motion by Councilman Brewer second by Councilwoman Heath to close nominations was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
- Council President closed the floor & called for the vote on nominations:**
- A motion by Councilman Brewer, second by Councilwoman Nix to appoint Fred Crum, Sr. to the Zoning Board of Adjustments and Appeals was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
- Council President declared Fred Crum, Sr. elected as a member of the Zoning Board of Adjustments and Appeals for the three-year vacant term ending January 2024.*
17. **Appointment to the Zoning Board of Adjustments and Appeals—Three-year vacant term expiring January 2025:**
- Action that is necessary to make appointment to the Zoning Board of Adjustments and Appeals for the vacant term ending January 2025:
- Council President opened the floor & called for nominations:**
Councilman Brewer nominated Jeff Turner.
- Hearing no other nominations, Council President called for nominations to be closed.**

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

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

A motion by Councilman Fowler, second by Councilwoman Nix to appoint Jeff Turner to the Zoning Board of Adjustments and Appeals was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Council President declared Jeff Turner elected as a member of the Zoning Board of Adjustments and Appeals for the three-year vacant term ending January 2025.

18. Action that is necessary to accept the recommendation of Mayor James Heigl to approve the following new job descriptions for the Building Services Department (formerly Code Enforcement): *Building Services Director, City Planner, Building Inspector-Electrical, Building Inspector-Mechanical, Building Inspector-Plumbing and Gas Fitting, Building Inspector-Structural.*

A motion by Councilman Fowler, second by Councilman Brewer to approve job descriptions 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 Street Supt. Reed Calfee and HR Specialist Jayne McGhee to promote Kenneth Kromer to Assistant Street Supt. at Grade A08, Step 2, \$23.89/hr.

A motion by Councilman Brewer, second by Councilwoman Heath to approve request 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 expenses for PD Investigator Ben Layton to attend the FLETC Basic Incident Response to Digital Evidence course in Birmingham June 28-30, 2022; No registration fee; expenses for meals and use of a city-provided vehicle will be incurred. Total estimated expenses for Layton are \$75.00:

A motion by Councilwoman Nix, second by Councilman Fowler 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 Chief Kelley Johnson, Captain Rondell Muse, Lt. Renea Cummings, and Lt. Willis Whatley to attend the AACOP Summer Conference in Orange Beach July 31-August 4, 2022; Registration fee of \$200.00/ea; additional expenses for lodging, meals, and fuel will be incurred. Total estimated expenses for Johnson and Cummings are \$1,474.48; total estimated expenses for Muse are \$1,700.48 (lodging sold out at three sites); total estimated expenses for Whatley are \$500.00 (no lodging requested):

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 Fire Chief Nate Osgood to attend the Southeastern Association of Fire Chiefs/Alabama Association of Fire Chiefs Leadership Conference in Mobile June 20-24, 2022; Registration fee of \$362.33; additional expenses for lodging, meals, and fuel for a city-provided vehicle will be incurred. Total estimated expenses for Osgood are \$1,534.49:

A motion by Councilwoman Nix, 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.

23. Action that is necessary to authorize payments totaling \$623,770.64 for April payrolls:

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. Action that is necessary to authorize payments totaling \$375,923.06 for balance of April accounts payable invoices:

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.

25. Action that is necessary to approve request from Police Chief Kelley Johnson to purchase Virtual Reality Simulator: Two Person Configuration from InVeris Training Solutions at a cost of \$62,500.00; *To be paid from Capital Improvement Fund:*

A motion by Councilman Brewer, second by Councilwoman Heath to approve purchase 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 recommendation from Shop Supt. Ed Ford to repair FD 2012 Chevrolet Tahoe, S/N 1GNSK2E07CR297038 damaged in vehicle accident at Scott's Auto Custom and Collision at a quoted price of \$15,215.98. *Action authorizes Ford and Fire Chief Osgood to negotiate purchase of vehicle from ALFA:*

A motion by Councilwoman Nix, 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.

27. Council President asked anyone wanting to address to Council to come to the microphone and state name and address for the record:

Debra Hatchett, 803 Cherokee Drive, has moved back to Sylacauga and asked which Council member represented her district. Council members advised that Lee Perryman was her representative.

28. City Attorney Edwin B. Livingston, Jr., addressed the 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.

Council President Lee Perryman read 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 pending litigation.

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

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 and City Attorney Win Livingston entered into executive session at approximately 6:14 p.m.

A motion by Councilman Brewer, second by Councilwoman Heath to exit executive session at approximately 6:37 p.m. was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

29. 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 6:37 p.m.)

APPROVED BY COUNCIL June 7, 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 17, 2022.



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