

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF SYLACAUGA HELD MAY 21, 2019**

1. Meeting was called to order at 6:05 p.m. by Council President, Lee Perryman.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Donnie Blackmon, Dallas Davenport, and Lee Perryman; Absent: None. Mayor James Heigl and City Clerk/Treasurer Patricia Carden were also present.
3. Invocation was given by Rev. Charles Sims, First Presbyterian Church.
4. Council President Lee Perryman led the group in the Pledge of Allegiance to the Flag.
5. Mayor James Heigl spoke about the City's need for citizens to apply for positions on the city boards and recited the current open positions on the various boards. Heigl specifically encouraged graduates of the Leadership Sylacauga program to step forward again to apply for the open positions.
Mayor Heigl announced a public meeting to be held on Thursday, May 30th at 5:15 p.m., to go over the new proposed update to the City's Zoning Ordinance providing for two new zoning districts and to answer any related questions that citizens might have. Heigl added that immediately following the zoning-related meeting, there will be an informational meeting for obtaining public input and recommendations for a potential CDBG demolition grant which could provide up to \$250,000.00 in funding, with a 10% match, and the public's input is the first step in securing the grant.

6. Adopt Agenda:

A motion by Councilwoman Nix, second by Councilman Fowler to adopt agenda was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

7. Approve minutes of the regular city council meeting held May 7, 2019:

A motion by Councilman Blackmon, second by Councilman Davenport to approve minutes as written was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

8. Approve following excerpts from the work session held May 7, 2019, relative to an executive session which was entered into during said work session:

Following the regular business portion of the work session, Council President Lee Perryman advised Council of the need to go into executive session in order to discuss one of the matters to be considered in the regular council meeting following the work session involving matters of trade or commerce in which the City would be in competition with private individuals or entities, other Alabama governmental bodies, or other States or foreign nations. Perryman read a letter from City Attorney, Edwin B. Livingston, Jr., recommending and detailing the OMA sections allowing for such executive session discussions. Perryman further stated that Council would not return to the work session following the executive session but would go directly to the council chambers for the council meeting at 6:00 p.m. as scheduled.

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

All Council members, Mayor James Heigl, and City Clerk-Treasurer Patricia Carden entered into executive session at approximately 5:19 p.m.

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

Immediately after exiting the executive session, City Council moved to the council chambers to conduct the scheduled council meeting.

A motion by Councilman Fowler, second by Councilwoman Nix to approve excerpts as written was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

OLD BUSINESS: None.

NEW BUSINESS:

9. Action that is necessary to adopt ordinance declaring certain parcels of city-owned property described as Lots 18 and 19, Block 56, and located on W 4th Street as surplus property no longer needed for public or municipal purposes and authorizing disposal of same to Blue Bell Creameries, LP:

Ordinance #2212-19 was introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilwoman Nix, second by Councilman Davenport to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Nix, Perryman, Blackmon, Davenport; Nays: None; Abstain: Fowler.

***Due to the fact that unanimous consent was needed to suspend the rules for immediate consideration of the ordinance, Council chose to reconsider the motion by the following action:**

**A motion by Councilman Blackmon, second by Councilman Davenport to reconsider the previous action to suspend the rules in order to give immediate consideration of the proposed ordinance was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.*

A motion by Councilman Blackmon, second by Councilman Davenport to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give the ordinance immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to adopt Ordinance 2212-19 was carried by the following roll call vote: Yeas: Nix, Perryman, Blackmon, Davenport; Nays: None; Abstain: Fowler.

10. Action that is necessary to adopt ordinance regulating manufactured homes and the dead storage of manufactured homes within the city limits of the City of Sylacauga and any enforced police jurisdiction thereof:

Ordinance #2213-19 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilman Fowler, second by Councilwoman Nix to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give the ordinance immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to adopt Ordinance 2213-19 was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

11. Action that is necessary to approve resolution authorizing/approving a total compensation budget contract in the amount of \$157,014.00 with Barge Design Solutions, Inc., for the provision of Project Development, Design, Bidding, Construction and Resident Project Representative Services for the Airport Improvement Project (AIP #3-01-0068-022-2019) for the rehabilitation of Runway 9-27 and Runway 9-27 lighting system upgrade at the Sylacauga Municipal

Airport Lee Merkel Field—Approval by Council includes authorization for Mayor to execute related documents and authorization to bid project.

Resolution #25-2019 was introduced by Councilman Fowler; Read by City Clerk.

A motion by Councilwoman Nix, second by Councilman Fowler to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give the resolution immediate consideration:

A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 25-2019 was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

12. Action that is necessary to approve resolution approving agreement with East Alabama Regional Planning & Development Commission and authorizing funding for operation and administration of the FY2020 Section 5311 Grant for Public Transportation Program--Local matching funds in the amount of \$72,016.00 including capital funding for a new van:

Resolution #30-2019 was introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilwoman Nix, second by Councilman Fowler to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give the resolution immediate consideration:

A motion by Councilwoman Nix, second by Councilman Fowler to approve Resolution 30-2019 was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

13. Action that is necessary to approve resolution expressing opposition to proposed legislation which will allow the installation of utility poles and wireless facilities within City owned rights-of-way as a matter of right and would preempt the ability of local governments to adopt ordinances in conflict with this legislation or to address this subject matter at the local level:

Resolution #31-2019 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilman Fowler, second by Councilwoman Nix to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give the resolution immediate consideration:

A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 31-2019 was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

14. Action that is necessary to approve resolution granting utility easement in/on the undeveloped road platted as Roberts Circle to the Sylacauga Utilities Board:

Resolution #32-2019 was introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilwoman Nix, second by Councilman Fowler to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give the resolution immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to approve Resolution 32-2019 was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

15. Action that is necessary to approve/authorize agreement with ALDOT for Rail-Highway At-Grade Crossing Improvements at the DOT #351492B Gene E. Steward Blvd crossing—Federal funding of 90%; Local required match of 10%:

A motion by Councilman Blackmon, second by Councilman Davenport to approve/authorize agreement as submitted was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

16. Action necessary to accept recommendation of its consulting engineer Lathan Associates Architects, P.C., to accept the City of Sylacauga Gym Flooring: J Craig Smith Community Center Project (Lathan & Associates, PC Job #18-06) with Gym Service & Installation Co., Inc., as complete and to authorize final payment when ready:

A motion by Councilwoman Nix, second by Councilman Fowler to authorize action as recommended was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

17. Action necessary to accept recommendation of its consulting engineer Lathan Associates Architects, P.C., to accept the City of Sylacauga Comer Ball Field Lighting and Electrical Upgrade Project (Lathan & Associates, PC Job #18-07) with S & G Waldrop Electric, Inc., as complete and to authorize final payment when ready:

A motion by Councilman Fowler, second by Councilwoman Nix to authorize action as recommended was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

18. Action that is necessary to approve application for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses from Nirav Pravinbhai Patel, Mahendra Chunilal Patel, and Dinesh Chandrakant Patel, members of Keshav Jivan LLC, DBA Mobile QV located at 750 South Broadway Avenue in Sylacauga—Police report complete; Council can waive waiting period:

A motion by Councilwoman Nix, second by Councilman Fowler to approve application as filed was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Davenport; Nays: Blackmon.

19. Action that is necessary to approve travel/expenses for Police Chief Kelley Johnson to attend the two-day AACOP-CLEEP Certification Leadership Training Courses: Leading Change in the Organization & Leadership and Management for Today's Police Chief to be held in Fort Payne, June 13 & 14, 2019—Registration fee is included in AACOP membership; Additional costs for lodging and meals will be incurred (*Johnson will be carpooling with Muse)—Estimated total cost of travel/Training for Johnson is \$287.44:

A motion by Councilman Blackmon, second by Councilman Davenport to approve training/expenses as requested was carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

20. Action that is necessary to approve travel/expenses for Police Capt. Rondell Muse to attend the two-day AACOP-CLEEP Certification Leadership Training Courses: Leading Change in the Organization & Leadership and Management for Today's Police Chief to be held in Fort Payne, June 13 & 14, 2019—Registration fee is \$99.00 per course; Additional costs for lodging, meals, *fuel and use of a

department vehicle will be incurred (*Muse & Johnson will be carpooling)--
Estimated total cost of travel/training for Muse is \$560.44:

A motion by Councilwoman Nix, second by Councilman Fowler to
approve training/expenses as requested was carried by the following roll call
vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport; Nays: None.

21. Action that is necessary to authorize payments totaling \$403,664.98 for payrolls
for April, 2019:

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

22. Action that is necessary to authorize payments totaling \$1,508,311.14 for
balance of accounts payable invoices received for April, 2019:

A motion by Councilman Fowler, second by Councilwoman Nix to
authorize payment of accounts payable invoices as presented was carried by the
following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon, Davenport;
Nays: None.

23. Council President asked anyone wishing to address Council to come to the
microphone & state name and address for record prior to addressing Council.
No one addressed Council at this meeting.

24. Having no further business to discuss,

A motion by Councilwoman Nix, second by Councilman Fowler to adjourn was
carried by the following roll call vote: Yeas: Nix, Fowler, Perryman, Blackmon,
Davenport; Nays: None.

(Time of adjournment 6:22 p.m.)

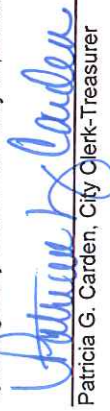
APPROVED BY COUNCIL JUNE 4, 2019:



Lee Perryman, President of City Council

CERTIFICATION:

I, PATRICIA G. CARDEN, 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
Sylacauga City Council held May 21, 2019.



Patricia G. Carden, City Clerk-Treasurer