

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF SYLACAUGA HELD JUNE 5, 2018**

1. Meeting called to order at 6:12 p.m. by Council President, Lee Perryman.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Donnie Blackmon, Lee Perryman, and Dallas Davenport; Absent: None. Mayor James Heigl and City Clerk/Treasurer Patricia Carden were also present.
3. Invocation was given by Rev. Keith Owensby, Valley View Church of God.
4. Pledge of Allegiance to the Flag was led by Council President.
5. Mayor James Heigl offered congratulations to Pursell AGRI-TECH on its grand opening and being the newest industry in Sylacauga. Heigl also congratulated the SHS graduating class of 2018; 81% of the students qualified for college and careers (highest percentage ever in our school system) and combined, received approximately \$2.7 million in scholarship offers. Mayor Heigl asked Michael Rice (PE with EEFS Company, PC) to provide a progress update on the paving project.
6. Adopt Agenda:
A motion by Councilwoman Nix, second by Councilman Fowler to adopt the agenda was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
7. Approve minutes of the regular city council meeting held May 15, 2018:
A motion by Councilman Fowler, second by Councilman Blackmon to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
8. Approve following excerpts from the work session held May 15, 2018, relative to an executive session which was entered into during said work session:

Council President Lee Perryman advised Council of the need to go into executive session in order to discuss with the City Attorney matters concerning the legal options and legal ramifications and controversies currently being litigated and also, discussion with a developer relative to retail development on Highway 280 pertaining to matters of trade or commerce in which the City is or may be in competition with others. Perryman presented two letters from City Attorney, Edwin B. Livingston, Jr., recommending and detailing the OMA sections allowing such executive session discussions. Perryman further stated that Council would go straight to the regularly scheduled city council meeting following the executive session.

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, City Attorney Win Livingston, Thomas Hickman, Mayor James Heigl and City Clerk Patricia Carden entered into executive session at approximately 5:38 p.m.

A motion by Councilman Fowler, second by Councilwoman Nix to exit executive session was carried at approximately 6:01 p.m. by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

No further business was discussed and Council moved to the Council Chambers for the regularly scheduled council meeting immediately after exiting the executive session.

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

OLD BUSINESS: None.

NEW BUSINESS:

9. Public hearing to consider request from Heritage South Credit Union for rezoning of their property located on N Norton Avenue adjacent to 908 N Norton Avenue, from R-2 to B-1—*Public hearing set by Resolution 23-2018 on 4/17/2018:*

Council President opened the public hearing and called for comments. No one spoke in favor of or in opposition to the proposed action. Council President closed the public hearing and called for action by Council:

Ordinance #2198-18 was introduced by Councilman Blackmon; Read by City Clerk.

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

Upon unanimous consent by Council to give ordinance immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to adopt Ordinance 2198-18 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

10. Action that is necessary to accept recommendation from The Center for Municipal Solutions (CMS) as consultant for City, to approve resolution authorizing a special use permit for Verizon for modification of equipment on the existing tower located at 17611 Alabama Highway 21:

Resolution #45-2018 as introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilman Nix, second by Councilman Fowler to approve Resolution 45-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

11. Action that is necessary to accept recommendation of Interim Code Director Mike Whetstone to approve resolution awarding bid for the City of Sylacauga Miscellaneous Roofing & HVAC Project (Lathan & Associates, PC Job #18-08) to Standard Roofing of Montgomery, Inc., as the lowest responsive and responsible bidder having met all bid requirements and qualifications based on tabulation of bids opened 5/17/2018, (Base Bid: \$523,240.00, Alternate 1: \$44,851.00, Alternate 3: \$20,000.00); total of award is \$588,094.00—*To be paid from bond proceeds:*

Resolution #46-2018 was introduced by Councilman Nix; Read by City Clerk.

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: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilman Fowler, second by Councilman Nix to approve Resolution 46-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

12. Action that is necessary to approve resolution declaring one (1) Yard Machine riding lawn mower, S/N 1B252B40024 (Bldg. Maintenance equipment) as surplus property no longer needed for municipal purposes, and authorizing disposal of said item through GovDeals online auction or other appropriate means:

Resolution #47-2018 was introduced by Councilman Nix; Read by City Clerk.

A motion by Councilman Nix, second by Councilman Fowler to approve Resolution 47-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

13. Action that is necessary to approve transfer application for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses from SCVS, Inc., DBA Piggly Wiggly 234 to Baker Foods, Inc., DBA Piggly Wiggly 234 for the business located at 1244 N. Talladega Highway, Sylacauga—Police report complete; Council can waive waiting period:
A motion by Councilman Fowler, second by Councilman Nix to approve transfer of applications as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Davenport; Nays: Blackmon.

14. Action that is necessary to approve transfer application for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses from SCVS, Inc., DBA Piggly Wiggly 236 to Baker Foods, Inc., DBA Piggly Wiggly 236 for the business located at 1301 W. Fort Williams, Sylacauga—Police report complete; Council can waive waiting period:
A motion by Councilman Nix, second by Councilman Fowler to approve transfer of applications as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Davenport; Nays: Blackmon.

15. Action that is necessary to approve request from Fire Chief Adam Gardner to authorize the entry rate of pay for F/T Firefighter Don Blair at Pay Grade PS-1, Step 1 at a pay rate of \$12.08/hour; \$35,163.14 annually—City Policies allow recommendations of entry pay levels above established Grade minimums based on documented qualifications and with approval of Council; request is in excess of the minimum—Blair is a certified firefighter and will be moving from P/T status to F/T status effective 6/09/2018; plus a \$250.00 biweekly Paramedic incentive, \$6,500.00 annually:

A motion by Councilman Blackmon, second by Councilman Davenport to authorize entry level pay as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

16. Action that is necessary to approve request from Fire Chief Adam Gardner to authorize the entry rate of pay for F/T Firefighter James Perry at Pay Grade PS-1, Step 1 at a pay rate of \$12.08/hour; \$35,163.14 annually—City Policies allow recommendations of entry pay levels above established Grade minimums based on documented qualifications and with approval of Council; request is in excess of the minimum—Perry is a certified firefighter; action to become effective 6/09/2018 or actual date of hire; plus a \$50.00 biweekly EMT incentive, \$1,300.00 annually:

A motion by Councilman Nix, second by Councilman Fowler to authorize entry level pay as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

17. Action that is necessary to approve request from Fire Chief Adam Gardner to authorize the entry rate of pay for F/T Firefighter John Bryan at Pay Grade PS-1, Step 1 at a pay rate of \$12.08/hour; \$35,163.14 annually—City Policies allow recommendations of entry pay levels above established Grade minimums based on documented qualifications and with approval of Council; request is in excess of the minimum—Bryan is a certified firefighter; action to become effective 6/09/2018 or actual date of hire; No additional incentives apply:

A motion by Councilman Blackmon, second by Councilman Davenport to authorize entry level pay as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

18. Action that is necessary to approve request from Fire Chief Adam Gardner to authorize the entry rate of pay for F/T Firefighter Cassidy Patterson at Pay Grade PS-1, Probation Step at a pay rate of \$11.72/hour; \$34,108.24 annually—Patterson is not a certified firefighter and will be required to attend the equivalent

of Fire College training; action to become effective 6/09/2018 or actual date of hire; No additional incentives apply:

A motion by Councilman Nix, second by Councilman Fowler to authorize entry level pay as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

19. Action that is necessary to approve training expenses for P/T Police Officer Doug Kemp to attend the two-day CAPZO Certification training to be held at City Hall, June 14-15, 2018—Registration fee is \$636.00:
A motion by Councilman Blackmon, second by Councilman Davenport to approve training/expenses as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
20. Action that is necessary to approve travel/expenses for Police Officer Christopher Gallops to attend the Active Shooter Threat Instruction Training Program to be held at the Federal Law Enforcement Training Center in Glynco, GA, July 9-13, 2018—There is no registration fee & room/board is provided by the FLETC; Additional costs for travel meals, fuel reimbursement and use of a city vehicle will be incurred—Estimated total cost of travel/training for Gallops is \$100.00:
A motion by Councilman Blackmon, second by Councilman Davenport to approve training/expenses as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
21. Action that is necessary to approve travel/expenses for Street Dept. Supt. Reed Calfee to attend the Alabama Public Works Assn. (APWA) Summer Conference to be held in Orange Beach, July 16-18, 2018—Registration fee is \$275.00; Additional costs for lodging, fuel reimbursement, and meals will be incurred—Estimated total cost of travel/training for Calfee is \$1,258.00:
A motion by Councilman Nix, second by Councilman Fowler to approve training/expenses as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
22. Action that is necessary to approve travel/expenses for Street Dept. Administrative Secretary Alyssa Womack to attend the Alabama Public Works Assn. (APWA) Summer Conference to be held in Orange Beach, July 16-18, 2018—Registration fee is \$275.00; Additional costs for lodging, mileage, and meals will be incurred—Estimated total cost of travel/training for Womack is \$1,428.00:
A motion by Councilman Nix, second by Councilman Fowler to approve training/expenses as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
23. Action that is necessary to approve travel/expenses for PD Chief Kelley Johnson to attend the Alabama Assn. of Chiefs of Police (AACOP) Summer Conference to be held in Orange Beach, July 29 – August 2, 2018—Registration fee is \$200.00 for Johnson; Additional costs for fuel reimbursement, lodging (up to \$687.04 conference rate), and meals will be incurred—Estimated total cost of travel/training for Johnson is \$1,212.04:
A motion by Councilman Fowler, second by Councilman Nix to approve training/expenses as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
24. Action that is necessary to approve travel/expenses for PD Captain Rondell Muse to attend the Alabama Assn. of Chiefs of Police (AACOP) to be held in Orange Beach, July 29 – August 2, 2018—Registration fee is \$200.00 for Muse; Additional costs for fuel reimbursement, lodging (up to \$687.04 conference rate), and meals will be incurred—Estimated total cost of travel/training for Muse is \$1,212.04:
A motion by Councilman Nix, second by Councilman Fowler to approve training/expenses as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

25. Action that is necessary to authorize payments totaling \$164,737.47 for balance of accounts payable invoices received for May, 2018:

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

26. Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council:

- 1) Jonathan Hall reminded everyone that the local veteran organizations will be hosting a flag retirement ceremony at the American Legion Hall on Flag Day, 6/14/2018.

27. Having no further business to discuss,

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

(Time of adjournment 6:34 p.m.)

APPROVED BY COUNCIL JUNE 19, 2018:

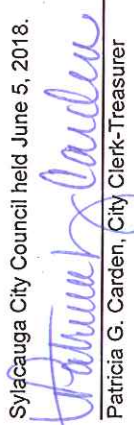


Lee Perryman, President of City Council

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 June 5, 2018.



Patricia G. Carden, City Clerk-Treasurer