

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SYLACAUGA HELD JULY 9, 2020

1. Council President, Lee Perryman, called the meeting to order at 6:28 p.m.
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. The invocation was given by District 3 Councilman, Donnie Blackmon.
4. Council President Perryman led the group in the Pledge of Allegiance to the Flag.
5. Mayor James Heigl reminded everyone of the absentee ballot deadline for the upcoming run-off elections for US Senator, Place 2 Criminal Appeals Judge, and Talladega County Commissioners for Districts 1 and 5. Heigl further reminded citizens that qualifying for election to the offices of Mayor and City Council is now open through July 21, 2020. The municipal election will be held on August 25, 2020, with any run-off election to be held on October 6, 2020. Mayor Heigl reminded citizens that the Governor's directive concerning COVID-19 has been extended to July 31, 2020, and encouraged everyone to continue to be vigilant in following the recommended practices to prevent spread of the virus. Heigl provided an update on the Census, stating that Sylacauga is at 60% of self-response and is up 2.3% from last month.
6. Mayor Heigl turned the program over to Fire Chief Nate Osgood to introduce the newly promoted FD Lieutenants. Chief Osgood introduced Lt. Josh Forbus and Lt. Sam Ogilvie with a brief background and presented each with his new badge and personalized helmet shield.
7. District 1 Councilman, Ashton Fowler spoke briefly about the Girl Scouts "Helpful Huts" Group Project and introduced Scout Leader, Ginger McArthur. Mrs. McArthur explained that the Troop recognized that not everyone has ready access to personal health and hygiene products in the community and decided they could help remedy that situation by building and placing the Helpful Huts at various locations throughout the City for donations and for use by those who have a need. McArthur presented each Scout with their badge earned for completing the project.
7. Adopt Agenda:
A motion by Councilman Fowler, second by Councilwoman Nix to adopt the agenda was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
8. Approve minutes of the regular city council meeting held June 16, 2020:
A motion by Councilman Blackmon, second by Councilman Davenport to approve the minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
9. Approve minutes of the special city council meeting held June 30, 2020:
A motion by Councilwoman Nix, second by Councilman Fowler to approve the minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
10. Approve minutes of the Public Hearing held July 7, 2020:
A motion by Councilman Fowler, second by Councilwoman Nix to approve the minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

OLD BUSINESS: None.

NEW BUSINESS:

11. Action that is necessary to accept the recommendation of Interim Code Director, Mike Whetstone, to adopt ordinance repealing/replacing certain existing

ordinances and adopting by reference various new codes relating to inspection activities and enforcement of building and life safety provisions as provided in said codes and establishing the fee schedules therefor--Public Hearing originally scheduled for 4/07/2020 (Resolution 11-2020; 2/20/20) was cancelled due to the COVID-19/stay home order--Public Hearing rescheduled to 7/07/2020 (Resolution #32-2020; 5/05/2020):

Ordinance #2225-20 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: Fowler, Nix, Perryman, Blackmon, 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 2225-20 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 Fire Lt. Ron Machen's duty fire helmet with personalized face shield and his duty badge as surplus property and authorize presentation of same to Lt. Machen upon his retirement as part of his retirement benefit:

Resolution #49-2020 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: Fowler, Nix, 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 49-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

- 13.** Action that is necessary to approve resolution authorizing City Attorney, Edwin B. Livingston, Jr., to submit a request for an opinion from the Attorney General clarifying the City's obligation under ACT 2019-361 to provide cancer and disability coverage to firefighters:

Resolution #50-2020 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: Fowler, Nix, 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 50-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

- 14.** Action that is necessary to approve resolution authorizing contract with Engineering Design Technologies, Inc. (EDT), in the amount of \$33,000.00 for the provision of engineering design services for conversion of the existing LWCF Municipal Swimming Pool to a splash pad facility:

Resolution #51-2020 was introduced by Councilwoman Nix; 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: Fowler, Nix, 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 51-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

15. Action that is necessary to approve resolution authorizing contract with Engineering Design Technologies, Inc. (EDT), for the provision of construction engineering and inspection (CE&I) services for the 2018 TAP Grant Project TAPAA-TA18(914)—CE&I Services provided pursuant to Resolution 55-2017; 12/05/2017, are eligible costs payable under the project:

Resolution #52-2020 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: Fowler, Nix, 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 52-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

16. Action that is necessary to approve resolution authorizing contract with Engineering Design Technologies, Inc. (EDT), for the provision of construction engineering and inspection (CE&I) services for the 2019 TAP Grant Project TAPAA-TA19(914)—CE&I Services provided pursuant to Resolution 38-2018; 5/01/2018, are eligible costs payable under the project:

Resolution #53-2020 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: Fowler, Nix, 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 53-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

17. Action that is necessary to reschedule the following city council meetings and related work sessions due to election conflicts—Work sessions will begin at 5:00 p.m. and council meetings will begin following conclusion of the respective work session:

July 21, 2020 to July 23, 2020
October 6, 2020 to October 8, 2020

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

18. Action that is necessary to amend the previous approval of training travel/expenses for HR Specialist, Jayne McGee, by applying the associated registration fee of \$115.00 toward a virtual webinar to be held on 9/09/2020—Original travel request to attend the BSHRM 2020 Legal Update in Birmingham on 4/08/2020, was approved 3/03/2020; Conference was cancelled due to COVID:

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

19. Action that is necessary to approve travel/expenses for CCT Accounting Clerk, Sandy Sorensen, to attend the Alabama Municipal Revenue Officers Association (AMROA) Annual Conference to be held in Birmingham, September 2-4, 2020--Registration fee is \$265.00; Additional cost for mileage and meals will be incurred--Conference provides 12 of 20 CEU hours (bi-annually) required to maintain certification as a Certified Municipal Revenue Officer--Estimated total cost of travel/training for Sorensen is \$461.63:

A motion by Councilwoman Nix, second by Councilman Fowler to approve travel/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 resolution authorizing the purchase of two (2) transportation vans through the 5311 Rural Transportation Program administered by East Alabama Regional Planning & Development Commission--City previously authorized purchase of one (1) van (Resolution 25-2020; 4/15/2020); Additional vans were made available through CARES funding--Anticipated cost will be an 80/20% match/BOGO for the first van with a second van at no cost to City other than add-on items:

Resolution #54-2020 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: Fowler, Nix, 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 54-2020 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

21. Action that is necessary to accept the recommendation of the City Attorney, Edwin B. Livingston, Jr., to engage the law firm of Alexander Hyde, LLC, to assist the City in defense of grievance filed with CSB:

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

22. Action that is necessary to approve request from Police Chief Kelley Johnson for approval of new job descriptions for Police Department--Approval of job descriptions only; Approval does not authorize creation of or provide funding for any new positions not currently authorized and funded & does not affect any current or existing employees at this time:

A motion by Councilman Fowler, second by Councilwoman Nix to approve job descriptions as presented but with modification of the Lieutenant position to non-exempt status was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

23. Action that is necessary to approve request from Mayor James Heigl (& HR Specialist Jayne McGee) for approval of new job description for Administrative Assistant to Mayor (& HR)--Approval of job descriptions only; Approval does not authorize creation of or provide funding for any new positions not currently authorized and funded & does not affect any current or existing employees at this time:

A motion by Councilman Blackmon, second by Councilman Davenport to approve job description as presented but with modifications to reverse the emphasis from HR to the Mayor was carried by the following roll call vote: Yeas: Fowler, Perryman, Blackmon, Davenport; Nays: Nix.

24. Action that is necessary to approve request from Fire Chief Nate Osgood for approval of new job descriptions for Fire Department--Approval of job descriptions only; Approval does not authorize creation of or provide funding for any new

positions not currently authorized and funded & does not affect any current or existing employees at this time:

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

25. Action that is necessary to approve request from Municipal Court Clerk Amber Johns for approval of new job descriptions for Municipal Court Department—Approval of job descriptions only; Approval does not authorize creation of or provide funding for any new positions not currently authorized and funded & does not affect any current or existing employees at this time:

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

26. Action that is necessary to authorize payments totaling \$135,803.58 for accounts payable invoices received to date for June, 2020:

A motion by Councilwoman Nix, second by Councilman Fowler 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.

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

- 1) Dr. Vinton Crawford spoke concerning the COVID situation and provided information based on the recent statistics. Stating that there is currently no cure for the virus and none is expected to be available until next year at the least, Dr. Crawford asked Council to adopt a resolution asking Governor Ivey to require citizens to wear masks.
- 2) Gregory Patterson, 1005 5th Place—Spoke about the upcoming municipal election and suggested that citizens would benefit from a candidate forum like those held in previous elections. Councilman Fowler responded that some of the media have planned a forum and suggested that Mr. Patterson could contact Ken Brewer or Jimmy Dale Abrams for more specific information.
- 3) Jon Hall, American Legion and Vietnam Veterans—Stated that they had met and asked questions about the planned Veterans Memorial and seemed to be pleased with the plans as submitted. He added that they remain concerned that maintenance and keeping it clean should be a priority.

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

(Time of adjournment 7:01 p.m.)

APPROVED BY COUNCIL JULY 23, 2020:



Lee Perryman, President of City Council

CERTIFICATION:

I, PATRICIA G. GARDEN, 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 rescheduled regular meeting of the Sylacauga City Council held July 9, 2020.



Patricia G. Garden, City Clerk-Treasurer