

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF SYLACAUGA HELD JULY 19, 2022**

1. Meeting was called to order at 6:09 P.M. by Council President, Lee Perryman.
2. Roll Call: Council Members Present: Nate Brewer, Lee Perryman, and Laura Heath; Council Members Absent: Ashton Fowler and Tiffany Nix. Mayor James Heigl and Interim City Clerk/Treasurer Kim Morris were also present.
3. Invocation was provided by Police Chaplain Mark Ledbetter 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 announced that department heads have been asked to turn in their FY23 budget work sheets to the City Clerk's Office by July 26. Heigl also announced that Auburn University would be completing the proposed pay plan/job description evaluation by the end of July and would be meeting with the Council in mid-August.
6. Adopt Agenda:  
*A motion by Councilman Brewer, second by Councilwoman Heath to adopt agenda was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*
7. Approve minutes of the regular city council meeting held July 7, 2022:  
*A motion by Councilman Brewer, second by Councilwoman Heath to approve minutes as written was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*
8. Approve minutes of the regular work session held July 7, 2022:  
*A motion by Councilwoman Heath, second by Councilman Brewer to approve minutes as written was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**Old Business:**

None.

**New Business:**

9. Public hearing to consider rezoning of property located on the Coaling Road, as requested by Ashley Cabaniss, from an MX-2 (Limited Mix-Use) district to a B-2 (General Business) district, to accommodate mini-warehouses and to expand the existing business; *Recommendation from Planning Commission to rezone property; Public Hearing set June 7, 2022 by Resolution #26-2022:*

**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 #2244-22** was introduced by Councilman Brewer; 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: Brewer, Perryman, Heath; Nays: None.*

**Upon unanimous consent to consider ordinance at this meeting,**

*A motion by Councilman Brewer, second by Councilwoman Heath to adopt Ordinance#2244-22 was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

10. Public hearing to consider annexation and zoning of properties located at 5415 Old Sylacauga Hwy, 5095 Old Sylacauga Hwy, 448 Arco Dairy Road, and 930 Oldfield Road; *Planning Commission has recommended zoning of properties; Public Hearing set June 7, 2022 by Resolution #25-2022:*

**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 #2245-22** was introduced by Councilman Brewer; 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: Brewer, Perryman, Heath; Nays: None.*

**Upon unanimous consent to consider ordinance at this meeting,**

*A motion by Councilwoman Heath, second by Councilman Brewer to adopt Ordinance #2245-22 was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

11. Action that is necessary to accept recommendation of Street Supt. Reed Calfee to approve resolution authorizing purchase of Schwarze A9 Monsoon SE Sweeper through the Sourcewell Cooperative Program, Contract #093021-SWZ, at a cost of \$319,679.00; *Funding from Bond Proceeds:*

**Resolution #49-2022** 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: 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 #49-2022 was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

12. Action that is necessary to accept recommendations of City Attorney Win Livingston and the law firm of Riley and Jackson, P.C. to approve resolution accepting Opiod Settlement Agreements as presented; *Action authorizes Mayor Heigl to sign necessary documents and agreements:*

**Resolution #50-2022** was introduced by Councilwoman Heath; 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: 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 #50-2022 was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

13. Action that is necessary to accept recommendation of Police Chief Kelley Johnson to approve resolution declaring used PD radios and equipment as

surplus property and authorizing disposal by donation to Talladega County E-911:

**Resolution #51-2022** was introduced by Councilwoman Heath; 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: 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 #51-2022 was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

14. Action that is necessary to accept recommendation of Police Chief Kelley Johnson to approve resolution declaring used PD equipment as surplus property and authorizing disposal by auction on GovDeals.com, or by other appropriate disposition:

**Resolution #52-2022** was introduced by Councilwoman Heath; 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: Brewer, Perryman, Heath; Nays: None.*

**Upon unanimous consent to consider resolution at this meeting,**

*A motion by Councilwoman Heath, second by Councilman Brewer to approve Resolution #52-2022 was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

15. Action that is necessary to accept recommendation of Police Chief Kelley Johnson to approve resolution declaring used PD VHF radios and equipment as surplus property and authorizing disposal by auction on GovDeals.com, or by other appropriate disposition:

**Resolution #53-2022** was introduced by Councilwoman Heath; 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: 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 #53-2022 was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

16. Action that is necessary to accept recommendation of Police Chief Kelley Johnson to approve resolution declaring used PD duty gear as surplus property and authorizing disposal by destruction:

**Resolution #54-2022** 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: 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 #54-2022 was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**17. Appointment to Sylacauga Utilities Board – Six-year term of Mark Tapley expired July 15, 2022:**

**Council President opened the floor & called for nominations.**  
*Councilman Brewer nominated Mark Tapley.*

**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: Brewer, Perryman, Heath; Nays: None.*

*A motion by Councilman Brewer second by Councilwoman Heath to re-appoint Mark Tapley to the Sylacauga Utilities Board for the six-year term ending July 15, 2028, was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**18. Action that is necessary to accept recommendation of HR Specialist Jayne McGee and Court Clerk Amber Johns to approve status change for Court Magistrate II Melanie Allen from A-03, Step 4 \$15.35/hr. to A-04, Step 4 \$17.02/hr.: Re-classification of Magistrate I and Magistrate II positions to A0-4 approved by Council 7-7-22; action necessary to establish step of pay plan:**

*A motion by Councilman Brewer, second by Councilwoman Heath to approve action as stated was carried by the following roll call: Yeas: Brewer, Perryman, Heath; Nays: None.*

**19. Action that is necessary to accept proposal from Bagby Elevator to furnish and install one new pumping unit, with all new oil, for City Hall elevator, at a quoted price of \$12,920.00; Funding for repairs budgeted in FY22 General Fund Budget:**

*A motion by Councilwoman Heath, second by Councilman Brewer to approve action as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**20. Action that is necessary to accept proposal from Aaron's Cleaning Service for disinfecting services for City Hall (1<sup>st</sup> and 2<sup>nd</sup> floors), Faye Hosey Chambers, and Maintenance Shop, at a monthly fee of \$1,170.00, for a three-month period beginning July 20, 2022, through October 20, 2022; Contract may be renewed following initial three-month term upon additional Council approval:**

*A motion by Councilman Brewer second by Councilwoman Heath to approve action as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**21. Action that is necessary to authorize refund of \$28.25 to Horizon Construction Company for overpayment of 2022 business license fees:**

*A motion by Councilwoman Heath, second by Councilman Brewer to approve payment as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**22. Action that is necessary to approve travel/training expenses for Municipal Court Judge Barry Vaughn, Prosecutor Matthew West, and City Attorney Win Livingston to attend the 2022 Fall Law Conference in Gulf Shores, September 22-24, 2022. Registration fee of \$350.00, plus \$30.00 CLE credit for Vaughn; additional expenses for lodging, meals, and mileage will be incurred. Total estimated expenses for Vaughn, West, and Livingston are \$1,573.50/ea.:**

*A motion by Councilwoman Heath, second by Councilman Brewer to approve travel/training expenses as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**23.** Action that is necessary to approve travel/training expenses for Accounting Manager Yourianda Burns to attend the GFOAA Summer Conference in Orange Beach, August 9-12, 2022; *Registration fee of \$350.00; additional expenses for lodging, meals, and mileage will be incurred. Estimated expenses for Burns are \$1,657.14.*

*A motion by Councilwoman Heath, second by Councilman Brewer to approve travel/training expenses as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**24.** Action that is necessary to approve travel/training expenses for PD Officer Lamar Taylor to attend 'Ethical Decision Making for Law Enforcement' on July 25, and 'Are You OK: Recognizing & Coping with First Responder Trauma' on July 26, in Montgomery. *No registration fees; expenses for meals and use of a city-provided vehicle will be incurred. Total estimated expenses for Taylor are \$50.00.*

*A motion by Councilwoman Heath, second by Councilman Brewer to approve travel/training expenses as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**25.** Action that is necessary to approve travel/training expenses for PD Officer Tim Collier to attend 'Are You OK: Recognizing & Coping with First Responder Trauma' on July 26, in Montgomery. *No registration fee; expenses for a meal will be incurred. Collier will carpool with Taylor. Total estimated expenses for Collier are \$25.00.*

*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: Brewer, Perryman, Heath; Nays: None.*

**26.** Action that is necessary to approve travel/training expenses for PD Officers Lamar Taylor, Kyle Smith, Kirby Days, Angela Tait, and Austin Pitts to attend Complete Criminal Investigations course in Montgomery, July 27-28, 2022. *No registration fees; expenses for lunches and use of city-provided vehicles will be incurred. Estimated expenses for Taylor, Smith, Days, Tait, and Pitts are \$50.00/ea.:*

*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: Brewer, Perryman, Heath; Nays: None.*

**27.** Action that is necessary to approve travel/training expenses for Firefighters Logan Blake, Reid Tapley, and Caleb Williams to attend the Alabama Fire College Fire Investigator II course hosted by the Anniston Regional Training Center, August 29 - September 2. *Registration fee of \$330.00/each; additional expenses for lunches and use of a city-provided vehicle will be incurred. Employees will carpool. Total estimated expenses for Blake, Tapley, and Williams are \$405.00/ea.:*

*A motion by Councilwoman Heath, second by Councilman Brewer to approve travel/training expenses as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**28.** Action that is necessary to approve travel/training expenses for Fire Lt. Kyle Moseley to attend the Alabama Fire College FD Safety Officer: Incident Safety Officer hosted by the Opelika Fire Department, August 8-11. *No registration fee; expenses for lunches and use of a city-provided vehicle will be incurred. Total estimated expenses for Moseley are \$75.00.*

*A motion by Councilwoman Heath, second by Councilman Brewer to approve travel/training expenses as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**29.** Action that is necessary to approve travel/training expenses for Fire Lt. Scott Kines and Firefighter John Bryan to attend the Alabama Fire College Fire Investigator I course hosted by the Anniston Regional Training Center, August 15-19, 2022. *Registration fee of \$330.00 per employee; additional expenses for lunches and use of a city-provided vehicle will be incurred. Employees will carpool. Total estimated expenses for Kines and Bryan are \$405.00/ea.*

*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: Brewer, Perryman, Heath; Nays: None.*

**30.** Action that is necessary to authorize payments totaling \$414,731.79 for June payrolls:

*A motion by Councilwoman Heath, second by Councilman Brewer to approve payments as stated was carried by the following roll call vote: Yeas: Brewer, Perryman, Heath; Nays: None.*

**31.** Action that is necessary to authorize payments totaling \$246,987.56 for balance of June 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: Brewer, Perryman, Heath; Nays: None.*

**32.** Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council. Mark Ledbetter, 401 S Broadway Ave, and Director of the Critical Incident Response Network, which involves government, businesses, and trained volunteers to develop a plan preparing for a disaster in our community. Ledbetter asked for the City's support and provided brochures detailing the network, needs, and training opportunities.

Randy Benefield, 2215 Lang Circle, Chairman of the Nuisance Abatement Board, stated that residents are placing debris on the streets for pickup by the Street Dept., which gets washed into the drainage systems. Asked that residents be advised to place debris on the edge of their yards instead of in the roadway.

**33.** 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: Brewer, Perryman, Heath; Nays: None.*

*(Time of adjournment 6:37 p.m.)*

APPROVED BY COUNCIL AUGUST 2, 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 ~~August 2, 2022.~~  
**July 19, 2022.**



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