

**City of Sylacauga**  
**City Council Agenda**  
**August 1, 2023**

1. Meeting was called to order at 5:33 p.m. by Council President, Ashton Fowler.
2. Roll Call: Councilmembers Present - Ashton Fowler, Nate Brewer, Laura Heath, Tiffany Nix, Lee Perryman; Councilmembers absent: None. Mayor James Heigl and City Clerk/Treasurer Alexandra Lambert were also present.
3. Invocation was provided by Council President Ashton Fowler prior to the council meeting.
4. Pledge of Allegiance to the Flag.
5. Report from Mayor Heigl: Nothing to report.
6. Adopt Agenda:  
*A motion by Councilmember Brewer, second by Councilmember Perryman to adopt agenda was carried by the following roll call vote:  
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*
7. Approve minutes of the regular city council meeting held July 18<sup>th</sup>, 2023:  
*A motion by Councilmember Brewer, second by Councilmember Heath to approve minutes as written was carried by the following roll call vote:  
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*
8. Approve minutes of the regular work session held July 18<sup>th</sup>, 2023:  
*A motion by Councilmember Brewer, second by Councilmember Perryman to approve minutes as written was carried by the following roll call vote:  
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

Old Business:

None

New Business:

9. Action that is necessary to amend administrative error from the May 2<sup>nd</sup>, 2023, Council Meeting Minutes agenda item #30, to reflect the correct date regarding Brenda Minnifield's appointment to the Industrial Development Board for the vacant term of six years ending "April 2029," previously adopted into minutes as "April 2023".

*Quotation for Original Meeting Minutes for May 2, 2023, Meeting Minutes:*

*"30. Action that is necessary to make appointment to the Industrial Development Board for the vacant term of six years ending April 2023. Brenda Minnifield was the only applicant."*

*If approved, the administrative error would be amended to the following:*

*"30. Action that is necessary to make appointment to the Industrial Development Board for the vacant term of six years ending April 2029. Brenda Minnifield was the only applicant."*

*A motion by Councilmember Brewer, second by Councilmember Heath to amend administrative error from the May 2<sup>nd</sup>, 2023, Council Meeting Minutes agenda item #30, to reflect the correct date regarding Brenda Minnifield's appointment to the Industrial Development Board for the vacant term of six years ending "April 2029," was carried by the following roll call vote:*  
*Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

10. Action that is necessary to amend administrative error from the May 16<sup>th</sup>, 2023, Council Meeting Minutes agenda item #13, to reflect the correct effective date for adopted Ordinance No. 2257-23 authorizing the tax increase as "August 1, 2023," previously adopted into minutes as "September 1, 2023".

*Quotation for Original Meeting Minutes for May 2, 2023, Meeting Minutes:*

*"13. Action that is necessary to adopt Ordinance No. 2257-23 to authorize increase in General Sales/Use Tax from 3% to 4.5%, Vending from 3% to 4.5%, Amusement from 3% to 4.5%, Manufacturing Machinery from 0.75% to 1.125%, Auto from 1.25% to 1.875%, and Farm Machinery from 0.75% to 1.125%, to become effective September 1, 2023."*

*If approved, the administrative error would be amended to the following:*

*"13. Action that is necessary to adopt Ordinance No. 2257-23 to authorize increase in General Sales/Use Tax from 3% to 4.5%, Vending from 3% to 4.5%, Amusement from 3% to 4.5%, Manufacturing Machinery from 0.75% to 1.125%, Auto from 1.25% to 1.875%, and Farm Machinery from 0.75% to 1.125%, to become effective August 1, 2023."*

*A motion by Councilmember Brewer, second by Councilmember Perryman to amend administrative error from the May 16<sup>th</sup>, 2023, Council Meeting Minutes agenda item #13, to reflect the correct effective date for adopted Ordinance No. 2257-23 authorizing the tax increase as "August 1, 2023", was carried by the following roll call vote:*  
*Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

11. Action that is necessary to amend administrative error from the May 16<sup>th</sup>, 2023, Council Meeting Minutes agenda item #14, to reflect the correct effective date for adopted Resolution No. 23-2023 allocating sales tax proceeds as "August 1, 2023", previously adopted into minutes as "September 1, 2023."

*Quotation for Original Meeting Minutes for May 2, 2023, Meeting Minutes:*

*"14. Action that is necessary to approve Resolution No. 23-2023 allocating sales tax proceeds to the following funds: Debt – 20%; Paving – 15%; Fire Department – 12.5%; Police Department – 12.5%; Recreation – 10%; Capital – 7.5%; Infrastructure – 7.5%; Street Department – 7.5%; Reserve – 7.5%. Any amount generated by the aforementioned ordinance which exceeds \$4.0M will be split 50% to General Operations Reserve and 50% to Special Projects Reserve, to become effective September 1, 2023."*

*If approved, the administrative error would be amended to the following:*

*"14. Action that is necessary to approve Resolution No. 23-2023 allocating sales tax proceeds to the following funds: Debt – 20%; Paving – 15%; Fire Department – 12.5%; Police Department – 12.5%; Recreation – 10%; Capital – 7.5%; Infrastructure – 7.5%; Street Department – 7.5%; Reserve – 7.5%. Any amount generated by the aforementioned ordinance which exceeds \$4.0M will be split 50% to General Operations Reserve and 50% to Special Projects Reserve, to become effective August 1, 2023."*

*A motion by Councilmember Brewer second by Councilmember Heath to amend administrative error from the May 16<sup>th</sup>, 2023, Council Meeting Minutes agenda item #14, to reflect the correct effective date for adopted Resolution No. 23-2023 allocating sales tax proceeds as "August 1, 2023", was carried by the following roll call vote:*

*Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

12. Action that is necessary to approve the refund for overpayment for 2021 Business License to Davis Industries in the amount of \$118.00.

*A motion by Councilmember Brewer second by Councilmember Heath to approve the refund for overpayment for 2021 Business License to Davis Industries in the amount of \$118.00 was carried by the following roll call vote:*

*Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

13. Action that is necessary to approve Accounts Payable invoices received to date for July 2023 in the amount of \$244,958.46.

*A motion by Councilmember Brewer, second by Councilmember Heath to approve Accounts Payable invoices received to date for July 2023 in the amount of \$244,958.46, was carried by the following roll call vote:*

*Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

14. Brian Cash, Esq. on behalf of City Attorney Edwin B. Livingston, Jr., addressed 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)(7) Code of Alabama 1975.

*Council President Ashton Fowler read the letter from City Attorney, Edwin B. Livingston, Jr., recommending and detailing the Open Meetings Act section allowing such executive session.*

Council President Fowler called for Council action on the recommendation:

*A motion by Councilmember Brewer second by Councilmember Heath to enter executive session was carried by the following roll call vote:*

*Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

Council President will announce that Council intends to reconvene meeting following the Executive Session at 6:00.

*Council members, Mayor Heigl, City Clerk – Treasurer Alexandra Lambert, Administrative Assistant Kassey Epperson, Attorney Brian Cash, and related parties entered into executive session at approximately 5:40 p.m.*

*A motion by Councilmember Brewer, second by Councilmember Perryman to exit executive session was carried at approximately 6:11 p.m. by the following roll call vote:*

*Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

15. Time for anyone to address the City Council – no action to be taken at this meeting: (Please come to the microphone and state your name and address for record prior to addressing the council.)

16. Having no further business to discuss:

*A motion by Councilmember Brewer, second by Councilmember Heath to adjourn was carried by the following roll call vote:*

*Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

(Time of adjournment: 6:13 p.m.)

**APPROVED BY COUNCIL August 15<sup>th</sup>, 2023**

  
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Ashton Fowler, President of City Council

**CERTIFICATION**

I, ALEXANDRA LAMBERT, 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 City Council held August 15<sup>th</sup>, 2023.

  
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Alexandra Lambert, City Clerk-Treasurer  
City of Sylacauga