

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SYLACAUGA HELD AUGUST 16, 2022

1. Meeting was called to order at 5:45 P.M. by Council President, Lee Perryman.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Nate Brewer, Lee Perryman, and Laura Heath; Council Members Absent: None. 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:
The Mayor had no report at the meeting.
6. Adopt Agenda:
A motion by Councilman Brewer, second by Councilwoman Heath to amend agenda by adding a recommendation of City Attorney Win Livingston to add an Executive Session following the City Council meeting was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
7. Approve minutes of the regular city council meeting held August 2, 2022:
A motion by Councilman Brewer, second by Councilman Fowler to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
8. Approve minutes of the regular work session held August 2, 2022:
A motion by Councilman Brewer, second by Councilwoman Heath to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Old Business:

None.

New Business:

9. Action that is necessary to approve resolution to accept the updated Title VI Program as recommended by East Alabama Regional Planning and Development Commission, required as a recipient of federal financial assistance from ALDOT in support of transit services, which includes regulations of Title VI of the Civil Rights Act of 1964; Approval authorizes Mayor Heigl to sign agreement:

Resolution #56-2022 was introduced by Councilman Brewer; 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: Fowler, Nix, 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 #56-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

10. Action that is necessary to approve resolution to authorize Transit Agreement for fiscal years 2023-2025 with East Alabama Regional Planning and Development Commission; Approval authorizes Mayor Heigl to sign agreement:
- Resolution #57-2022** 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: Fowler, Nix, 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 #57-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
11. Action that is necessary to approve resolution to accept recommendation from EEFS to award contract for paving of the City's portion of Marble City Heights Circle to Central Alabama Asphalt & Construction Company, LLC in the amount of \$74,750.00; Approval authorizes Mayor Heigl to sign agreement:
- Resolution #58-2022** was introduced by Councilman Brewer; 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: Fowler, Nix, 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 #58-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
12. Action that is necessary to approve resolution to adopt FY23 Transportation Plan as prepared by EEFS, pledging up to 50% of projected revenue from the gas tax towards the City's FY23 planned transportation projects:
- Resolution #59-2022** was introduced by Councilman Brewer; 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: Fowler, Nix, 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 #59-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
13. Action that is necessary to approve resolution authorizing EEFS to proceed with Phase II Final Design, and Phase III Bid Procurement, of the Sylacauga Drainage Improvements Project at a fee of \$57,758.75; Engineering fees to be paid from ARP funds; Total estimated construction cost of project is \$434,870.00:
- Resolution #60-2022** was introduced by Councilman Brewer; 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: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- Upon unanimous consent to consider resolution at this meeting,**

A motion by Councilman Brewer, second by Councilman Fowler to approve Resolution #60-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

14. Action that is necessary to approve resolution authorizing transfer of 2005 Ford Crown Vic, S/N 2FAFP71W05X105654 to Fire Department; *Action amends Resolution #22-2022 approved 5-17-22, which authorized disposal of PD vehicle:*

Resolution #61-2022 was introduced by Councilman Brewer; Dispensed with reading of the Resolution.

A motion by Councilwoman Heath, second by Councilman Fowler to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Fowler, Nix, 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 #61-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

15. Action that is necessary to authorize amendment to Sylacauga Chamber of Commerce contract to cover the cost of additional promotional expenses in the amount of \$400.00 related to Babe Ruth team competition in the World Series:

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

16. Action that is necessary to authorize City Attorney Win Livingston to prepare Memorandum of Understanding with Blue Bell Creameries for purchase of City property:

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

17. Action that is necessary to approve request from Sylacauga Parks and Rec and Fermenter's at the Rex to use Central Park on September 16, 2022, to host a Concert in the Park, including the sale of beer during concert hours. *Approval authorizes City Clerk to issue letter to ABC Board, authorizing use of park, required as part of Fermenter at the Rex's application to the ABC Board for a Special Event Permit to sell beer during concert hours on September 16:*

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

18. Action that is necessary to approve the transfer of the 050 Retail Beer (Off Premises Only) and 070 Retail Table Wine (Off Premises Only) application received from Dolgencorp LLP, DBA Dollar General Store #4306, from 1383 W Ft. Williams Street to 25 Avondale Avenue:

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

19. Action that is necessary to accept recommendation of Street Supt. Reed Calfee to renew contract with TempForce Smart Staffing Solutions for up to two Animal Shelter Laborers for an additional six months at the billable rate of \$14.01/hr; *original six-month contract approved 2-15-22:*

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

20. Action that is necessary to accept the recommendation of Street Supt. Reed Calfee to contract with TempForce Smart Staffing Solutions for one additional Animal Shelter Laborer (total of three), effective July 12, 2022, for up to six months at the billable rate of \$14.01/hr.

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

21. Action that is necessary to accept recommendation of Mayor Heigl to approve new job description for the position of Assistant Fire Chief:

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

22. Action that is necessary to accept recommendation of Mayor Heigl to approve new job description for the position of Information Technology Administrator:

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

23. Action that is necessary to approve travel/training expenses for Fire Lt. Kyle Moseley to attend the Alabama Fire College Rescue Technician: Vehicle & Machinery Extrication I course hosted by the Opelika Regional Training Center, September 12-16, 2022. *Registration fee of \$350.00; additional expenses for lunches and use of a city-provided vehicle will be incurred. Total estimated expenses for Moseley are \$425.00:*

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: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

24. Action that is necessary to approve travel/training expenses for Fire Lt. Kyle Moseley to attend the Alabama Fire College Rescue Technician: Surface Water I/II course hosted by the Alexander City Fire Department September 20-22, 2022. *Registration fee of \$240.00; additional expenses for lunches and use of a city-provided vehicle will be incurred. Total estimated expenses for Moseley are \$285.00:*

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: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

25. Action that is necessary to approve travel/training expenses for Fire Captain Jarrod Cunningham to attend the Alabama Fire College Fire Officer III course hosted by the Tallassee ETC September 19-23, 2022. *Registration fee of \$265.00; additional expenses for lunches and use of a city-provided vehicle will be incurred. Total estimated expenses for Cunningham are \$340.00:*

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: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

26. Action that is necessary to approve travel/training expenses for Firefighters Shelby Byrd, Donnie Lester, and Andrew McLain to attend the Alabama Fire College Apparatus Operator Pumper course hosted by the Oxford Fire Department September 12-16, 2022. *No registration fees; expenses for lunches and use of a city-provided vehicle will be incurred. Employees will carpool. Total estimated expenses for Byrd, Lester, and McLain are \$75.00/ea.:*

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

- 27.** Action that is necessary to approve expenses for Fire Inspector Chad Toland to attend Leadership Sylacauga August 2022 to May 2023. Registration fee of \$950.00:
A motion by Councilwoman Heath, second by Councilman Fowler to approve expenses as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 28.** Action that is necessary to amend Item #15 of the June 23, 2022 minutes that approved travel/training expenses for PD Sgt. Ryan Gaither to attend the Law Enforcement Instructor Development Course in Montgomery August 1-5, to add expenses for fuel reimbursement:
A motion by Councilman Fowler, second by Councilwoman Heath to approve action as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 29.** Action that is necessary to authorize July payrolls in the amount of \$424,892.39:
A motion by Councilman Fowler, second by Councilwoman Heath to approve payments as submitted was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 30.** Action that is necessary to authorize payments totaling \$783,923.46 for balance of July accounts payable invoices:
A motion by Councilwoman Heath, second by Councilman Fowler to approve payments as submitted was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 31.** Action that is necessary to approve request from Police Chief Kelley Johnson to apply for 2023 ADECA Byrne Jag Grant of up to \$24,000.00, with no required matching funds; if awarded, grant funds to be used for the purchase of PD equipment:
A motion by Councilman Fowler, second by Councilwoman Heath to approve request as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
- 32.** Time for anyone to address Council—no action to be taken at this meeting: (Ask each to come to microphone & state name and address for record prior to addressing Council.)
Margaret Morton, Executive Director of SAFE, welcomed Greer Wright Bisignani as the newest employee of SAFE.
Councilman Brewer thanked the Police Dept. for helping with the start-up of the school session.
Councilwoman Heath thanked the CDA for their work over the past few months.
- 33.** City Attorney Edwin B. Livingston, Jr., addressed the 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)(1) Code of Alabama 1975, as amended
Council President Lee Perryman read the letter from City Attorney, Edwin B. Livingston, Jr., recommending and detailing the OMA section allowing such executive session. He suggested going into executive session in order to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease or market value of real property.
Perryman called for Council action on the recommendation:
A motion by Councilman Fowler, second by Councilman Brewer to enter executive session was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

Perryman stated that once Council concluded its business of the special meeting, that Council would adjourn the city council meeting immediately following the executive session.

All Council members, City Attorney Win Livingston, Mayor James Heigl, and Interim City Clerk/Treasurer entered into executive session at approximately 6:06 p.m.

A motion by Councilman Fowler, second by Councilman Brewer to exit executive session was carried at approximately 6:22 p.m. by the following roll call vote:
Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

34. 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: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

(Time of adjournment 6:28 P.M.)

APPROVED BY COUNCIL SEPTEMBER 8, 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 September 8, 2022.



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