

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF SYLACAUGA HELD SEPTEMBER 6, 2018**

1. Meeting was called to order at 6:22 p.m. by Council President, Lee Perryman.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Donnie Blackmon, and Lee Perryman; Absent: Dallas Davenport. Mayor James Heigl and City Clerk/Treasurer Patricia Carden were also present.
3. Invocation was given by Rev. Tim Teague, First Church of God.
4. Pledge of Allegiance to the Flag was led by Council President.
5. Mayor Jim Heigl reported that the ongoing paving project is approximately 75% complete, and expressed appreciation for the County Commissioners working with the City to pave the entire length of 10<sup>th</sup> Street. Heigl invited Michael Rice to provide additional comments relative to the paving progress. Rice stated that the project originally included 20 streets and one intersection realignment. Currently, 16 streets have been completed and the contractor is working on the intersection now. Rice added that the contractor should finish up with everything including final striping within the next four to five weeks. With the project coming in well under budget, Rice recommended that Council consider which, if any, of the alternative streets to add to the project before the contractor finished up in order to save on mobilization costs. Council President asked Rice to get the alternate street listing to the City Clerk for distribution to the Council members for review prior to the next council meeting.
6. Adopt Agenda:  
*A motion by Councilman Blackmon, second by Councilwoman Nix to adopt the agenda was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*
7. Approve minutes of the regular city council meeting held August 21, 2018:  
*A motion by Councilman Fowler, second by Councilwoman Nix to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*
8. Approve following excerpts from the work session held August 21, 2018, relative to an executive session which was entered into during said work session:

Council President Lee Perryman called the rescheduled work session to order at 4:00 p.m., and immediately advised Council of the need to go into executive session prior to the regular business portion of the work session in order to discuss with the City Attorney one of the matters to be considered in the regular work session this date due to the fact that the matter has been, and is currently being discussed with Mr. Livingston, and concerns the legal ramifications and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action. In addition, one of the matters to be discussed in the regularly scheduled work session this date is to discuss the general reputation, character, and professional competence of a public employee. Perryman read the letter from City Attorney, Edwin B. Livingston, Jr., recommending and detailing the OMA sections allowing for such executive session discussions. Perryman further stated that Council would return at 5:00 p.m. following the executive session to conduct the regular business portion of the council work session.

A motion by Councilman Fowler, second by Councilman Blackmon 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, Mayor James Heigl, Municipal Judge Barry Vaughn, Court Clerk Amber Johns, Accounting Specialist Yourlanda Burns, and City Clerk-Treasurer Patricia Carden entered into executive session at approximately 4:02 p.m. Amber Johns left the executive

session at approximately 5:10 p.m., and Yourlanda Burns and Patricia Carden left the executive session at approximately 5:17 p.m.

A motion by Councilman Fowler, second by Councilman Davenport to exit executive session was carried at approximately 5:19 p.m. by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

Immediately after exiting the executive session, City Council resumed the work session to discuss the remaining items on the proposed agenda for the council meeting to follow.

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

**OLD BUSINESS: None.**

**NEW BUSINESS:**

9. Action that is necessary to approve resolution accepting proposal in the lump sum amount of \$57,456.00 from Engineering Design Technologies, Inc. (EDT) for the provision of professional engineering and consultation services relative to the preparation of plans for construction of the FY2018 Transportation Alternative Program (TAP) Streetscape Improvements Project along Hwy 21 from 5<sup>th</sup> Street to 6<sup>th</sup> Street and parking lot improvements between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street—Action authorizes Mayor James Heigl to execute agreement and any other related documents on behalf of the City of Sylacauga—(Application authorized 12/05/2017, Resolution 55-2017; Grant Agreement authorized 8/21/2018, Resolution 61-2018);

**Resolution #64-2018** was introduced by Councilwoman Nix; Read by City Clerk.

*A motion by Councilman Blackmon, 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; Nays: None.*

**Upon unanimous consent by Council to give resolution immediate consideration:**

*A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 64-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

10. Action that is necessary to approve resolution approving Second Amendment to Road Resurfacing Agreement between the City of Sylacauga and the Talladega County Commission which authorizes resurfacing/paving, removal of old asphalt, patching, temporary striping, and installation of pavement markers of that segment of West 10<sup>th</sup> Street which is outside the city limits to be included in the COS 2018 Street Paving Project with the cost for such work, up to \$35,000.00, to be reimbursed to the City by the Talladega County Commission—Action authorizes Mayor James Heigl to execute agreement and any other related documents on behalf of the City of Sylacauga.

**Resolution #65-2018** was introduced by Councilwoman Nix; Read by City Clerk.

*A motion by Councilman Blackmon, 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; Nays: None.*

**Upon unanimous consent by Council to give resolution immediate consideration:**

*A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 65-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

11. Action necessary to approve resolution authorizing Renewal Amendment #4; FY2019 Grant Agreement with East Alabama Regional Planning & Development Commission to provide continued services and nutritional support for the elderly population through the Local Community Aging Services Title III Program, Grant Agreement #04-19-04-36—*Total Program costs in the amount of \$104,187.00, will be funded through \$23,550.00 in Grant funds with an allocation of \$80,637.00 for Project Meals (based on meals provided as of 9/30/2018), and a required local match of \$2,355.00.*

**Resolution #66-2018** was introduced by Councilwoman Nix; Read by City Clerk.

*A motion by Councilman Blackmon, 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; Nays: None.*

**Upon unanimous consent by Council to give resolution immediate consideration:**

*A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 66-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

12. Action that is necessary to authorize Mayor James Heigl to execute agreement with State of Alabama for Federal Transportation Alternatives Set-aside Program funding of Project TAPAA-TA19(914), CPMS Ref# 100069019, to provide streetscape and ADA improvements to the parking area between Norton Avenue and AL Highway 21, 3<sup>rd</sup> Street and 1<sup>st</sup> Street—*Total estimated project cost of \$800,000.00; estimated Federal TAP Funds \$640,000.00, estimated Local Funds \$160,000.00 (Application approved by Council 5/01/2018, Resolution 38-2018):*

**Resolution #67-2018** 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; Nays: None.*

**Upon unanimous consent by Council to give resolution immediate consideration:**

*A motion by Councilman Blackmon, second by Councilman Fowler to approve Resolution 67-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.*

13. Action that is necessary to approve travel/expenses for Accounting Clerk Kristi Thompson to attend the *Alabama Municipal Revenue Certification Training* to be held in Tuscaloosa, October 2-5, 2018—*Registration fee is \$225.00; Additional costs for lodging, meals, and mileage will be incurred—Estimated total cost of travel/training for Thompson is \$766.55.*

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

14. Action that is necessary to approve travel/expenses for Accounting Clerk Sandy Sorensen to attend the *Alabama Municipal Revenue Certification Training* to be held in Tuscaloosa, October 2-5, 2018—*Registration fee is \$225.00; Additional costs for lodging and meals will be incurred (Sorensen to carpool with Thompson)—Estimated total cost of travel/training for Sorensen is \$666.55.*

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

15. Action that is necessary to approve travel/expenses for City Attorney Edwin B. Livingston, Jr. to attend the 2018 Fall Municipal Law Conference to be held in Orange Beach, October 18-20, 2018—Registration fee is \$225.00, plus \$75.00 materials fee, \$75.00 membership dues, & \$75.00 League Law Subscription; Additional costs for lodging, meals, and mileage will be incurred—Estimated total cost of travel/training for Livingston is \$1,205.00:

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

16. Action that is necessary to authorize payments totaling \$52,954.23 for accounts payable invoices received to date for August, 2018:

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; Nays: None.

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

- 1) Councilman Fowler asked that everyone keep the two high schoolers who were injured in an accident following the football game last Friday in their thoughts and prayers. Fowler also added that another individual from a neighboring town who is close in age was involved in a pretty bad accident and whose road to recovery is going to be pretty significant. Fowler announced that a benefit corn-hole tournament is to be held at the Childersburg Rec Center on September 16<sup>th</sup> to raise funds toward helping with his recovery.
- 2) Mayor Heigl asked that everyone keep former Mayor Doug Murphree in their prayers; he is in the hospital and has had some issues with cancer.

18. Having no further business to discuss,  
A motion by Councilman Blackmon, second by Councilman Fowler to adjourn was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon; Nays: None.

(Time of adjournment 6:45 p.m.)

APPROVED BY COUNCIL SEPTEMBER 18, 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 September 6, 2018.



Patricia G. Carden, City Clerk-Treasurer