

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF SYLACAUGA HELD OCTOBER 4, 2022**

1. Meeting was called to order at 5:34 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 Councilman Nate Brewer 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 had no report.
6. Adopt Agenda:  
*A motion by Councilman Brewer, second by Councilwoman Heath to amend the agenda by adding Items #22 & #23 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 September 20, 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 September 20, 2022:  
*A motion by Councilwoman Nix, second by Councilman Brewer to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
9. Approve minutes of the special call meeting held September 30, 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.*

**Old Business:**

None.

**New Business:**

10. Action that is necessary to adopt ordinance amending certain sections of Business License Ordinance #2246-22:

**Ordinance #2246-22** 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: Fowler, Nix, 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 #2246-22 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

11. Action that is necessary to approve resolution setting date for public hearing to consider request to zone and annex property located at 320 Rocky Road, Sylacauga; first available date for public hearing is 11-15-22:
- Resolution #67-2022** 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 Fowler, second by Councilwoman Nix to approve Resolution #67-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
12. Action that is necessary to approve resolution authorizing a tax abatement to PlatisCal, LLC for a capital improvement project adding a production line and infrastructure at compounding plant; Project has an estimated investment of \$15,000,000.00 and is expected to employ an additional 40 employees over the next three years:
- Resolution #68-2022** 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 Councilwoman Heath, second by Councilman Brewer to approve Resolution #68-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
13. Action that is necessary to rescind Resolution 45-2022, approved 7-7-22, which authorized the abatement of property located at 807 North Main Avenue:
- Resolution #69-2022** was introduced by Councilman Brewer; Dispensed with reading of the resolution.
- A motion by Councilman Brewer, 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 Councilwoman Nix, second by Councilman Brewer to approve Resolution #69-2022 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
14. Action that is necessary to approve Memorandum of Understanding between the City and Sylacauga Board of Education to provide one certified police officer (School Resource Officer) for the period October 1, 2022, through September 30, 2023; City and BOE to equally share salary and benefits of officer. Approval authorizes Mayor Heigl to sign required documents:  
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.
15. Action that is necessary to accept grant from the Alabama Historical Commission in the amount of \$8,875.00 for the Isabel Anderson Comer Museum and Arts Center; approval authorizes Mayor Heigl to sign required grant documents:

*A motion by Councilman Brewer, second by Councilman Fowler 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 accept grant from the Alabama Historical Commission in the amount of \$629.00 for the Sylacauga Historical Commission; approval authorizes Mayor Heigl to sign required grant documents:

*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 amend the minutes of the August 16, 2022 City Council meeting to correct the dates of travel/training for Firefighters Shelby Byrd, Donnie Lester, and Andrew McLain to attend the Alabama Fire College Apparatus Operator Pumper course in Oxford from September 12-16, 2022, to September 19-23, 2022:

*A motion by Councilwoman Nix, second by Councilwoman Heath to amend 08-16-22 minutes 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 travel/training expenses for Firefighters Donnie Lester and Andrew McLain to attend the Apparatus Operator: Aerial course in Oxford October 10-14, 2022; No registration fees; expenses for lunches and use of a city-provided vehicle will be incurred; employees will carpool. Total estimated expenses for Lester and McLain are \$75.00/ea.

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

**19.** Action that is necessary to approve travel/training expenses for Firefighters Logan Blake, Harmony Kelley, A J Tubbs, Clay Upchurch, and Caleb Williams to attend the Rescue Technician: Vehicle Extrication I and Machinery Extrication I course in Anniston October 24-28, 2022. Registration fee of \$350.00 per employee; expenses for lunches and use of a city-provided vehicle will be incurred; employees will carpool. Total estimated expenses for Blake, Kelley, Tubbs, Upchurch, and Williams are \$425.00/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: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

**20.** Action that is necessary to approve travel/training expenses for Police Lt. Renea Cummings and Lt. Willis Whatley to attend the following CLEEP courses: "The Leader as an Individual" on November 3, 2022, and "Conflict and the Toxic Employee" on November 4, 2022, in Florence, Alabama. Registration fee of \$99.00 per course per employee; expenses for lodging, meals, and fuel will be incurred; employees will carpool in a city-provided vehicle. Total estimated expenses for Cummings and Whatley are \$461.12/ea.

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

**21.** Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council. There were no speakers at this meeting.

**22.** 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)(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, and suggested going into executive session in order to discuss matters of pending litigation.

Council President Perryman called for Council action on the recommendation:

*A motion by Councilman Brewer, second by Councilwoman Heath 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 concludes its business of the special meeting, Council would reconvene the City Council meeting.

*All Council members, Mayor Heigl, Interim City Clerk/Treasurer Kim Morris City Attorney Win Livingston, and Mayor's Administrative Assistant Kassey Epperson entered into executive session at approximately 5:43 p.m.*

*A motion by Councilman Brewer, second by Councilwoman Heath to exit executive session was carried at approximately 6:03 p.m. by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

- 23.** Action that is necessary to authorize City Attorney Win Livingston to take the following action regarding current litigation Case #CV-2020-900418: (1) appeal the ruling of Circuit Judge Chad Woodruff; or (2) do not appeal the ruling of Circuit Judge Chad Woodruff.

*A motion by Councilman Brewer, second by Councilwoman Heath to authorize City Attorney to not appeal the ruling of Circuit Judge Chad Woodruff was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

- 24.** Having no further business to discuss:

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

*(Time of adjournment 6:05 p.m.)*

APPROVED BY COUNCIL OCTOBER 18, 2022

  
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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 October 4, 2022.

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