

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

1. Meeting was called to order at 6:13 p.m. by Council President, Lee Perryman.
2. Roll Call: Council Members Present: Ashton Fowler, Tiffany Nix, Donnie Blackmon, Lee Perryman, and Dallas Davenport; Absent: None. Mayor James Heigl was absent; City Clerk/Treasurer Patricia Carden was present.
3. Invocation was given by Dr. Wayne McDaniel, First Freewill Baptist Church.
4. Pledge of Allegiance to the Flag was led by Council President.
5. In the absence of Mayor Jim Heigl and on his behalf, Council President Lee Perryman proclaimed November, 2018, as National Hospice & Palliative Care Month in the City of Sylacauga. Proclamation was accepted by a representative of Affinity Hospice.
6. Police Chief Kelley Johnson introduced Charlton Kircus as the newly promoted Police Sergeant. Chief Johnson provided a brief review of Sgt. Kircus' background and career history with the PD.
7. Adopt Agenda:
A motion by Councilman Fowler, second by Councilwoman Nix to adopt agenda was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
8. Approve minutes of the regular city council meeting held October 16, 2018:
A motion by Councilman Blackmon, second by Councilman Davenport to approve minutes as written was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.
9. Election of City Council President for the next twelve (12) month period:
Council President opened the floor & called for nominations for the office of President of City Council:
Councilman Davenport nominated Councilman Lee Perryman.
Hearing no other nominations,
A motion by Councilman Blackmon, second by Councilman Davenport to close nominations was carried by the following roll call vote: Yeas: Fowler, Nix, Blackmon, Perryman, Davenport; Nays: None.
Council President closed the floor & called for Council Action:
Those in favor of Councilman Perryman: Fowler, Nix, Blackmon, Perryman, Davenport; Those opposed: None.
Council President declared Councilman Lee Perryman re-elected as President and Presiding Officer of the City Council for the next twelve month period.
10. Election of City Council President Pro Tempore—
Council President Perryman opened the floor & called for nominations for the office of City Council President Pro Tempore:
Councilwoman Nix nominated Councilman Fowler.
Hearing no other nominations,
A motion by Councilman Blackmon, second by Councilman Davenport to close nominations was carried by the following roll call vote: Yeas: Fowler, Nix, Blackmon, Perryman, Davenport; Nays: None.
Council President closed the floor & called for Council Action:
Those in favor of Councilman Fowler: Fowler, Nix, Blackmon, Perryman, Davenport; Those opposed: None.

President of Council declared Councilman Ashton Fowler elected as President Pro Tempore of the City Council for the next twelve month period.

OLD BUSINESS: None.

NEW BUSINESS:

11. Public hearing to consider the recommendation from the Planning Commission for an amendment to the 1989 Sylacauga Zoning Ordinance to add a Planned Unit Development (PUD) District—Public hearing set by Resolution 71-2018 on 9/18/2018:

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 2201-18 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilwoman Nix, 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, Davenport; Nays: None.

Upon unanimous consent by Council to give ordinance immediate consideration:

A motion by Councilwoman Nix, second by Councilman Fowler to adopt Ordinance 2201-18 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

12. Action that is necessary to adopt ordinance authorizing participation in the 2019 Severe Weather Preparedness Sales Tax Holiday, February 22-24, 2019:

Ordinance #2202-18 was introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilwoman Nix, 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, Davenport; Nays: None.

Upon unanimous consent by Council to give ordinance immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to adopt Ordinance 2202-18 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

13. Action that is necessary to adopt ordinance authorizing increase in sales/use tax on automobiles; 1.25% to be effective January 1, 2019:

Ordinance #2203-18 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, Davenport; Nays: None.

Upon unanimous consent by Council to give ordinance immediate consideration:

A motion by Councilwoman Nix, second by Councilman Fowler to adopt Ordinance 2203-18 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

14. Action that is necessary to adopt ordinance authorizing increase in lease/rental tax on automobiles; 1.25% to be effective January 1, 2019:

Ordinance #2204-18 was introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilwoman Nix, 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, Davenport; Nays: None.

Upon unanimous consent by Council to give ordinance immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to adopt Ordinance 2204-18 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

15. Action that is necessary to adopt ordinance authorizing increase in lodgings tax; 10% to be effective January 1, 2019:

Ordinance #2205-18 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, Davenport; Nays: None.

Upon unanimous consent by Council to give ordinance immediate consideration:

A motion by Councilwoman Nix, second by Councilman Fowler to adopt Ordinance 2205-18 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

16. Action that is necessary to approve resolution setting public hearing date for consideration of petitions for annexation and recommendations related to zoning of those certain properties located at or otherwise described as 4364 Risers Mill Rd-Alpine, 71 Rocky Rd, 452 Rocky Rd, 771 Center Point Rd, 859 Center Point Rd, 878 Center Point Rd, 8 Avondale Circle, 12 Avondale Circle, 13 Avondale Circle, 1140 Fulton Gap Rd, 1152 Fulton Gap Rd, 245 Rousseau Loop, 4585 Oldfield Rd, 384 Whippenwill Ln, and 1275 Harper Springs Rd—first available date for hearing is December 18, 2018:

Resolution #83-2018 was introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilwoman Nix, second by Councilman Fowler to approve Resolution 83-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

17. Action that is necessary to approve resolution authorizing agreement with AVENU for Business License Discovery/Recovery services, and authorizing Mayor James Heigl to execute related documents on behalf of the City:

Resolution #84-2018 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilman Blackmon, second by Councilman Davenport to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 84-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

18. Action that is necessary to approve resolution requesting authorization from ALDOT to combine the FY2018 TAP and the FY2019 Tap Grant Street

Scape/ADA Improvement Projects into one construction plan set in order to allow advertisement of both projects at one time:

Resolution #85-2018 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 85-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

19.

Action that is necessary to accept recommendation from The Center for Municipal Solutions (CMS) as consultant for City, to approve resolution authorizing a special use permit to T-Mobile for modification of equipment on the existing tower located at 105 East 2nd Street: (David Andrews, representative from CMS, provided details of the permit for Council and recommended approval of the request.)

Resolution #86-2018 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilman Blackmon, second by Councilman Davenport to approve Resolution 86-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

20.

Action that is necessary to accept recommendation from Police Chief Kelley Johnson to approve resolution declaring ten (10) radar units, one (1) directional box, one (1) Federal siren control, two (2) sirens, one (1) Wheeler control, one (1) light bar, and an assortment of laptop mounting equipment pieces as surplus property no longer needed for municipal purposes, and authorizing disposal of said equipment through GovDeals online auction or other appropriate means:

Resolution #87-2018 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 87-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

21.

Action that is necessary to accept recommendation of Interim Code Director Mike Whetstone to approve resolution to accept Request for Quote (RFQ) in the amount of \$16,098.00 from Engle Services for the purchase and installation of two (2) new 5-ton furnaces and a 10-ton split AC unit in the city-owned building housing the Comer Museum and Arts Center--To be paid from City Gov't Improvement Fund (Trust Fund):

Resolution #88-2018 was introduced by Councilman Blackmon; Read by City Clerk.

A motion by Councilwoman Nix, 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, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to approve Resolution 88-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

22.

Action that is necessary to approve resolution adopting FY2019 General Fund Operating Budget for the City of Sylacauga, including related inter-fund transfers and authorizing associated agency contracts for services—Approval gives Mayor authority to execute associated contracts on behalf of City:

Resolution #89-2018 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilwoman Nix, 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, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to approve Resolution 89-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

23. Action that is necessary to approve resolution authorizing a 2% Cost of Living (COLA) pay increase for all full-time city employees to become effective with the pay period ending November 9, 2018:

Resolution #90-2018 was introduced by Councilwoman Nix; Read by City Clerk.

A motion by Councilman Blackmon, second by Councilman Davenport to suspend the rules and give immediate consideration was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilman Fowler, second by Councilwoman Nix to approve Resolution 90-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

24. Action that is necessary to approve resolution establishing the part-time rate of pay for P/T Firefighters at \$11.95, the part-time rate of pay for P/T Police Officers at \$15.93, and the part-time rate of pay for P/T Animal Shelter employees at \$10.75 to become effective with the pay period ending November 9, 2018:

Resolution #91-2018 was introduced by Councilman Blackmon; 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, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to approve Resolution 91-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

25. Action that is necessary to approve resolution authorizing renewal of the option and ground lease agreement with Barinowski Investment Co., LLC/Georgia-Carolina Tower Co. authorized by Council 6/21/2016, for the purpose of locating a telecommunications tower on the city-owned property located at 395 Alabama Avenue; Approval by Council authorizes Mayor to execute Option, Ground Lease Agreement, and any other related documents:

Resolution #92-2018 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, Davenport; Nays: None.

Upon unanimous consent by Council to give resolution immediate consideration:

A motion by Councilman Blackmon, second by Councilman Davenport to approve Resolution 92-2018 was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

26. Action that is necessary to approve a one-time appropriation in an amount of up to \$40,000.00 to the Sylacauga Parks & Recreation Dept. to provide funding toward the tennis court resurfacing/repair project—*To be paid from Capital Improvement Reserve Fund with the BOE to pay 20% of the total.*

A motion by Councilman Fowler, second by Councilwoman Nix to authorize a one-time appropriation to the Sylacauga Parks & Recreation Dept. in the amount and for the purpose stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

27. Action that is necessary to authorize Mayor James Heigl to execute a revised renewal agreement with Alabama Institute for Deaf and Blind (AIDB) adding a two-hour minimum per request at an hourly rate of \$55.00, for the provision of sign language interpreting services during the period from 10/01/2018 through 9/30/2019 (agreement authorized 11-07-2017; renewal authorized 9/18/2018):

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

28. Action that is necessary to accept recommendation from Interim Code Director Mike Whetstone to seek bids for replacing city hall HVAC units, RTU 1 and RTU 2—*To be paid from Bond Proceeds:*

A motion by Councilman Fowler, second by Councilwoman Nix to authorize action as recommended was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

29. Action that is necessary to accept recommendation from Interim Code Director Mike Whetstone to authorize disconnection of water services provided at the following sites:

Syl Parks/Rec - Fairmont Park, Commerce Drive, no current account
Syl Parks/Rec - Noble Park Sprlk, Account #217016098
Syl Parks/Rec - Noble Park Old Pavilion, Account #217016099
Syl Parks/Rec - Noble Park Dump Station, Account #217016200
Syl Babe Ruth - E 10th St, Account #218003904
Syl Parks/Rec - Pinecrest Walking Track, Coaling Rd, Account #113010901
Syl Beautification - N Broadway @ Family Dollar, Account #150030301
Syl Beautification - N Broadway @ former Sears, Account #150030701
Syl Beautification - Ft Williams & Hwy 280, Account #205004200
Syl Beautification - Norton Ave @ former Cupboards, Account #338002505
Syl Beautification - N Norton @ Express Lube, Account #338011200
Syl Beautification - Hwy 21 & Hwy 280 sign, Account #128012202
Syl Beautification - Ogletree Plaza (former Peoples Bk) Account #306000501
Syl Beautification - N Broadway, Kiwanis, Account #337007900
Syl Beautification - Post Office @ SHS, Account #336003400
Ft Williams Cemetery - 102 E Ft Williams, Account #323004900

A motion by Councilwoman Nix, second by Councilman Fowler to authorize disconnection of water services as recommended was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

30. Action that is necessary to accept recommendation from Interim Code Director Mike Whetstone to seek bids for repair/upgrade to backflow prevention devices at various identified city locations—*City will fund project; Funding source to be determined at time of award:*

A motion by Councilwoman Nix, second by Councilman Fowler to authorize action as recommended and as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

31. Action that is necessary to approve travel/expenses for Code Enforcement Administrative Secretary Shannon Plexico to attend the Alabama City/County Management Association Certificate Program: *Leadership & Effective Public*

Management segment of the Local Government Professional Management Certificate Program to be held in Prattville, November 15-16, 2018—Registration fee is \$195.00; Additional costs for mileage and meals will be incurred—Estimated total cost of travel/training for Plexico is \$350.35:

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

32. Action that is necessary to approve travel/expenses for HR Specialist Jayne McGee to attend the Alabama City/County Management Association Certificate Program: Law & Ethics for Public Management segment of the Local Government Professional Management Certificate Program to be held in Prattville, December 13-14, 2018—Registration fee is \$195.00; Additional cost for meals will be incurred, No mileage reimbursement was requested—Estimated total cost of travel/training for McGee is \$225.00:

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

33. Action that is necessary to approve travel/expenses for Accounting Clerk Sandy Sorensen to attend the Auburn University Government & Economic Development Institute Benefits Administration (CEU) segment to be held in Auburn, December 7, 2018—Registration fee is \$150.00; Additional costs for meals and mileage will be incurred—Estimated total cost of travel/training for Sorensen is \$236.07:

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

34. Action that is necessary to authorize payments totaling \$17,435.75 for additional fiscal year-end accounts payable invoices received for September, 2018:

A motion by Councilman Fowler, second by Councilwoman Nix to authorize payment of FY2018 accounts payable invoices as presented was carried by the following roll call vote: Yeas: Fowler, Nix, Perryman, Blackmon, Davenport; Nays: None.

35. Action that is necessary to authorize payments totaling \$238,472.49 for accounts payable invoices received to date for October, 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, Davenport; Nays: None.

36. Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council. Jonathan Hall, representing the area veterans, reminded everyone of the Veterans Day parade to be held on 11/12/2018, beginning at 10:00 a.m. The parade will start at Legion Stadium and proceed down Broadway to First Street, over to Norton and then back up Norton to the stadium starting point.

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

(Time of adjournment 6:46 p.m.)

APPROVED BY COUNCIL NOVEMBER 20, 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 November 6, 2018.



Patricia G. Carden, City Clerk-Treasurer