

City of Sylacauga
City Council Agenda
November 7th, 2023

1. Called meeting to order at 6:05 by Council President, Ashton Fowler.
2. Roll Call: Councilmembers present included - Ashton Fowler, Nate Brewer, Laura Heath, Tiffany Nix, and Lee Perryman; Councilmembers absent: None. Mayor James Heigl and City Clerk-Treasurer Alexandra Lambert were also present.
3. Invocation was provided by Councilmember Brewer prior to the work session.
4. Pledge of Allegiance to the Flag.
5. Report from Mayor Heigl:

Mayor Heigl shared a letter from Ruth Truss, President of the Alabama Historical Association. Sylacauga was recently chosen for The Alabama Historical Association's Fall Pilgrimage, which took place on October 27th and 28th. Truss expressed gratitude for the warm welcome extended to the association, highlighting the city's remarkable commitment to preserving its rich history. In the letter, Truss specifically thanked Sylacauga for its warm hospitality and underscored the positive impression left by the city's historical preservation efforts. Mayor Heigl also shared that the city currently has 23 vacancies in various city departments.

6. Adopt Agenda: President Fowler notated the addition of Agenda Item # 9.

A motion by Councilmember Perryman, second by Councilmember Nix 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 work session held October 17th, 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 City Council meeting held October 17th, 2023:

A motion by Councilmember Brewer, second by Councilmember Nix 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. ADD ITEM: Action that is necessary to approve Resolution No. 72-2023 to establish a clear and transparent fee structure that will contribute to the financial stability of the Animal Shelter and support its ongoing operations. (Adoption fees increased from \$75.00 to \$80 for felines; \$100 to \$120 for canines; and reclaiming fees from \$20.00 for the first day of impoundment to \$50.00 for the first day of impoundment.)

A motion by Councilmember Nix, second by Councilmember Perryman to approve Resolution No. 72-2023 to establish a clear and transparent fee structure that will contribute to the financial stability of the Animal Shelter and support its ongoing operations was carried by the following roll call vote:
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.

10. Action that is necessary to rescind partially unexpended funds in the amount of \$2,364.03 from FY23 Special Operating Budget 012 – Capital Improvement Reserve Fund established in Resolution No. 27-2023.

A motion by Councilmember Brewer, second by Councilmember Heath to rescind partially unexpended funds in the amount of \$2,364.03 from FY23 Special Operating Budget 012 – Capital Improvement Reserve Fund established in Resolution No. 27-2023 was carried by the following roll call vote:

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

11. Action that is necessary to approve Resolution No. 73-2023 to reallocate \$2,364.03 to the FY24 Special Operating Budget 012 – Capital Improvement Reserve Fund for the purchase of Kenwood Viking VM 5000 700/800 MHz Radio for the Fire Department's 2023 Ford Expedition and to reallocate the remaining balance of \$795.38 from the FY24 Fire Department's earmarked funds established by Resolution No. 23-2023 to FY24 Special Operating Budget 012 – Capital Improvement Reserve Fund.

A motion by Councilmember Heath, second by Councilmember Nix to approve Resolution No. 73-2023 to reallocate \$2,364.03 to the FY24 Special Operating Budget 012 – Capital Improvement Reserve Fund for the purchase of Kenwood Viking VM 5000 700/800 MHz Radio for the Fire Department's 2023 Ford Expedition and to reallocate the remaining balance of \$795.38 from the FY24 Fire Department's earmarked funds established by Resolution No. 23-2023 to FY24 Special Operating Budget 012 – Capital Improvement Reserve Fund was carried by the following roll call vote:

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

12. Action that is necessary to approve the purchase of a Kenwood Viking VM 5000 700/800 MHz Radio for the Fire Department's 2023 Ford Expedition in the amount of \$3,159.41 from FY24 Special Operating Budget 012 – Capital Improvement Reserve Fund.

A motion by Councilmember Brewer, second by Councilmember Perryman to approve the purchase of a Kenwood Viking VM 5000 700/800 MHz Radio for the Fire Department's 2023 Ford Expedition in the amount of \$3,159.41 from FY24 Special Operating Budget 012 – Capital Improvement Reserve Fund was carried by the following roll call vote:

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

13. Action that is necessary to approve Resolution No. 75-2023 to approve \$6,157.80 from FY24 Fire Department's earmarked funds established in Resolution No. 23-2023 to be reallocated to FY24 Special Operating Budget 012 – Capital Improvement Reserve Fund for the repair of the concrete pad in front of Fire Station 1.

A motion by Councilmember Brewer, second by Councilmember Perryman to approve Resolution No. 75-2023 to approve \$6,157.80 from FY24 Fire Department's earmarked funds established in Resolution No. 23-2023 to be reallocated to FY24 Special Operating Budget 012 – Capital Improvement Reserve Fund for the repair of the concrete pad in front of Fire Station 1 was carried by the following roll call vote:

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

14. Action that is necessary to approve and authorize Resolution No. 74-2023 for the Mayor to enter into and sign the agreement with Lathan Associates Architects, P.C and the City of Sylacauga for design and architectural services to prepare roofing and waterproofing of the Isabel Anderson Comer Museum and Arts Center for bid.

A motion by Councilmember Brewer, second by Councilmember Nix to approve and authorize Resolution No. 74-2023 for the Mayor to enter into and sign the agreement with Lathan Associates Architects, P.C and the City of Sylacauga for design and architectural services to prepare roofing and waterproofing of the Isabel Anderson Comer Museum and Arts Center for bid was carried by the following roll call vote:

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

15. Action that is necessary to appoint Lucretia Holley to five-year term for the Tree Commission set to expire June 2028. (*Lucretia Holley is the only applicant.*)

A motion by Councilmember Brewer, second by Councilmember Perryman to appoint Lucretia Holley to the vacated five-year term for the Tree Commission set to expire June 2028 was carried by the following roll call vote:

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

16. Action that is necessary to appoint a B.B. Comer Memorial Library Board member to the expiring five year term. New term will be effective through October 2028. (*Expiring term held by Amy Price. Two applicants applied; Amy Price and Julie Boycott.*)

Council President opens the floor & called for nominations:

Nominations:

1) Councilmember Nix nominates Amy Price.

Hearing no other nominations, Council President called for nominations to be closed:

A motion by Councilmember Nix, second by Councilmember Heath to close nominations was carried by the following roll call vote:

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

Council President closes the floor & called for the vote on nominations:

Vote on nominations:

1) Those in favor of Amy Price

Roll call vote (Yeas); Fowler, Brewer, Heath, Nix, Perryman

Roll call vote (Nays); None

A motion by Councilmember Brewer second by Councilmember Nix to appoint Amy Price to the B. B. Comer Memorial Library Board to the expiring five year term. New term will be effective through October 2028 was carried by the following roll call vote:

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

17. Action that is necessary to appoint a Sylacauga Health Care Authority board member to the expired six year term. New term effective through August 2029. (*Expired term held by Shirley Spears. Two applicants applied. Steve Marlowe and Shirley Spears.*)

Council President opens the floor & called for nominations:

Nominations:

1) Councilmember Brewer nominates Steve Marlow.

2) Councilmember Perryman nominates Shirley Spears.

Hearing no other nominations, Council President called for nominations to be closed:

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

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

Council President closes the floor & called for the vote on nominations:

Vote on nominations:

1) Those in favor of Steve Marlow

Roll call vote (Yeas) Brewer and Fowler.

Roll call vote (Nays) Heath, Nix, and Perryman.

If no majority of votes: (2nd nominee named vote)

- 2) Those in favor of Shirley Spears
Roll call vote (Yeas) Heath, Nix, and Perryman.
Roll call vote (Nays) Brewer and Fowler.

*A motion by Councilmember Nix, second by Councilmember Perryman to appoint Shirley Spears to the Sylacauga Health Care Authority board member to the expired six year term. New term effective through August 2029 was carried by the following roll call vote:
Yeas Fowler, Heath, Nix, Perryman; Nays Brewer.*

18. Action that is necessary to approve 2024 Holiday Schedule.

*A motion by Councilmember Brewer, second by Councilmember Heath to approve the 2024 Holiday Schedule was carried by the following roll call vote:
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

19. Action that is necessary to approve 2024 City Council Meeting Schedule.

*A motion by Councilmember Brewer, second by Councilmember Perryman to approve the 2024 City Council Meeting Schedule was carried by the following roll call vote:
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

20. Action that is necessary to approve Fiscal Year 2023 Accounts Payable invoices in the amount of \$407,814.29.

*A motion by Councilmember Perryman, second by Councilmember Nix to approve Fiscal Year 2023 Accounts Payable invoices in the amount of \$407,814.29 was carried by the following roll call vote:
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

21. Action that is necessary to approve Fiscal Year 2024 Accounts Payable invoices in the amount of \$353,230.71.

*A motion by Councilmember Brewer, second by Councilmember Perryman to approve Fiscal Year 2024 Accounts Payable invoices in the amount of \$353,230.71 was carried by the following roll call vote:
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

22. Action that is necessary to approve October 2023 payroll in the amount of \$446,846.22.

*A motion by Councilmember Nix, second by Councilmember Perryman to approve September payroll in the amount of \$446,846.22 was carried by the following roll call vote:
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.*

23. Election of City Council President for the next twelve-month period:

Nominations:

- 1) Councilmember Brewer nominates Ashton Fowler
- 2) Councilmember Nix nominates Laura Barlow-Heath

Hearing no other nominations:

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

Vote on nominations: (1st nominee named; proceed to #2 if no majority vote)

- 1) Those in favor of Fowler
Roll call vote (Yeas) Brewer and Fowler.
Roll call vote (Nays) Heath, Nix, and Perryman.

If no majority of votes: (2nd nominee named; proceed to #3 if no majority vote)

- 2) Those in favor of Laura Barlow-Heath
Roll call vote (Yeas) Heath, Nix, and Perryman.

Roll call vote (Nays) Brewer & Fowler.

Council President Fowler declares Laura Barlow Heath elected as President and Presiding Officer of the City Council, and relinquishes chair to newly elected Presiding President of Council.

24. Election of City Council President Pro Tempore of City Council for the next twelve-month period:

Nominations:

- 1) *Councilmember Brewer nominates Ashton Fowler*
- 2) *Councilmember Nix nominates Lee Perryman.*

Hearing no other nominations:

A motion by Councilmember Perryman, second by Councilmember Nix to close nominations was carried by the following roll call vote:

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

Vote on nominations:

- 1) *Those in favor of Fowler*

Roll call vote (Yeas) Brewer and Fowler

Roll call vote (Nays) Perryman, Nix, & Heath.

If no majority of votes:

- 2) *Those in favor of Perryman*

Roll call vote (Yeas) Perryman, Nix, and Heath.

Roll call vote (Nays) Brewer and Fowler.

President of Council declares Lee Perryman elected as President Pro Tempore of the City Council.

25. 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.)

Jane Crowfoot – 308 E 3rd St

Pastor D Forrest Godfrey and Denise – 409 E 5th St

Crowfoot and the Godfreys addressed the council concerning issues in the Buttermilk Hill area of Sylacauga, expressing concerns about dilapidated houses, walkable sidewalks, and various other matters. Crowfoot emphasized the need for equitable resource allocation, ensuring her neighborhood receives the same attention as others in Sylacauga. She expressed a collaborative approach, seeking solutions rather than assigning blame. Crowfoot sought information on the steps that would be taken to address these issues. Pastor Godfrey highlighted similar problems near New Beginnings Church, citing instances like an extension cord connected to an abandoned home. Councilmember Nix assured Crowfoot and the Godfreys that she would work on determining a plan suitable for all. Crowfoot thanked Nix and requested that the entire council review the packet she had prepared for them.

Sondra Epperson – 946 Marble City Heights Cir

Epperson addressed the council concerning a school bus that regularly backs up on her street. She emphasized that this practice causes traffic behind it to back up, potentially creating a hazardous situation. Epperson requested that the council investigate and address this concern.

26. Action needed to go into executive session to discuss certain matters for which an executive session is allowed pursuant to Section 36-25A-7(a)(3) Code of Alabama 1975, as amended:

Council President Laura Barlow-Heath read letter from City Attorney, Edwin B. Livingston, Jr., recommending and detailing the Open Meetings Act section allowing such executive session.

A motion by Councilmember Perryman, second by Councilmember Brewer to enter executive session was carried by the following roll call vote:
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.

Heath stated that once Council concludes its business of the executive meeting, that Council will adjourn the city council meeting immediately following the executive session.

All Council members, Mayor Heigl, Mayor's Admin. Asst. Kassey Epperson, City Clerk/Treasurer Alexandra Lambert, and City Attorney Win Livingston entered into executive session at approximately 6:37 p.m.

A motion by Councilmember Brewer, second by Councilmember Nix to exit executive session was carried at approximately 6:50 p.m. by the following roll call vote:
Yeas Fowler, Brewer, Heath, Nix, Perryman; Nays None.

27. Having no further business to discuss:

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

(Time of adjournment: 6:50.)

APPROVED BY COUNCIL November 21st, 2023


Laura Barlow-Heath
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 November 7th, 2023.


Alexandra Lambert, City Clerk-Treasurer
City of Sylacauga