

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF SYLACAUGA HELD DECEMBER 21, 2021**

1. Meeting was called to order at 6:02 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 Pastor Jeff Weathers, Sycamore Baptist Church, 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 wished everyone a Merry Christmas and Happy New Year. Council President Perryman announced that applications were currently being accepted for the Historical Commission, Tree Commission, and Zoning Board of Adjustments and Appeals through January 19, 2022.
6. Adopt Agenda:  
*A motion by Councilman Brewer, second by Councilwoman Heath to amend agenda to add Item #27 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 December 7, 2021:  
*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:**

8. Public hearing to consider abatement of nuisance structure located at 412 N Hubbard Avenue identified through CDBG Project LR-CE-PF-19-01; *Public Hearing set November 16, 2021 by Resolution 104-2021:*  
**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.**  
**Resolution #110-2021** was introduced by Councilwoman Nix; Dispensed with reading of the resolution.  
*A motion by Councilwoman Heath, second by Councilman Brewer 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 Fowler to approve Resolution #110-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*
9. Public hearing to consider abatement of nuisance structure located at 180 Cleveland Avenue identified through CDBG Project LR-CE-PF-19-01; *Public Hearing set November 16, 2021 by Resolution 104-2021:*  
**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.**

**Resolution #111-2021** was introduced by Councilwoman Nix; 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 Nix, second by Councilman Brewer to approve Resolution #111-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

10. Public hearing to consider abatement of nuisance structure located at 413 Basement Circle identified through CDBG Project LR-CE-PF-19-01; *Public Hearing set November 16, 2021 by Resolution 104-2021:*

**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.**

**Resolution #112-2021** was introduced by Councilwoman Nix; Dispensed with reading of the resolution.

*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, 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 #112-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

11. Public hearing to consider abatement of nuisance structure located at 55 Falcon Lane identified through CDBG Project LR-CE-PF-19-01; *Public Hearing set November 16, 2021 by Resolution 104-2021:*

**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.**

**Resolution #113-2021** was introduced by Councilwoman Nix; Dispensed with reading of the resolution.

*A motion by Councilwoman Heath, second by Councilman Brewer 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 #113-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.*

12. Public hearing to consider abatement of nuisance structure located at 50 Jackson Avenue identified through CDBG Project LR-CE-PF-19-01; *Public Hearing set November 16, 2021 by Resolution 104-2021:*

**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.**

**Resolution #114-2021** was introduced by Councilwoman Nix; 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 #114-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

13.

Public hearing to consider abatement of nuisance structure located at 205 S Western Avenue identified through CDBG Project LR-CE-PF-19-01; Public Hearing set November 16, 2021 by Resolution 104-2021:

**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.**

**Resolution #115-2021** was introduced by Councilwoman Nix; 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 115-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

14.

Public hearing to consider abatement of nuisance structure located at 206 East Park Street identified through CDBG Project LR-CE-PF-19-01; Public Hearing set November 16, 2021 by Resolution 104-2021:

**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.**

**Resolution #116-2021** was introduced by Councilwoman Heath; Dispensed with reading of the resolution.

A motion by Councilwoman Nix, second by Councilman Brewer 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 Councilwoman Heath to approve Resolution #116-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

15.

Public hearing to consider abatement of nuisance structure located at 906 North Anniston Avenue identified through CDBG Project LR-CE-PF-19-01; Public Hearing set November 16, 2021 by Resolution 104-2021:

**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.**

**Resolution #117-2021** was introduced by Councilwoman Nix; 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 #117-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

16.

The Council will now 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 will return to complete the council meeting in approximately twenty minutes:

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

All Council members, the City Attorney, Mayor, Interim City Clerk, and Mayor's Adm. Asst. entered into executive session at approximately 6:12 p.m.

A motion by Councilman Brewer, second by Councilwoman Heath to exit executive session was carried at approximately 6:40 p.m. by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

A motion by Councilwoman Nix, second by Councilwoman Heath to reconvene the council meeting was carried at approximately 6:41 p.m. by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

17.

Action that is necessary to approve resolution authorizing a tax abatement to Merryweather Foam, Inc. for a 30,000 square foot expansion with a capital investment of \$2,300,000.00:

**Resolution #118-2021** was introduced by Councilman Brewer; Dispensed with reading of resolution.

A motion by Councilwoman Heath, second by Councilman Brewer 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 #118-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

18.

Action that is necessary to approve resolution accepting opioid settlement agreement between the State of Alabama vs. Endo Health Solutions, Inc. et al. (Civil Action No. 03-CV-2019-901174.00), authorizing deposit of restricted settlement funds received by the City, after the payment of legal fees and other costs of litigation, and allocating use of settlement funds for the mitigation and prevention of drug use within the city limits of Sylacauga; action authorizes Mayor Heigl to sign agreement on behalf of the City:

**Resolution #119-2021** was introduced by Councilman Brewer; Dispensed with reading of 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 #119-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.

19. Action that is necessary to approve resolution rejecting the one bid received for Demolition of Existing Pool Area and Site Development for New Splash Pad; only bid received was incomplete and failed to meet bid specifications; Action authorizes action to consult with ADECA and defer bidding to a later date:
- Resolution #120-2021** was introduced by Councilwoman Nix; Dispensed with reading of the resolution.
- 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, Brewer, Perryman, Heath; Nays: None.
- Upon unanimous consent to consider resolution at this meeting,**  
A motion by Councilwoman Nix, second by Councilman Fowler to approve Resolution #120-2021 was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
20. Action that is necessary to accept ADEM contentions set forth in Consent Order dated November 2, 2021:  
A motion by Councilwoman Nix, 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.
21. Action that is necessary to authorize travel/training expenses for PD Chief Kelley Johnson, Captain Rondell Muse, Lt. Renea Cummings, and Lt. Willis Whatley to attend the AACOP Chief's Winter Conference in Mobile, February 28-March 3, 2022. Registration fee of \$200.00 each; additional expenses for lodging, meals, and fuel will be incurred. Total estimated expenses for Johnson, Muse, Cummings, and Whatley are \$1,428.67 per employee:  
A motion by Councilman Brewer, second by Councilwoman Heath to approve travel/training expenses as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
22. Action that is necessary to authorize travel/training expenses for Fire Chief Nate Osgood to attend the Alabama Fire College Chief's Executive Development Program in Birmingham February 6-10, 2022. Registration fee of \$200.00; additional expenses for lodging and meals will be incurred. Total Estimated expenses for Osgood are \$732.46.  
A motion by Councilman Brewer, second by Councilwoman Heath to approve travel/training expenses as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
23. Action that is necessary to authorize travel/training expenses for Firefighter Clint Payton to attend the Alabama Fire College Apparatus Operator: Pumper course in Alexander City, January 10-14, 2022. No registration fee; expenses for meals will be incurred. Total estimated expenses for Payton are \$75.00:  
A motion by Councilwoman Heath, second by Councilman Brewer to approve travel/training as requested was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
24. Action that is necessary to authorize payments totaling \$415,767.24 for November payrolls:  
A motion by Councilwoman Nix, second by Councilman Fowler to approve payments as stated was carried by the following roll call vote: Yeas: Fowler, Nix, Brewer, Perryman, Heath; Nays: None.
25. Action that is necessary to authorize payments totaling \$1,162.50 for additional FY21 accounts payable invoices received:

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

**26.** Action that is necessary to authorize payments totaling \$206,910.46 for balance of November accounts payable invoices:

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

**27.** Action that is necessary to authorize seeking bids for the replacement of fencing at the Donald Comer Complex:

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.

**28.** Council President asked anyone wishing to address Council to come to the microphone & state name and address for record prior to addressing Council. Council Members Brewer and Heath wished everyone a Merry Christmas.

**29.** Having no further business to discuss,

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

(Time of adjournment 6:48 p.m.)

APPROVED BY COUNCIL JANUARY 6, 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 December 21, 2021.



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