

City of Sylacauga
City Council Agenda
June 4th, 2024

1. Called meeting to order at 6:00 p.m. by Council President, Tiffany Nix.
2. Roll Call:
Councilmembers present included – Tiffany Nix, Nate Brewer, Ashton Fowler, Lee Perryman and Laura Barlow-Heath. Councilmembers absent: None. Mayor James Heigl and City Clerk-Treasurer Alexandra Lambert were also present.
3. Invocation was provided by Nate Osgood prior to the work session.
4. Pledge of Allegiance to the Flag.
5. Adopt Agenda:
*A motion by Councilmember Brewer, second by Councilmember Fowler to adopt agenda was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*
6. Approve minutes of the regular work session held May 23rd, 2024:
*A motion by Councilmember Brewer, second by Councilmember Fowler to approve minutes as written was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*
7. Approve minutes of the regular City Council meeting held May 23rd, 2024:
*A motion by Councilmember Brewer, second by Councilmember Fowler to approve minutes as written was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*

Old Business:

None

New Business:

8. Public hearing to enter into an Amended and Restated Development Agreement with Wharf Casual Seafood Sylacauga, LLC.

Council President Nix announced speakers are limited to 5 minutes each and groups presenting or supporting the same or similar opinions are limited to 1 representative speaker. Nix then opened the public hearing and called for comments.

No Comments

Council President Nix then closed the public hearing and called for action by Council.

If to consider at this meeting:

Resolution No. 56-2024 as introduced by Councilmember Perryman.

If to take action at this meeting:

*A motion by Councilmember Brewer, second by Councilmember Fowler to suspend the rules and give immediate consideration was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*

If unanimous:

A motion by Councilmember Brewer, second by Councilmember Fowler to approve Resolution No. 56-2024 was carried by the following roll call vote:

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

*Council meeting temporarily adjourned at 6:03 p.m. to finish Work Session Meeting.
Council meeting reconvened at 6:12 p.m.*

9. Report from Mayor Heigl:

Mayor Heigl noted that in June of last year, a proclamation was made declaring June 14th as Lucille Anderson Day in the City of Sylacauga. Heigl extended an invitation to citizens to attend a dedication ceremony on July 14th at 10:00 AM at the Sylacauga Municipal Building in honor of Lucille Anderson and her many contributions to the city. Refreshments will be provided.

10. Action that is necessary to approve revised Ordinance No. 2268-24 Back-to-School and Severe Weather Preparedness State Sales Tax Holiday approved by the Sylacauga City Council May 23rd, 2024. *(This is at the direction of the Alabama Department of Revenue.)*

*A motion by Councilmember Brewer, second by Councilmember Fowler to approve revised Ordinance No. 2268-24 Back-to-School and Severe Weather Preparedness State Sales Tax Holiday approved by the Sylacauga City Council May 23rd, 2024 was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*

11. Action that is necessary to approve Resolution No. 63-2024 to amend Resolution No. 49-2024 FY24 General Fund Operating Budget for the City of Sylacauga to provide funding for Contract & Entities Budget Amendment Requests. *(This is to amend the budget amendment for the Parks & Recreation Department to reflect a decrease from the general budget to earmarked money totaling \$22,267.40*

*A motion by Councilmember Brewer, second by Councilmember Fowler to approve Resolution No. 63-2024 to amend Resolution No. 49-2024 FY24 General Fund Operating Budget for the City of Sylacauga to provide funding for Contract & Entities Budget Amendment Requests was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*

12. Action that is necessary to approve Resolution No. 64-2024 to accept the bid for improvements to the Sylacauga Municipal Airport Taxiway Rehabilitation with Dunn Construction Company, Inc. of Birmingham, Alabama (AGCL No 8.), contingent upon available funds.

*A motion by Councilmember Perryman, second by Councilmember Brewer to approve Resolution No. 64-2024 to accept the bid for improvements to the Sylacauga Municipal Airport Taxiway Rehabilitation with Dunn Construction Company, Inc. of Birmingham, Alabama (AGCL No 8.), contingent upon available funds was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*

13. Action that is necessary to approve the vehicle transfer of a 2002 Ford F-150, VIN 1FTRF17W62KC01558 from Administration & Finance to the Shop Department.

*A motion by Councilmember Brewer, second by Councilmember Fowler to approve the vehicle transfer of a 2002 Ford F-150, VIN 1FTRF17W62KC01558 from Administration & Finance to the Shop Department was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*

14. Action that is necessary to approve Budget Amendment to move funds within the Administration & Finance Department totaling \$31,540.09. *(See attached Budget Amendment. No additional funds requested.)*

*A motion by Councilmember Brewer, second by Councilmember Fowler to approve Budget Amendment to move funds within the Administration & Finance Department totaling \$31,540.09 was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.*

15. Action that is necessary to approve Budget Amendment to transfer Nuisance Abatement Expense from Building Services Department (010-571-42521-000) to the Police Department (010-520-42521-000) totaling \$166,354.44. *(No additional funds requested.)*

A motion by Councilmember Brewer, second by Councilmember Fowler to approve Budget Amendment to transfer Nuisance Abatement Expense from Building Services Department to the Police Department totaling \$166,354.44 was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.

16. Action that is necessary to approve Budget Amendment to transfer Workman's Comp Insurance Expense from Administration & Finance (010-512-44504-000) to the Appropriation Flagpole R/M Expense (010-586-46504-000) totaling \$2,000.00. *(No additional funds requested.)*

A motion by Councilmember Brewer, second by Councilmember Fowler to approve Budget Amendment to transfer Workman's Comp Insurance Expense from Administration & Finance to the Appropriation Flagpole R/M Expense totaling \$2,000.00 was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.

17. Action that is necessary to approve refund for garbage services to Michael Baker, 878 Centerpoint Road from June through December 2023 totaling \$132.72.

A motion by Councilmember Brewer, second by Councilmember Fowler to approve refund for garbage services to Michael Baker, 878 Centerpoint Road from June through December 2023 totaling \$132.72 was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.

18. Action that is necessary to appoint Board of Education Board member to the five year term expiring April 2029. *(Term expired for Amy Price. Six applicants applied: Yamira Danso, Britney Green, Blaine Green, Steve Heartstil, John Parrish, and Cedric Debarlabon.)*

Council President opens the floor and calls for nominations:

Nominations:

- 1) Councilmember Fowler nominated Blaine Green.
- 2) Councilmember Perryman nominated John Parrish

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

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

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

Council President Nix closed the floor and calls for the vote on nominations:

Vote on nominations: Those in favor of Blaine Green

Roll call vote

(Yeas) Nix, Fowler, Perryman and Barlow-Heath.

Those opposed: Roll call vote (Nays) None.

Councilmember Brewer recused himself from the vote due to his employment with Sylacauga City Schools.

Action that is necessary to approve appointment of Blaine Green to the Board of Education to the five year term expiring April 2029.

A motion by Councilmember Fowler, second by Councilmember Barlow-Heath to approve appointment of Blaine Green to the Board of Education to the five year term expiring April 2029 was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.

19. Action that is necessary to approve Fiscal Year 2024 Accounts Payable invoices totaling \$119,552.84.

A motion by Councilmember Brewer, second by Councilmember Perryman to approve Fiscal Year 2024 Accounts Payable invoices totaling \$119,552.84 was carried by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman, Barlow-Heath; Nays None.

20. 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.)

Managing Director in Public Finance at Piper Sandler Company, Walter Lewis - Lewis addressed the council regarding the need for the audit to be completed in order to obtain a warrant issuance. Lewis noted that if the warrant is issued before September 30, 2024, it could be done without the completion of the FY23 audit.

21. 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)(3) Code of Alabama 1975, as amended:

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

Livingston will suggested going into executive session in order to have discussions of legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated if the governmental body pursues a proposed course of action.

Council President Nix called for Council action on the recommendation:

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

Nix stated that once Council concludes the executive session Council will reconvene city council meeting.

All Council members, Mayor Heigl, City Attorney Edwin Livingston, Human Resources Specialist, Jayne McGee and City Clerk-Treasurer, Alexandra Lambert entered into executive session at approximately 6:27 p.m.

Councilmember Barlow-Heath left meeting at 6:47 p.m.

A motion by Councilmember Brewer, second by Councilmember Perryman to exit executive session was carried at approximately 6:48 p.m. by the following roll call vote:
Yeas Nix, Brewer, Fowler, Perryman; Nays None.

22. Having no further business to discuss, motion to adjourn:

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

(Time of adjournment: 6:50p.m.)

APPROVED BY COUNCIL June 18th, 2024



Tiffany Nix, 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 June, 4th 2024.



Alexandra Lambert, City Clerk-Treasurer
City of Sylacauga