



**CITY OF CREOLA**  
**P O BOX 490**  
**CREOLA, AL 36525**  
**251-675-8142**  
**FAX: 251-675-6146**

Donald Nelson  
Mayor

Ralph Walker

Kenneth Walker

James Ivy

Kenneth Moss

Mark Howell

Councilmen

Kim W. Pettway  
City Clerk

Linda Hoiles  
Court Clerk

Jerry Taylor  
Chief of Police

---

---

**AGENDA FOR THE CITY OF CREOLA COUNCIL MEETING**  
**HELD AT CREOLA CITY HALL ON**  
**September 13, 2012 @ 7:00PM**

Mayor called the meeting to order  
Councilman Moss gave invocation.  
Upon the call of roll, the following were found to be present:

Mayor Nelson  
Councilman R. Walker  
Councilman K. Walker  
Councilman Ivy  
Councilman Moss  
Councilman Howell

Christie filled in for City clerk.

Minutes from the council meeting held August 23, 2012 were presented.  
Councilman Moss made a motion to accept the minutes from the last meeting held.  
Councilman K. Walker seconded, all favored, none opposed, motion carried.

Minutes from the council meeting held to canvass election on September 4, 2012.  
Councilman R. Walker made a motion to accept the minutes from the last meeting held.  
Councilman K. Walker seconded, all favored, none opposed, motion carried.

Councilman Howell questioned how to handle the place 2 situation. Mayor states he has a letter from Attorney Jay Ross that explains that he will present later.

**CITIZENS ADDRESSING THE COUNCIL**

Mayor states that if anyone speaks or addresses the council to be respectful of everyone's feelings.

Councilman Ivy recognized Mr. Don Sutton for coming to the meeting.

Mr. Wayne Fisher asked what the status of the telephone poles being moved on Crisswell and Quinley so the road can be paved. Mayor states in a day or 2 the lines will be moved.

Mayor states no change on Bell Drive, the County is still waiting on bids to come in.

### **RESOLUTIONS, ORDINANCES OTHER BUSINESS**

Mayor states he is deeply saddened by what has happened with the election process.

Mayor states according to the city acting attorney Jay Ross, once the runoff was set between Gary Davis and Curtis Heathcoe that was the final vote. Since Mr. Davis has withdrawn from the election there will not be a runoff. Mr. Heathcoe will be appointed and the canvass has to be made in a motion.

Mayor read the canvass election for Mr. Curtis Heathcoe.

Councilman R. Walker states that he would like to get rid of the attorney because he should have stepped up and let the people know if they could not run. He also don't feel like they are doing the citizens of Creola right in nominating Mr. Heathcoe when there was another man in the running.. He feels there should be another election between these two people. Mayor states that acting Attorney Ross did not give the initial advice it came from the Alabama League of Municipal and State Attorney General Office.

Councilman K. Walker states he was mad and it is not fair for Gary Davis. He states that they stood in council meeting and asked if he can run and to find out the procedure for him to run and you wait till after the election and then you find out that it is wrong. Somebody did not do their homework. It should have been a run off. The city did not do their homework and this man has to pay. Any time there is a question about something the city should get it in writing. The city clerk and city attorney are supposed to get a ruling and to find out the rules.

Mr. Heathcoe states this is not how he wanted to win.

Mrs. Bryant asked what will happen to the votes of Mr. Davis. Mayor states that Mr. Davis withdrew.

Mayor states that the city got bad advice from several different organizations. A Discussion was held concerning the election candidate that withdrew and why.

Councilman R. Walker states he wants to hear that Mr. Gary Davis withdrew.

Mr. Davis states he felt it was best for the City and he would not be the man that would bring any kind of dark cloud over the city and after bringing this information to light he could not live with himself thinking he might of broke the law so he felt it was best to withdraw from the election. Mr. Davis states he will carry on and still do his job for the city of Creola. Councilman K. Walker states that Mr. Davis is a good man and in 4 years another election will take place.

Councilman K. Walker made a motion to appoint Mr. Heathcoe in Place 2.  
Councilman Moss second, all favored, none opposed, motion carried.

## **Roll Call**

Councilman Howell            yes  
Councilman Moss            yes  
Councilman Ivy            yes  
Councilman K. Walker        yes  
Councilman R. Walker        no  
Mayor Nelson                yes  
Motion carried by majority vote

Councilman Ivy asked Mr. Randy Sutton is he was satisfied with the way things are.  
Mr. Sutton states he is okay.

Councilman R. Walker did not sign the canvass election paper.  
Mayor states he will call to make sure it is legal if one councilman does not sign.

## **PLANNING COMMITTEE**

Mrs. Greene states that there are 2 applications turned in for the meeting on September 18, 2012.  
One is a subdivision (near Hardy) and one is a business.

## **ZONING BOARD OF ADJUSTMENTS**

No business

## **PARKS AND RECREATION**

Councilman Howell states he spoke with the Major of soccer association and they needed fertilizer and goals/ nets for the soccer association for the cost of \$800.00.

## **UTILITIES AND SENIOR CITIZEN**

Councilman Moss states that the center can save money by switching banks.  
Councilman moss states that the light is fixed on the back side of the fire department building.

## **FINANCE**

Councilman Howell made a motion to accept the financial report.  
Councilman Moss second, all favored, none opposed, motion carried.

Councilman R. Walker made a motion to pay bills as presented.  
Councilman Howell seconded, all favored none opposed, motion carried

## **POLICE AND FIRE**

Councilman Ivy states no business for police department  
Fire Chief Reeve's states that the final test is this Saturday and that will put the department at 17 certified fire men and women. This will help the department with grants.  
Chief Reeve's states he would like the council to look into a system called NoxBox which is a company that make unique keys for fire departments. It would cost the customer or residents, not the city or departments. Mrs. Kim will hand out the flyer with business license and flyers should be mailed out to citizens.

Chief Reeves states he put together prices for a vehicle. A vehicle from the state was \$26,000.00. The department can match \$3,000 on an annual payment, and the city would pay \$4,000.00. it would be a lease for 4 years and after the lease you could purchase for \$1.00. Chief Reeves states he would use the vehicle for police, fire and run Ems out of it. Mayor states they will look over finance and read the proposal and get back at the next meeting.

## **STREETS**

No business

Mayor states that he met with Mr. John Cooper from ALDOT for the traffic single on Hwy 43 again.

Mr. Tim Ryals asked about changing the timer on the red light turn lane.

Councilman Howell states that they spoke with Mr. Curry about changing the timer but it has not changed.

Mayor and Councilman K. Walker discussed about changing the speed limit signs and how to do it.

## **ADDITIONAL NOTES**

### **Adjournment**

Councilman Moss made a motion to adjourn the meeting.

Councilman R. Walker second, all favored, none opposed, motion carried.