

**CITY HALL**  
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**CITY OF CREOLA**  
Since 1978

**MAYOR**  
*Donald Nelson*

**CITY CLERK**  
*Marcy Brown*

**CITY COUNCIL**  
*Kendal Hadaway*  
*Cody Chambless*  
*Wendy Lynch*  
*Harold Parmer*  
*Mark Howell*

**MAGISTRATES**  
*Linda Hoiles*  
*Christie Bryant*

**Minutes of the City of Creola Council Meeting**  
**Thursday, May 27, 2021**  
**Creola City Hall**  
**Meeting 6:00 P.M.**

The Council of the City of Creola, Alabama, met in the Creola City Hall at 5:30 p.m. A workshop was held before the Council Meeting, from 5:30-6:00pm. Present at the meeting was Wendy Lynch, Cody Chambless, Mayor Nelson, Harold Parmer, Mark Howell, and Marcy Brown, City Clerk. Kendal Hadaway was absent. The items that were discussed were the Financials, Garbage Service Requirements and bidding, Fireworks, Payoff Loans at Regions, Mims Letter – South Bentley, Ken Smith – Ditch, Resurfacing on Dead Lake Road/I-65 Service Rd, Christmas Tree Lights, FEMA Denial Letter, Street Department Worker, Security at Court and City Hall – Alarm System, Ellison Ave, ALM, and Do Not Litter Signs.

The regular council meeting was called to order by Mayor Nelson at 6:00 p.m. We were led in prayer by Mr. Carl Walker. The Pledge of Allegiance was led by Mayor Nelson.

Roll call was taken by Marcy Brown. Present at the meeting was Mayor Nelson, Wendy Lynch, Cody Chambless, Harold Parmer, Mark Howell, and Marcy Brown, City Clerk. Kendal Hadaway was absent. City Attorney Daniel Mims was also present.

**Item #5 -Approval of the Minutes –**

The minutes of the April 22, 2021 meeting were reviewed. A motion was made by Mr. Howell to accept the minutes of April 8, 2021. The motion was seconded by Mrs. Lynch. All in favor and the motion was carried.

**Item #6- Financials/Bill List-**

The bills were discussed. Mr. Parmer made a motion to accept the bill list as presented. Mr. Chambless seconded the motion. All in favor and the motion was carried.

The financials were discussed. If any would like to see the reports, they are welcome to stop by the city hall. Bank balances were presented. Mr. Howell made a motion to accept the financials and bill list as presented. Mr. Parmer seconded the motion. All in favor and the motion was carried.

#### **Item #7 - Departmental Reports -**

**Police Dept.-** The items on govdeals are doing well and people are bidding on them. The front door at the police station needs repaired, and they are going to start wanding the individuals at court for safety measures.

**Fire Dept. -** EMS is wanting to put a sprint car in our area to help with emergencies to give them quicker access. The Wildland fire gear has arrived.

Mr. Howell made a motion to approve the lights and decals for the fire vehicle. Mr. Parmer seconded the motion. All in favor and the motion was carried.

**Park Dept. -** Almost finished with the park upgrades. Mr. Howell is going to get quotes on the installation of the fencing around the fields.

**SAIL Center Dept -** All is good. Hoping to reopen soon. Mrs. Lynch planted flowers and added weed blockers to beautify the front of the center.

**Zoning Board -** The property for Raceway is being closed on in June and they expect construction to being sometime in late summer. Riverside is wanting to subdivide their property. Names were presented to add to the Board of Adjustments and those individuals will be contacted and voted on at the next meeting.

**Public Works Department -** Working on cutting grass, putting out asphalt, and picking up trash. Still looking for individuals to work for the summer.

#### **Item #9-New Business-**

- a. **Garbage Service Requirement and Bidding -** Mayor Nelson asked Attorney Danny Mims if he would start the process of preparing a bid proposal to advertise for the household garbage and disposal pickup for our residents.
- b. **Fireworks -** Letters have been mailed to businesses asking for a donation for the upcoming fireworks show being held July 4, 2021. Mrs. Lynch made a motion to approve up to \$3000 for the funding of the fireworks show with the city - adding money if the \$3000 was not raised. Mr. Howell seconded the motion. All in favor and the motion was carried.

- c. **Payoff Loans at Regions** – Discussion was made about paying of the SAIL Center car with the funds made by the sale of surplus property and refinancing the rest with our line of credit at United Bank for a lower interest rate.
- d. **Mims Letter – South Bentley** – Attorney Danny Mims has sent a letter for Mr. James “Buddy” Lowe regarding the large dump trucks going in and out of his property. He is being given 30 days to halt the movement of trucks and dirt.
- e. **Ken Smith Ditch** – Mr. Smith is wanting to add a culvert to his property to prevent flooding. He will bring a map showing where it is exactly and will make sure the right of way is returned to its proper state as it was prior to adding the culvert. Mr. Parmer made a motion to approve this action. Mr. Chambless seconded the motion. All in favor and the motion was carried.
- f. **Resurfacing of Dead Lake Road/I-65 Service Road** – Mayor Nelson gave an update on the CaresAct grant awarded through the State of Alabama and we will get Dead Lake Road resurfaced along with the I-65 service road.
- g. **Christmas Tree Lights** – Mrs. Lynch will check with the company we purchased the Christmas tree from about replacing the section of lights that do not work.
- h. **FEMA Denial Letter** – FEMA is denying our request for funding of Hurricane Sally and Attorney Danny Mims is going to look at the information and send FEMA a letter for the appeal.
- i. **Street Dept Help** – Quotes have been given to the city regarding cutting of the grass on Highway 43. Mr. Chambless made a motion to approve Franklin Lawn Care LLC quote of \$2700 and to try it for a month to see if it works out. Mr. Howell seconded the motion. All in favor and the motion was carried.
- j. **Security at Court and City Hall** – The officers will begin wandering individuals coming to court and attending council meetings for safety measures.
- k. **Ellison Avenue** - Mrs. Lynch made a request to see if some repairs can be made to Ellison Ave. Mayor will get with Mr. Wayne Miller and check on this.
- l. **Do Not Litter Signs** – Mr. Howell made a motion to purchase 10 DO NOT LITTER signs to be paid for out of the gas fund account at a cost of \$35 each. Mr. Parmer seconded the motion. All in favor and the motion was carried.

**Executive Session** - Attorney Danny Mims read the following excerpt from Alabama Code 36-25A-7 regarding Executive sessions stating that they may be held by a governmental body only for the following purposes:

(1) To discuss the general reputation and character, physical condition, professional competence, or mental health of individuals, or, subject to the limitations set out herein, to discuss the job performance of certain public employees. However, except as provided elsewhere in this section, discussions of the job performance of specific public officials or specific public employees may not be discussed in executive session if the person is an elected or appointed public official, an appointed member of a state or local board or commission, or a public employee who is one of the classification of public employees required to file a statement of economic interests with the Alabama Ethics Commission pursuant to Section 36-25-14. Except as provided elsewhere in this section, the salary, compensation, and job benefits of specific public officials or specific public employees may not be discussed in executive session.

(2) When expressly allowed by federal law or state law, to consider the discipline or dismissal of, or to hear formal written complaints or charges brought against a public employee, a student at a public school or college, or an individual, corporation, partnership, or other legal entity subject to the regulation of the governmental body.

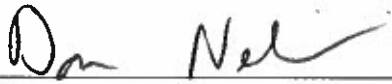
(3) To discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action, or to meet or confer with a mediator or arbitrator with respect to any litigation or decision concerning matters within the jurisdiction of the governmental body involving another party, group, or body. Prior to voting to convene an executive session under this exception the governmental body shall receive a written opinion or oral declaration reflected in the minutes from an attorney licensed to practice law in Alabama that this exception is applicable to the planned discussion. Such declaration shall not otherwise constitute a waiver of the attorney-client privilege. Notwithstanding the foregoing, if any deliberation begins among the members of the governmental body regarding what action to take relating to pending or threatened litigation based upon the advice of counsel, the executive session shall be concluded, and the deliberation shall be conducted in the open portion of the meeting or the deliberation shall cease.

(4) To discuss security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or other infrastructures, including, without limitation, information concerning critical infrastructure, as defined by federal law, and critical energy infrastructure information, as defined by federal law, the public disclosures of which could reasonably be expected to be detrimental to public safety or welfare. Provided, however, that when the discussion involves critical infrastructure or critical energy infrastructure information, the owners and operators of such infrastructure shall be given notice and an opportunity to attend the session.

(5) To discuss information that would disclose the identity of an undercover law enforcement agent or informer or to discuss the criminal investigation of a person who is not a public official in which allegations or charges of specific criminal misconduct have been made or to discuss whether or not to file a criminal complaint. Provided, however, that prior to such discussions a law enforcement officer with authority to make an arrest or a district or assistant district attorney or the Attorney General or assistant attorney general shall advise the governmental body in writing or by oral declaration entered into the minutes that the discussions would imperil effective law enforcement if disclosed outside of an executive session.

Mr. Howell made a motion to leave the regular session and enter Executive session for purpose of discussing pending litigation against the city and a former employee situation and then to adjourn after the executive session is over. Mr. Chambless seconded the motion. Roll Call: Mayor Nelson Yes, Wendy Lynch - Yes, Harold Parmer - Yes, Kendal Hadaway – Absent, Mark Howell - Yes, Cody Chambless – Yes.

All in favor and the motion was carried. The meeting was adjourned at 7:50 p.m.



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Don Nelson  
Mayor



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Marcy Brown  
City Clerk