

**CITY HALL**  
9615 Old Hwy. 43  
P.O. Box 490  
Creola, AL 36525-0490



**MAYOR'S OFFICE**  
Phone 251-675-8142  
Fax 251-930-1877

**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, July 28, 2022**  
**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 at 5:30 pm. Present at the meeting was Harold Parmer, Cody Chambless, Kendal Hadaway, Wendy Lynch, and Mayor Nelson. Items that were discussed was the paving contract for Magnolia Court, street Department positions, new Police Officer, Officer Poole Reception, Judge and Prosecutor School, July 4th Planning meeting, ASEA Raise, accept Christy Shepard resignation. Meeting adjourned at 5:57p.m.

The regular council meeting was called to order by Mayor Nelson at 6:00 p.m. We were led in prayer by Carol Walker. The Pledge of Allegiance was led by Mayor Nelson. Roll call was taken by City Clerk Marcy Brown. Present at the meeting was, Harold Parmer, Kendal Hadaway, Wendy Lynch, and Cody Chambless, and Mayor Nelson. Mark Howell was absent.

**Item #5 -Approval of the Minutes – -** The minutes of the July 14, 2022, regular meeting minutes were reviewed. Mr. Parmer made a motion to accept the minutes as written. Mr. Chambless seconded the motion. All in favor and the motion was carried.

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

Mayor Nelson gave an update on the finances and bank balances. Mr. Chambless made a motion to approve the bank balances as of 07/28/22 as presented. Mr. Hadaway seconded the motion. All in favor and the motion was carried.

Mr. Chambless made a motion to approve the bill list dated 07/28/2022 as presented. Mr. Hadaway seconded the motion. All in favor and the motion was carried.

**Item #7 - Departmental Reports –**

**Police Dept.** – Chief Hammond stated that he would be attending the chief conference at Orange Beach next week. They were also getting ready to stripe the black Tahoe.

**Sail Center** – The grinder pump burned up and we are contacting Integra Water about this since it is a result of Integra working on the lines.

**Park Dept.** – No report provided.

**Fire Dept.** – Chief Moye stated that Engine One still being worked on. The fire certification classes are going well and they are halfway through the class.

**Public Works Department** – Mr. Wayne is needing workers to help on the street. The potholes are being patched, trash being picked up, along with grass cutting.

**Building Inspection Department** – No report given.

**Zoning Board** – Board is working on changes for the Comprehensive Master Plan to make it match the zoning ordinance.

**Item #8 - New Business-**

**a. Paving of Magnolia Court** – After a discussion, Mr. Hadaway made a motion to rescind the award of the bid to John G. Walton, due to them not being able to start, Mr. Chambless seconded the motion. All in favor and the motion was carried.

Mr. Chambless made a motion to award the paving of Magnolia Court to JMT Resources at a cost of \$21,829.50. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

**b. Christy Shepard Resignation** – Mr. Chambless made a motion to accept the resignation of Christy Shepard as of July 29, 2022, in good standing. She will fill in on weekends as needed. Mr. Parmer seconded the motion. All in favor and the motion was carried.

**c. Judge and Prosecutor School** – Mr. Hadaway made a motion to send Judge Ross and Prosecutor David Zimmerman to school for their CEU's. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

**d. Flags for North Mobile School** – Mrs. Lynch made a motion to purchase 45 flags (\$2.99 each) for each classroom at North Mobile County School. Mr. Chambless seconded the motion. All in favor and the motion was carried.

**e. Breakfast for North Mobile County School** – Mrs. Lynch made a motion to approve purchasing 2 breakfast gumbo pans at \$69.99 each to serve breakfast for the teachers at NMCS. Mr. Parmer seconded the motion. All in favor and the motion was carried.

**f. July 4<sup>th</sup> Planning Meeting** – Mr. Hadaway made a motion to spend up to \$500 to provide a meal August 30 for the planning session about the 2024 celebration. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

**g. Employee insurance coverage** – Mr. Chambless made a motion to authorize city attorney Danny Mims to research the legalities of paying employee insurance while out on

medical leave and if it was legal, for the city to pay the health Insurance premiums until employee returns to work. Mr. Hadaway seconded the motion. All in favor and the motion was carried.

**h. ARSEA Raise** – Mr. Parmer made a motion to approve a lump sum payment of \$2,854 for a cost of living raise to all the former employees who have retired from Creola. Mr. Chambless seconded the motion. All in favor and the motion was carried.

#### **Item #9 - Mayors Comments –**

Mayor Nelson stated the Race Trac was scheduled to break ground on August 8, 2022. Senator Shelby sent a letter of support to the U.S. Senate for the signal light project. Creola has received the covid money in the amount of \$241,756.83. Jacks Restaurant has been contacted about building in Creola. There is a meeting scheduled with Supt. Threadgill regarding the school situation. All of the right-of-way for South Creola Blvd have been probated.

**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.

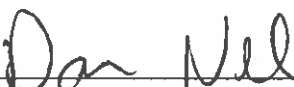
(3) To discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action, or to meet or confer with 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 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. Hadaway made a motion to leave the regular session and enter Executive session for purpose of discussing legal situation and then to adjourn after the executive session is over. Mr. Chambless seconded the motion. All in favor and the motion was carried. The meeting was adjourned at 7:05 p.m.

  
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Don Nelson  
Mayor

  
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Marcy Brown  
City Clerk