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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, June 22, 2023
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, Mark Howell, Wendy Lynch, and Mayor Nelson. Items that were discussed were the Creola Lieutenant Interviews June 28, 2023, Fire Techs, SAIL Center Counter Tops, 2014 Taurus Estimate \$5132, Introduce Street Ordinance, Police Academy, Gazebo, Council Meeting Workshop, Part Time Officers. The meeting was adjourned at 6:00 p.m.

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

Item #5 -Approval of the Minutes -- The minutes of the June 8, 2023, regular meeting minutes were reviewed. Mr. Howell made a motion to accept the minutes as written. Mrs. Lynch 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. Parmer made a motion to approve the bank balances as of 6/22/2023 as presented. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

Mr. Howell made a motion to approve the bill list as of 6/22/2023 as presented. Mr. Parmer seconded the motion. All in favor and the motion was carried.

Item #7 - Departmental Reports –

Police Dept. – Interviews for the lieutenant positions will be June 28, 2023. Frank Cassidy, Jerry Taylor, and the Chief of Saraland will be conducting the interviews. Chief Hammond also needs to attend the Chief Conference in orange Beach in July.

Mr. Howell made a motion to approve the Police Chief attending the Chief's conference in Orange Beach. Mr. Parmer seconded the motion. All in favor and the motion was carried.

Sail Center – Mr. Howell reported that he found granite counter tops for \$1,600.00. To have them installed would be approximately \$2400 total cost.

Park Dept. – The water fountain will be installed June 23, 2023, at Veterans Park. Major Holt has the sprinkler system installed and David Moss has completed the installation of the electrical outlets.

Fire Dept. – Chief Moyer has located a 2009 fire truck at Brinley Mountain in north Alabama for \$150,000. He will call to see if they are partnered with the state bid list. He has 2 volunteer firemen that are interested in a fire tech position as we are searching for a fire chief. More information will be gathered and presented to the mayor and council. Chief Moyer received a check from the Mobile County Volunteer Association for \$16,840.11. He also asked the mayor for help with the Mobile County Commission fund set aside for the fire departments. Flynn Christian has been volunteering at the fire station doing some much needed repairs to the station.

Public Works Department – Major Holt has found some detachable forks to put on the bucket of the front-end loader to help the street department. The cost is under \$200 for a pair, and he can purchase them for the Street Department. Mr. Howell made a motion to purchase the forks for the street department. Mr. Parmer seconded the motion. All in favor and the motion was carried.

A discussion was held on a sweeper, but the council wants more information before purchasing it.

Building Inspection Department – Mr. Howell has located a vehicle for the building inspector department, and it will be looked at by Mr. Moss on Friday, June 23, 2023. Mr. Moss reported that the Board of Adjustments will be meeting to discuss the variance requested by the ones wanting to build a mobile home site. A public hearing will then be held based on their ruling.

Zoning Board – The final draft of the newest edition of the Zoning Ordinance is almost completed and should be presented to the council for approval in July. Mr. Goodloe is going to approach the board to ask for some of his property to be subdivided to have it ready for when it is sold.

Item #8 - New Business-

- a. **4th of July** – After a discussion, Mr. Howell made a motion to approve \$1,500 for 500 snow cones to be given out at the celebration. Mr. Parmer seconded the motion. All in favor and the motion was carried.
- b. **Raceway** – Raceway had their grand opening and ribbon cutting on June 22, 2023. All went well and we welcomed them to our city.
- c. **Breakfast for North Mobile County School** – Mrs. Lynch made a motion to provide breakfast for the staff at North Mobile County School on August 4, 2023. Mr. Parmer seconded the motion. All in favor and the motion was carried.
- d. **Street Ordinance** – Mayor Nelson announced that the city attorney is working on a street ordinance to help the police department when large trucks go through residential areas.
- e. **Police Academy** – Discussion was made on sending 2 individuals to the police academy and how to recover the money spent if they don't complete their commitment. Mr. Howell made a motion to send 2 individuals to the upcoming police academy. Mr. Parmer seconded the motion. All in favor and the motion was carried.
- f. **Council Workshop** – After a discussion, the council decided to begin the workshop meeting at 5:00 p.m., allowing them more time to discuss the agenda.

Item #9 - Citizens to Address Council –

Item #10 - Mayors Comments – Mayor Nelson stated that the park swings and benches were placed temporary until a final decision could be made. The capital improvement fund could be used towards the installation of the sidewalks at the Veterans Memorial. A decision needs to be made soon on what the council would like the memorial to look like as we are getting close to the final phase. The city is expecting the 4th of July celebration to be a great event.

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.

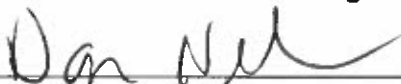
(3) To discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action, or to meet or confer with 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.

At 7:29 p.m. Mr. Howell made a motion to leave the regular session and enter the Executive session for the purpose of discussing an employee situation and then to reconvene after the executive session ends. Mr. Parmer seconded the motion. All in favor and the motion was carried. The meeting was reconvened at 8:01 p.m.

Mr. Howell made a motion to adjourn. Mr. Parmer seconded the motion. All in favor and the motion was carried. The meeting was adjourned at 8:01 p.m.



Don Nelson
Mayor



Marcy Brown
City Clerk