

**CITY HALL**  
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**MAYOR'S OFFICE**  
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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, January 25, 2024**  
**Creola City Hall**  
**Meeting 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 Carl Walker. The Pledge of Allegiance was led by Mayor Nelson. Roll call was taken by City Clerk Marcy Brown. Present at the meeting was Kendal Hadaway, Harold Parmer, Wendy Lynch, Mark Howell, and Mayor Nelson. Council member Cody Chambless was absent. City Attorney Danny Mims was also present.

Mayor Nelson began the meeting by addressing the council and citizens in attendance. He spoke about the meeting he had with Ms. Ludgood regarding some needs of the city. They had talked about the GOMESA grant and the \$25,000 donation received from the Porch Creek Indian tribe from Atmore. Ms. Ludgood was also addressed on the paving of South Creola Blvd. Mayor Nelson updated her on the fire truck that was being looked at. Mayor Nelson also points out that ALDOT was about to have the final ruling on the ATRIP grant.

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

The minutes of the January 11, 2024, meeting was reviewed. Mr. Howell made a motion to accept the minutes of January 11, 2024; Mrs. Lynch seconded the motion. 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 for January 25, 2024, as presented. Mr. Howell seconded the motion. All in favor and the motion was carried.

The financials were discussed. If anyone 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 as presented for January 25, 2024. Mr. Hadaway seconded the motion. All in favor and the motion was carried.

**Item #7 - Departmental Reports –**

**Police Dept.-** Chief Stringer stated that the department is growing and in the process of getting printers and computers for the police vehicles. He also stated that their grant to pay for overtime had been approved. The City of Citronelle was going to approve selling our city a Tahoe and all equipment for \$10,000. He had gotten the new layout for the design on the police vehicles. The annual qualification is coming up soon and they will need more ammo in the near future. A search warrant was done in Chickasaw and recovered a stolen gun from a convicted felon. They are working hard to keep crime down in Creola. The list of officers we are receiving from the personnel board repeats and those officers have already taken jobs. Two (2) more officers are needed. Other than that, all is running smoothly.

**Fire Dept. –** Mayor Nelson addressed the council and fire department regarding his meeting with Mrs. Ludgood. Mrs. Ludgood offered the city a grant of \$150,000 to go along with the \$25,000 from the Porch Creek Indians. Due to this, the fire truck will cost the city nothing.

Chief Stanley stated that it would cost \$3,200 to have the fire truck transported from New York to Creola. Mr. Hadaway made a motion to approve spending \$3,200 on the transportation of the truck. Mr. Parmer seconded the motion. All in favor and the motion was carried.

**Park Dept. –** The light poles have been delivered and installation had begun but is temporarily halted due to the project manager having a death in the family.

**SAIL Center Dept –** The February Municipal Association dinner will be held February 15, 2024, at the SAIL Center. Mr. Howell and Mr. Parmer discussed the upgrading that needed to be done in the kitchen at the SAIL Center. They wanted an oven, countertops, sinks, etc. They will be working on getting estimates for the project.

**Building Inspector –** No report presented.

**Zoning Board.** No report presented.

**Public Works Department –** Mr. Sellberg stated that the two (2) new employees hired were working out well. He also stated that he needs a dump truck to haul debris in.

**Item #8-New Business-**

- a. **Resolution 004-2024 Contract with Mobile County Commission–** Mr. Howell made a motion to approve the contract between the city and Mobile County Commission for the grant of \$150,000 for the purchase of the fire truck. Mr. Parmer seconded the motion.

**Roll Call:** Mr. Hadaway – Yes; Mr. Chambless – Absent; Mrs. Lynch – Yes; Mr. Parmer – Yes; Mr. Howell – Yes; Mayor Nelson – Yes. Motion was carried 5-0

- b. **Resolution 003-2024 Line of Credit United Bank** – Mr. Hadaway made a motion to approve Resolution 003, 2024 regarding the \$500,000 line of credit being established with United Bank. Mr. Howell seconded the motion.  
**Roll Call:** Mr. Hadaway – Yes; Mr. Chambless – Absent; Mrs. Lynch – Yes; Mr. Parmer – Yes; Mr. Howell – Yes; Mayor Nelson – Yes. Motion was carried 5-0
- c. **To Appoint a Supernumerary to the Board of Adjustment** – Mr. Howell made a motion to approve Ms. Becky Smith to the Board of Adjustment as a supernumerary. Mr. Parmer seconded the motion. All in favor and the motion was carried.
- d. **Stripping of Hall Branch Road** – Mr. Parmer made a motion to approve the stripping of the HALL BRANCH TO SKIDMORE PROJECT in the amount of \$8,170, this includes \$250.00 for the high visibility markings. The company is United Markings. Mr. Howell seconded the motion. All in favor and the motion was carried.
- e. **Soccer Sign** – Mayor Nelson spoke with Ms. Ludgood about the city wanting to rename the soccer field after Mayor Holt. She volunteered to make the sign honoring Major Holt and naming the soccer field Holt Field.

**Item #9 Mayor comments**

Mayor Nelson stated that the city clerk had been working on a payroll audit for workman's comp. Mr. Don Wallace will present the city audit on February 8, 2024 during the council meeting. The city insurance is increasing significantly due to police lawsuits across the State of Alabama. Mayor Nelson stated that they will be addressing the dark section of the road on Halls Branch to prevent accidents. Mr. Howell spoke to the railroad about repairs to the crossing.

**I. 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. 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 adjourn it after the executive session is over. Mr. Parmer seconded the motion.

**Roll Call:** Mr. Hadaway – Yes; Mr. Chambless – Absent; Mrs. Lynch – Yes; Mr. Parmer – Yes; Mr. Howell – Yes; Mayor Nelson – Yes. Motion was carried 5-0

All in favor and the motion was carried. The meeting was adjourned at 7:15 p.m.

*Don Nelson*

Don Nelson  
Mayor

*Marcy Brown*

Marcy Brown  
City Clerk