



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

William Criswell Lee Anne Greene Harold Martin Avis Walker Tonya Moss Kendal Hadaway  
Mayor Council members

Carolyn Cain  
City Clerk

Linda Hoiles  
Court Clerk

Rick Daves  
Chief of Police

Jeff Reeves  
Fire Chief

---

---

**AGENDA FOR THE CITY OF CREOLA COUNCIL MEETING  
HELD AT CREOLA CITY HALL ON  
February 9, 2017 @ 6:00pm**

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

Mayor Criswell  
Councilwoman Greene  
Councilman Martin  
Councilman Walker  
Councilwoman Moss  
Councilman Hadaway

Christie filled in for City clerk and City attorney were present.

Councilman Walker made a motion to accept the minutes from the meetings 1/26/17 with changes from Councilman Martin on page 6, police car is a 2007 ford crown with a police package

---

---

Councilman Martin seconded, all favored, none opposed, motion carried

**CITIZENS ADDRESSING THE COUNCIL**

Mrs. Rhonda Lowe states that she did not understand at the last council meeting about taking the check writing away from the city clerk, Mrs. Lowe has never heard of a city clerk not being able to do what she was hired to do. Mayor states that the check writing remains with the city clerk, the council according to the municipal league approves all bills to be paid and then they are signed after that. Mayor states that all bills that are paid are approved by the council. Mayor states that the city clerk still makes the checks out. Mrs. Lowe states that is not what she understood; she states that someone else is signing the checks. Mayor states that someone else is signing the checks, two people are required to sign the checks. Mrs. Lowe states that the city clerk is not one of them. Mayor states that she is not. Mrs. Lowe asked if she had been signing before. Mayor

states yes she had. Mrs. Lowe asked is there a reason why she was removed from that duty. Mayor states that they had consolidated the bank accounts into regions bank. Mayor states that there were a total of 18 bank accounts scattered and they were paying an analyzation fee on each account. Mayor states that they consolidated all of those accounts into Regions bank. Mayor states that the fees were lowered from around \$8-900.00 a month to around \$100.00 a month. Mayor states this is the reason they did that and it has been done. Mrs. Lowe states that she still does not understand the reason from taking the clerks name off of signing the checks? Mayor states that the approval of the bills paid is the responsibility of the council and that two people will be signing the checks. Mrs. Lowe states that she understands that but she does not understand why the clerk was removed and someone else was put in. Did she do something wrong is what she is asking? Mayor states that what we are doing is aligning ourselves with the requirements of the municipal law in the State of Alabama. We were not quite doing that correctly. A citizen asked who was signing the checks now. Mayor states it depends on which account it is drawn on.

Court accounts – Linda Hoiles, Councilwoman Moss and Mayor Criswell,  
City General accounts- Councilwoman Green, Mayor Criswell,  
Police accounts- Chief Dave's, Councilman Martin, and Mayor  
Fire accounts- Chief Reeves, Councilman Hadaway and Mayor

Mayor states that we are getting checks and balances where we have never had before and they have corrected it.

Mr. Walker asked the Mayor that they are aligning there self with other municipalities. Mayor states, not just municipalities, the law. Mr. Walker asked the Mayor if what he is saying that the law required us to have a clerk before. Mayor states that we are required to have a town or city clerk. Mayor states that we are a city, that last week we were classified as a town with the personal board. Mayor explained the job description of the city clerk. A citizen asked who the clerk was right known. Mayor states that Kim Green is until the 15<sup>th</sup> of February. Mr. Walker states that he is confused and that the answers are just not matching. Mr. Walker asked if he could get something in writing that details how the city is suppose to be aligning. Attorney Mims states that the Mayor has the discretion of assigning the responsibilities within the city hall and second, the decision was made for the people, who were elected, will be reviewing when and where bills will be paid and they will be signing the checks. It is the Mayor's discretion. Mrs. Lowe states that she understands that but what was the reason the city clerk has no longer the city clerk duties of what she had before. Did she do something wrong to cause the council to change it. Mr. Mims, the attorney, states that he can't admit or deny she did or didn't because they can not talk about specific personnel in public. The attorney states that the clerk has resigned and her last day is February 15<sup>th</sup>. The attorney states that they cannot talk to them about reasons why an employee chose to leave or to stay. Mrs. Lowe asked why was her duties taken. The attorney states that he can not answer that about a specific employee. The Mayor has the discretion to determine who is going to sign off on accounts in the best interest of the city, the Mayor talked to the council about checks and balances being put in place, so several people will have the opportunity to make sure the cities funds were being taken care of. Mr. Walker asked if what the attorney was saying is that it was not being done before. The attorney states he is not saying anything, he is only answering the question the best he can. Mr. Walker states he thought the mayor always had over

site, so what has changed? The attorney states that he was not here before this council. Mr. Walker asked about the clerk resigning and the attorney states that he will have to ask the clerk about it. Mrs. Walker states that what the citizens need to know is what the difference between a town and a city rules for them to align up with the state law. Mayor states that with a city the personal board allocates differently, how many people you can have, what positions and what the pay scale is. Mr. Heathcoe explained that a city is when you have 2000 or more people and town is 2000 or below. Mayor states that we are over 2000 people. Mrs. Stringfellow states that the census states we have 1759 people. Mayor and council states that was in 2000. Mrs. Stringfellow states that were in 2014 and we are dropping. Mrs. Walker states that she just wants to know the difference.

Mr. Mark Howell states that Councilwoman Greene and Councilwoman Moss served on the council with him and he was not aware that there were 18 different accounts and would like a list of them. Councilwoman Greene states that they found them, that they did not know about them either. Councilwoman Greene states that they asked several times for finance records and they never got them. Councilwoman Moss states that they have to close them out. Councilwoman Greene and Councilwoman Moss states that only one persons name is on the accounts and by law you should have two names. A citizen asked if there was money in all accounts. Council states yes. Mayor states that some of the accounts have been there since 1995. Mr. Walker states he would like to request a copy of the budget. Mayor states they are working on it. Councilwoman Greene states that they started checking the mail and that is how they have found these accounts. Mrs. Davis states that she is confused because she remembers to coming to one of there first meetings and they talked about a budget and that the city was going to save \$200,000.00 this year. Councilwoman Greene states that she did hear that but when they got to looking further in 2015-2016 budgets it was way off. Councilwoman Greene states that office salaries were \$103,000 that was not accounted for in 2015-2016. Mr. Walker asked about the high rate of personnel turn over. Mr. Walker states he used to see police officers patrolling but he does not see it anymore. Mr. Walker asked how many police we have at this time. Chief Dave's states that they have 4 full time officers at the time and fixing to hire two more. Mr. Walker asked how many was here in the past. Chief Dave's states 5 for the day shift and 1 at night. Mr. Walker states that he has not scene any officers patrolling in his area and he is concerned that it might affect their insurance ratings. Mr. Walker states that the city needs to be adequate in our police department. Mr. Walker states that he is hearing about a lot of turn over. Mayor states that most of the turnover happened before they got in office. Mayor and Chief Dave's states that 4 officers left before they got here. A citizen asked why such a turnover. Mayor states that they resigned and went to better jobs that paid more. Mrs. Walker asked what consideration does this council have in the budget to attract or maintain experienced level officers. Mayor states that the experience level is very good. Mr. Walker asked is the ones we have certified and trained. Mayor states that all are certified and some that are working up for recertification, Chief is going for recertification on February 27 and two other guys in school this week. Mayor states that they are constantly training. Mr. Walker states that earlier the mayor had stated that he was realigning some of the signature duties and that you had quit a few numbers of accounts that you was moving to Regions. In the interest of efficiency is that a good move to have all these accounts? Mayor states that they are canceling out some of those accounts. Mayor states for example, the

city has a general fund at Regions for years but it also has 2 general fund accounts at PNC with funds in it that is just dormant there and we are paying fees for this money to sit there. It will be a significant savings on analyzation fees each month. It could be up to \$10,000 a year savings. A citizen states that what the council is doing is put all the general fund accounts together at Regions as well as the fire accounts and police accounts. Mayor states yes but they will be separate accounts at regions. Mayor explains that each account is set up separately and funds can only be spent on designated things. A citizen asked will there be a check and balance for each account? Mayor and council states yes. Councilman Hadaway states that it will take the responsibility off of the clerk because the council will know what is going in and going out. A citizen asked if the purchase order system was still in affect. Mayor and council states yes. Mr. Walker asked who provides the oversight. Mayor states he does and it depends on which department you're talking about. Police department is Councilman Martin and Councilman Hadaway, if it is the fire department it is councilman Hadaway and Councilman Martin. If it is finance committee it is Councilwoman Greene and Councilwoman Moss. If it is streets it is Councilman Walker and Mayor. Mr. Walker states this is not what he calls oversight. Mayor states that when an employee comes in and needs something they have to go to the councilmember that is over that department, the council member will check to see if it is needed and at that time a purchase order will be signed and presented to council for approval and once it is approved by council, the department can go purchase the item. The purchase order is attached to the bill and comes back to the council for payment approval. Mrs. Stringfellow asked who is over the fire department. Mayor states Chief Reeves, Councilman Hadaway and Councilman Martin. Mrs. Stringfellow states that two of those people are kin, has the state code been checked on this? Mayor states that it is a volunteer operation. Mrs. Stringfellow asked if they new how much money they run on each year. Mayor and council states no. Mrs. Stringfellow states 1 million, three hundred thousand dollars. Mayor and council state that they do not know where she got her figures. Mrs. Stringfellow states that she has been keeping up with this for 30 years. Mrs. String fellow states that if you spend money you do not have, and the city has been going thru this for years. We can not spend extra money on just anything. Mrs. Stringfellow states that they want to have a Creola tomorrow and not be bankrupt. Mayor states that right know the city is in better shape than it has been in a while. Mrs. Stringfellow asked how much money was brought back from all those scattered accounts. Mayor states he does not have those numbers but ~~there is money in all accounts. Mayor states that they have to pass a recommendation tonight so~~ the banks will be able to cancel those accounts since there is only one name on those accounts. Mrs. Stringfellow asked if the council was going to tell them the amount once they get all the numbers from the bank. Mayor states that when ever they get them closed out and the bank tells them yes. Ms. Stringfellow states that they will tell the people of Creola the amount that was in the accounts. Mayor states yes. Mrs. Stringfellow asked how much comp time has been paid since they have been in office. Mayor states he does not know the exact figures. Mayor and Councilwoman Greene states those figures come from the personnel board. Mrs. Stringfellow asked if Mrs. Kim had resigned or was fired. Mayor states that she resigned. Mayor states that they cannot talk about individuals. Ms. Stringfellow asked if they had her letter and had her hearing. Mayor states she resigned you do not have to have a hearing for that. The attorney states that you can not discuss anyone's personal business.

Mrs. Tarver, lives on Ducey Road, and would like to know if there are any new updates about the road. Mayor states that the county has told him that they have 90 days to design and start pushing dirt and that should be around February 17. It is in the counties hands. Mrs. Tarver asked about the 18 wheelers that travel down Ducey Rd, when there are signs that say they can only be there on delivery. Mayor asked the chief to address. Chief Dave's state that if they live down Ducey Rd, then they can drive to their house. Mrs. Tarver states that the city put some rocks down the first of January and the first of February but nothing has been done since not even grading. Mrs. Tarver states that a couple of months back an officer states that they could not get to her house due to the weather. Because his car would not make it and he had to wait on someone with an SUV. Mayor states that he will get her some answers.

Mr. Walker asked about Brown road and the grant. Mayor states that Brown Rd was not put on the pay as you go this year. Mayor states that they got 2 roads that will be resurfaced. Councilwoman Moss states that Brown Road was put on the list but the county did not choose it. Mr. Walker asked who he could speak to in the county. Councilwoman Moss state Commissioner Ludgood. Mr. Walker states that he has been talking about this for years and he is getting the feeling that they are just getting pushed back. Mr. Walker states that Bobby does an excellent job with the roads. Mr. Walker asked is there any other way to address the Brown Rd issue without pay as you go. Mayor states that it would be costly. A citizen asked how much was the city getting to resurface those 2 roads. Mayor states that they do not know the details yet. The citizen asked why can't you take that money and pave Brown rd. Mayor and council states that the city does not get the money that it goes thru the county and they resurface the roads. Council states that the citizens on Brown rd should call and speak to Commissioner Ludgood abut there road. Mrs. Peggy states they need a street sign on Ellison Ave.

**RESOLUTIONS, ORDINANCES OTHER BUSINESS**

Councilwoman Greene made a motion to amend the agenda to add ordinance 138.  
 Councilwoman Moss second it, all favored, none opposed, all favored.

**Roll call for the amend agenda**

Councilman Hadaway	yes
Councilwoman Moss	yes
Councilman Walker	yes
Councilman Martin	yes
Councilwoman Greene	yes
Mayor Criswell	yes

Motion carried by majority vote

Councilwoman Moss motioned that the Ordinance 138 is a permit fee schedule subject to posting a final approval to be voted on at the next meeting. In Book, ordinance of 2012., to change the fees from \$40.00 per sq ft for living area to \$60.00 per sq ft, and then \$20.00 per sq ft for non living to \$40.00 per sq ft. This is in the building permits for new construction.

Councilman Hadaway second, all favored, none opposed, motion carried.

**Roll call for fee price change**

Councilman Hadaway            yes  
Councilwoman Moss            yes  
Councilman Walker            yes  
Councilman Martin            yes  
Councilwoman Greene            yes  
Mayor Criswell            yes  
Motion carried by majority vote

Mr. Howell states that you are going up \$20.00 a sq ft to build a house. Mayor and Council states that the fees have not been adjusted in years. They are getting lined up with other cities. A citizen asked if this was going to affect taxes. Councilwoman Moss stats no it is just a permit fee.

Councilwoman Greene made a motion to close all the bank accounts at PNC and Naheola credit union and to move all accounts into regions bank to the proper accounts. Councilwoman Moss second, all favored, none opposed, motion carried.

**Roll call to close bank accounts at PNC and Naheola credit union**

Councilman Hadaway            yes  
Councilwoman Moss            yes  
Councilman Walker            yes  
Councilman Martin            yes  
Councilwoman Greene            yes  
Mayor Criswell            yes  
Motion carried by majority vote

**PLANNING COMMITTEE**

Rev Chambers asked that the council will be posting the updated fees for the building permits before a final vote. Mayor and council states yes it will be posted before final vote.

Rev Chamber states that the trash cans are still at the park from community day. Chief Dave's states that he has called the head man from advance. Mr. Howell states that they need to call Doug Wilder or Jordan Scott.

---

~~Rev Chambers invited everyone to come to the planning meeting. This is where you have an input in what you want your city to look like. Come be apart. 3<sup>rd</sup> Tuesday in every month. February 21 at 5pm at workshop and 6pm meeting and it is held a senior building.~~

Mayor states that they have 3 new businesses come into the city.

Mr. Walker asked when the new assessments fees will go into effect will. Mayor states that they will have to be posted for 15 days and voted on at the next meeting.

**ZONING BOARD OF ADJUSTMENTS**

No business

**PARKS AND RECREATION**

Councilwoman Moss states that the new bathrooms are on schedule and the gate has been ordered. There will be 4 woman stalls and 4 men stalls

Mr. Howell states that this is all Commissioner Ludgood, the bathroom and the fence at the park.

### **UTILITIES AND SENIOR CITIZEN**

Councilwoman Moss states she has talked to Commissioner Ludgood about the awning.

Mayor states that he signed the lease for the 2 light fixtures to go in at the senior building parking lot.

### **FINANCE**

Councilwoman Greene states that they signed payroll checks and paid a few bills. Bills total \$20,026.92, general fund has \$ 88,500.00.

### **POLICE AND FIRE**

Councilman Martin worked with the McIntosh department to acquire a car that they no longer used. He thanked Mayor Dixon and Chief Ready of McIntosh for a 2007 Crown Victoria Ford with a police package, blue lights and siren. For the amount of \$1000.00 and allocated a \$1000.00 to get it painted.

Councilman Martin motion to approve funds to send Chief Dave's for recertification for \$500.00 class and purchase ammunition for \$50.00 for training, lodging \$85.00 and \$35.00 for food. Councilman Walker second, all favored, none opposed, motion carried.

### **Roll call for Chief recertification class**

Councilman Hadaway	yes
Councilwoman Moss	yes
Councilman Walker	yes
Councilman Martin	yes
Councilwoman Greene	yes
Mayor Criswell	yes

Motion carried majority vote

---

Councilman Hadaway states they had a house fire and a few medical calls.

Councilman Hadaway states that the brush truck is repaired and running.

### **STREETS**

Councilman Walker made a motion to purchase an Ellison Ave sign for \$55.00. Councilman Martin second, all favored, none opposed, motion carried.

Councilman Walker states that the glass was broke out of the flat bed truck and it was replaced for \$165.00 and it has been fixed.

**COMMUNITY GROUP**

**ADDITIONAL NOTES**

Attorney Mims recommends to adjourn into executive session and to do so with reconvening.

**Adjournment**

Mayor Criswell made a motion to adjourn.

Councilman Martin seconded, all favored, none opposed, motion carried.