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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 27, 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 Wendy Lynch, Cody Chambless, Harold Parmer, and Mayor Nelson.

Mr. Don Wallace, the city auditor, was present and discussed the annual FY 2021 audit. Mayor Nelson also informed the council that he was working with the Mobile County Commission to purchase 5 surplus vehicles. The meeting adjourned at 5:58 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 Mr. 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 Mayor Nelson, Wendy Lynch, Cody Chambless, and Harold Parmer. Council Members Mark Howell and Kendal Hadaway were absent. Also present was City Attorney, Daniel Mims.

Mr. Chris Callanan addressed the council and asked for their vote in the District Court Judge race. Mr. Bill Chambers also addressed the mayor and council regarding the limb that was cut from the tree located on his property. Council Member Parmer address Mr. Chambers explaining that the tree was located on the city right-of-way and that some of the tree limb was rotten. Mr. Wayne Miller has been instructed by the mayor to call him before cutting any large oak trees.

Item #5 -Approval of the Minutes –

Approval of the Minutes - The minutes of the January 13, 2022, regular meeting minutes were reviewed. A motion was made by Mr. Parmer to accept the minutes, as written. The motion was seconded by Mrs. Lynch. All in favor and the motion was carried.

Item #6- Financials/Bill List-

Mr. Don Wallace informed the mayor and city council that the audit went well and that there were no material weaknesses or deficiencies. After the FY 2021 annual audit was discussed, Mr. Parmer made a motion to accept the audit as presented. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

After a discussion regarding the annual 2022 budget, Mr. Chambers made a motion to approve the annual 2022 budget. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

Mayor Nelson gave an update on the finances and bank balances. Mr. Chambless made a motion to approve the financials as presented. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

Mr. Chambless made a motion to approve the bill list dated 1/27/2022 in the amount of \$12,149.25, as presented. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

Discussion was made on paving James Burkette Road with the Rebuild Alabama Gas Fund.

Item #7 - Departmental Reports –

Police Dept. – Chief Hammond stated that the PD needed a screen installed on the Tahoe for \$1,376.00. Mr. Chambless made a motion to install the screen on the Tahoe at a cost of \$1,376.00. Mrs. Lynch approved the motion. All in favor and the motion was carried.

Chief Hammond stated that they are getting ready to put property that has been found or lost on the bid.gov web site to clean out the storage area. Mr. Parmer made a motion to place the items out for auction. Mr. Chambless seconded the motion. All in favor and the motion was carried.

Chief Hammond needs to attend the Chief Winter Conference which will be held in Mobile at the Renaissance Hotel and Convention center February 28th – March 3rd. Mr. Parmer made a motion to send Chief Hammond to the winter conference. Mr. Chambless seconded the motion. All in favor and the motion was carried.

Sail Center – Mrs. Lynch stated that there would be a bunny brunch April 2, 2022, with more information to follow later. Council approved getting the floors at SAIL Center striped and waxed and is awaiting a date to be set.

Fire Dept. – Mr. Chambless made a motion to approve \$1,100 from the fire account to purchase EMS supplies. Mr. Parmer seconded the motion. All in favor and the motion was carried.

Public Works Department – No report given

Building Inspection Department – David Moss attended the annual Winter Conference for three (3) days and is doing a great job.

Zoning Board – A Public Hearing will be held on Mr. Kennedy’s property regarding rezoning on February 10, 2022, for council approval. Mayor Nelson stated that he appointed James Brown to the Zoning and Planning Board and would need a replacement for him on the Board of Adjustment. Mayor asked the council to bring forth names at the next council meeting.

Item #8 - New Business-

a. County Vehicles. – After meeting with the Mobile County Commission, Mayor Nelson asked the council for approval of the following vehicles at a cost of \$8500.00.

- 2009 Ford 250..... \$3,200
- 2008 Ford 250..... \$1,500
- 2014 Ford Taurus.....\$1,500
- 2010 Ford Crown Vic \$1,000
- 2010 Ford Crown Vic \$1,300

Chief Hammond has gone to look at the vehicles and one of the trucks has slight fender damage and the other one needs a fuel pump, but otherwise in great shape. Mr. Parmer made the motion to purchase the vehicles from the County Commission at a cost of \$8500.00. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

b. Fire Department Roof – Mayor Nelson stated that he has one (1) quote for the reroofing of the fire department roof and would like to bring 2 additional quotes to the next council meeting. This item was tabled until more quotes could be gathered.

c. Rocks for South Creola Blvd – Mayor Nelson stated the South Creola Blvd needed rocks for their dirt road. Mr. Parmer made a motion to approve two (2) loads of rock for South Creola Blvd. Mr. Chambless seconded the motion. All in favor and the motion was carried.

d. Dispatcher Pay – After discussing the beginning wages of the Jailer/Dispatcher I position, Mr. Chambers made a motion to match the Jailer/Dispatcher pay of Satsuma. After discussion was made, Mr. Chambless withdrew his motion until further information could be gathered.

e. Resignation of Dena Turner – Mr. Chambless made the motion to accept the resignation of new hire Dena Turner. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

f. AED Units – After discussion on how AED units could be purchased with the ARPA Covid money, Mr. Chambless made a motion to purchase 15 units. These would be placed in each police vehicle as well as all city facilities. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

g. Garbage Ordinance – City Attorney Danny Mims wrote an amendment to the current garbage ordinance we have on record. Mr. Parmer made a motion to introduce the ordinance. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

h. Summer Internship Program – Citronelle High has informed the city that it is time to begin the selection process of hiring summer interns and how many would be needed. Mr. Parmer made a motion to hire one (1) intern for the city hall and two (2) workers for the public works department with the pay rate to be discussed later. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

Item #9 - Mayors Comments

Mayor stated that he had one estimate for the damage done to the light poles at the park and would be gathering additional bids for the repairs.

The playground equipment should be delivered within the next two (2) weeks.

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. Parmer made a motion to leave the regular session and enter Executive session for purpose of discussing an employee situation and then to adjourn after the executive session is over. Mrs. Lynch seconded the motion. All in favor and the motion was carried.

The meeting was adjourned at 7:32 p.m.



Don Nelson
Mayor



Marcy Brown
City Clerk