

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, January 12, 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 Kendal Hadaway, Harold Parmer, Mark Howell, Wendy Lynch, and Mayor Nelson. Items that were discussed was the purchase of Ms. Brown Property, Texas PD Vehicles, Workman's Comp, Chief Winter Conference Feb 6-7, Building Inspector School Jan 18-20, Resolution 01-2023 - 2023 Capital Project, Creola to Host February Municipal Dinner, Bridge Inspection, Lights at City Hall and SAIL Center, Statement of Economic Interest Due 04/30/23, South Creola Blvd had rock spread, Hill Electric – APCO 2 weeks, Ball Park Batting Cage, Dead Lake Road Resurfaced, CDBG Request Submitted, US Senate Appropriations Committee awarded 1.5 million to Creola The meeting adjourned at 5:55p.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 Mark Howell, Harold Parmer, Wendy Lynch, and Mayor Nelson. and Kendal Hadaway. Cody Chambless was absent. City Attorney Danny Mims was also present.

Item #5 -Approval of the Minutes – - The minutes of the December 8, 2022, regular meeting minutes were reviewed. Mr. Howell made a motion to accept the minutes as written with the correction as noted. Mr. Hadaway 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. Howell made a motion to approve the bank balances as of 1/11/2023 as presented. Mr. Parmer seconded the motion. All in favor and the motion was carried.

Mr. Howell made a motion to approve the bill list as of 1/12/2023 as presented. Mr. Parmer seconded the motion. All in favor and the motion was carried.

Item #7 - Departmental Reports –

Police Dept. – Chief Hammond said that he would be attending the winter Chief Conference February 12-16 in Montgomery.

Sail Center – We will be hosting the February Municipal Association Dinner with Rep. Matt Simpson as the speaker. Mrs. Lynch pointed out that the flags located inside were very worn and needs to be replaced. Mrs. Lynch made a motion to purchase a new Federal and State Flag Pole set for the SAIL Center to be paid with SAIL Center funds. Mr. Howell seconded the motion. All in favor and the motion was carried.

Park Dept. – Mr. Howell made a motion to have an AED placed at the park and SAIL Center. Mr. Parmer seconded the motion. All in favor and the motion was carried.

Mr. Howell spoke to the council about charging the teams that use our fields that are not from Creola. Discussion was made and they decided to charge \$300 for a temporary amount until they can get a permanent amount.

Fire Dept. – No report given.

Public Works Department – No report given.

Building Inspection Department – No report given.

Zoning Board – No report given.

Item #8 - New Business-

- a. **Brown Property** – There is a parcel of land that the city has leased for years from the Browns. It is used by the public works department. Ms. Brown is now willing to sell the parcel of land. Mr. Howell made a motion to allow Mayor Nelson to speak with Ms. Brown about purchasing the property from her. Mr. Parmer second the motion. All in favor and the motion was carried.
- b. **Texas Vehicles** – This is a place in Houston, Texas, Eric Huber of River Oaks Autohaus, that sells fully equipped police vehicles at a substantial discount. The information was given to the council for them to discuss.
- c. **Chief Winter Conference** – Mr. Hadaway made a motion to approve sending Chief Hammond to the winter police chief conference February 12-16. Mr. Howell seconded the motion. All in favor and the motion was carried.
- d. **Building Inspector School** – Mr. Howell made a motion to send David Moss, building inspector, to building inspectors school January 18-20. Mr. Parmer seconded the motion. All in favor and the motion was carried.

- e. **Resolution 01-2023 Capital Project** - After a discussion on the 2023 Capital Project with Mobile County Commission, Mr. Parmer made a motion to approve Resolution 01-2023. Mr. Hadaway seconded the motion. All in favor and the motion was carried.
- f. **Municipal Dinner February 16, 2023** – The City of Creola will be hosting the Municipal Association Dinner on February 16, 2023 at the SAIL Center. Naman’s will be catering the event.
- g. **Bridge Inspection** – Mr. Parmer made a motion to allow Safe Spann to inspect the bridges located in Creola as required by law. Mr. Howell seconded the motion. All in favor and the motion was carried.
- h. **Lights at City Hall and SAIL Center** – After speaking with Joel Pike about the lights needing to be replaced, he stated that we could get an employee to go purchase the bulbs and replace them. It didn’t require anything special.

Item #9 - Citizens to Address Council – Mike Cassidy, addressed the council about the pothole on highway 43 and Radcliff road.

Item #10 - Mayors Comments – Mayor Nelson commented on the rocking of South Creola Blvd. The Statement of Economic Interests is due April 30, 2023. Dead Lake Road has been resurfaced. Rep. Jerry Carl called and stated that Creola has been awarded \$1.5 million for the red light at Jackson road and Hwy 43. The CDBG Grant has also been submitted. Hill Electric will be here to begin the installation of the electricity at Veteran’s Park in approximately two weeks.

Executive Session –

Attorney Danny Mims read the following exert 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.

Mr. Hadaway 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 after the executive session is over. Mr. Howell seconded the motion. All in favor and the motion was carried. The meeting was adjourned at 6:37 p.m.



Don Nelson
Mayor



Marcy Brown
City Clerk