**MEETING MINUTES**

**Monday, December 7, 2020**

The Mayor and Council of the City of Marion met on Monday, December 7, 2020 in its regularly scheduled council session. The council meeting was held at 6:00 p.m. in the Council’s Chambers of the Marion City Hall located at 123 E. Jefferson St. and via Zoom. The public were asked for comments and concerns during the public comment session. Presiding Officer Mayor Dexter Hinton called the meeting to order immediately following public comments. On roll call the following members were present: Presiding Officer Mayor Dexter Hinton, Councilman Jeremy Arrington (D1), Councilman Tommy L. Kennie (D2), Councilman Joseph Pearson (D3), Councilman Willie Jackson (Pro-Tem-D4), and Councilman Jefferson K. Nail (D5). City Clerk-Treasurer Laura W. Hinton served as recorder of the minutes. Also present via Zoom was Attorney Ainka Sanders-Jackson from the Law Office of Chestnut, Sanders, and Sanders, L.L.C., local citizens, and other agenda presenters.

A quorum being present, Presiding Officer Mayor Dexter Hinton declared the meeting open for the transaction of business.

The invocation was provided by Councilman Tommie Kennie (D2) and the Pledge of Allegiance was cited in concert.

Councilman Jeremy Arrington (D1) moved to adopt the minutes from the November 16, 2020 council session. Councilman Willie Jackson (D4) seconded the motion. Motion carried.

Avenu Insight and Analytics Client Executive Perry Brasfield presented information and answered questions regarding the Revenue Discovery Contract between the City and Avenue Insight and Analytics. The service was cited as existing within the city since 2012 providing services for the city and other municipalities that are owed business license fees; the executive added that the owed fees. Client Executive Brasfield cited services could be retroactively performed to collect up to three years of delinquent fees. The contract’s language was cited to be the same since 2012 and a one-time fifty percent recovery fee between the agencies would be disbursed and then the city would take on all collections thereafter. After review, Councilman Jeremy Arrington (D1) moved to accept the contract as presented by the company. Councilman Jefferson K. Nail (D5) seconded the motion. Motion carried.

Councilman Jefferson K. Nail (D5) moved to advertise the bid specifications for Cornelia St. and Dekalb St. Councilman Jeremy Arrington (D1) seconded the motion. Motion carried.

Councilman Willie Jackson (D4) moved to adopt the presented Intergovernmental Inmate Agreement between the City and the Perry County Sheriff’s Department. Councilman Tommie Kennie (D2) seconded the motion. Motion carried.

Councilman Jeremy Arrington (D1) noted issues at the Marion Water Department and the need for an Industrial Technician for emergency purposes or general maintenance work. The Clerk highlighted that the Industrial Technician position should be advertised so that the city is in compliance with the Equal Opportunity and other Employment Laws. There were additional questions and points of clarification from Council members Nail (D5) and Kennie (D2). After further consideration, Councilman Joseph Pearson (D3) moved to advertise the position of Industrial Technician. Councilman Jeremy Arrington (D1) seconded the motion. Motion carried.

City Clerk-Treasurer Laura Hinton presented a monthly report outlining revenue collections and expenditures for the City of Marion, AL. In addition, the city clerk-treasurer highlighted the COVID-19 expenditures and the request submitted to the state to obtain CARES ACT Funding for those expenditures. With no further questions or points for clarification, Councilman Jeremy Arrington (D1) moved to pay the November 2020 expenditures in December 2020 as presented on the outlined report. Tommie Kennie (D2) seconded the motion. Motion carried.

Further discussions were made by Councilman Willie Jackson (D4) regarding the need for an emergency Industrial Technician in light of the previous exigent circumstances surrounding Hurricane Zeta. Councilman Jeremy Arrington (D1) moved to continue to utilize the experience and expertise Mr. Lionel Hinton in cases of emergencies at the Water Treatment Plant until the position is advertised. Councilman Willie Jackson (D4) seconded the motion. Councilman Jefferson K. Nail (D5) declared additional clarifications and the need for a second motion or additional review allowing Mr. Moore, the Water Operator to use his discretion in choosing whomever in an emergency situation to perform the necessary work for operations especially in occurrences where Mr. Hinton is unavailable. A roll call vote was requested by the Presiding Officer outlining the motion presented noting the following: Councilman Jeremy Arrington (D1), no, Councilman Tommy Kennie (D2) no, Councilman Joseph Pearson (D3) no, Councilman Willie Jackson (D4) no, Councilman Jefferson K. Nail (D5) no, and Presiding Officer Mayor Dexter Hinton abstained from the vote. The motion failed.

On motion Councilman Jefferson K. Nail (D5) moved to give Mr. Moore, the Water Operator permission at his discretion in choosing a qualified technician in an emergency situation to perform the necessary work/repairs for operations. Councilman Jeremy Arrington (D1) seconded the motion. A roll call vote was requested by the Presiding Officer outlining the motion presented noting the following: Councilman Jeremy Arrington (D1), yes, Councilman Tommy Kennie (D2) yes, Councilman Joseph Pearson (D3) yes, Councilman Willie Jackson (D4) yes, Councilman Jefferson K. Nail (D5) yes, and Presiding Officer Mayor Dexter Hinton yes. The motion carried.

Presiding Officer Mayor Dexter Hinton requested an executive session as authorized by [AL Code § 36-25A-7 (2016)](https://law.justia.com/citations.html) for the purposes of general reputation/good name and character and to discuss pending ligations with the attorney and other legal representatives for a period of twenty minutes.

Councilman Jeremy Arrington (D1) moved to accept the Presiding Officer Mayor Dexter Hinton’s request as outlined by the code for the purposes of general reputation/good name and character and to discuss legal matters for the requested time. Councilman Tommie Kennie (D3) seconded the motion. A roll call vote was requested by the Presiding Officer noting the following: Councilman Jeremy Arrington (D1), yes, Councilman Tommy Kennie (D2) yes, Councilman Joseph Pearson (D3) yes, Councilman Willie Jackson (D4) yes, Councilman Jefferson K. Nail (D5) yes, and Presiding Officer Mayor Dexter Hinton yes. The motion carried unanimously.

Presiding Officer Mayor Dexter cited that no actions were taken in executive session.

Councilman Joseph Pearson (D3) moved to reconvene from executive session. Councilman Jeremy Arrington (D1) seconded the motion. Motion carried.

On motion of Councilman Joseph Pearson (D3) the governing body moved to accept the proposal of the attorney. Councilman Jefferson K. Nail (D5) seconded the motion. A roll call vote was requested by the Presiding Officer noting the following: Councilman Jeremy Arrington (D1) no, Councilman Tommy Kennie (D2) yes, Councilman Joseph Pearson (D3) yes, Councilman Willie Jackson (D4) yes, Councilman Jefferson K. Nail (D5) yes, and Presiding Officer Mayor Dexter Hinton no. The motion carried.

Presiding Officer Mayor Dexter Hinton declared the next regularly scheduled council meeting will be Monday, December 21, 2020 at 6:00 p.m. With no further business to come before the council, it was properly moved by Councilman Joseph Pearson (D3) and seconded Councilman Willie Jackson (D4) that the session be adjourned at 7:55 p.m. Motion carried.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Clerk-Treasurer