

## **MINUTES**

### **CITY OF HARTFORD, ALABAMA**

**June 20, 2023**

**JOHNNY HUGHES COMMUNITY CENTER COURTROOM, 405 SOUTH THIRD AVENUE, HARTFORD, ALABAMA 36344**

**ATTENDANCE:** Mayor Wendel Nolen, Council members Ron Adams, Melissa Clements, Zane Fowler and Paul Fondren. Council member Ted Thompson was absent.

**OTHERS IN ATTENDANCE:** Police Chief Annie Ward, City Magistrate Vernon Alford  
See Attachment for others present.

**CALL TO ORDER-** The Mayor called the meeting to order at 6:00 p.m.

**PRAYER AND PLEDGE-** Council member Paul Fondren led the prayer which was followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES FROM JUNE 5, 2023 MEETING-** Council members read through the minutes. A motion was made to approve these minutes by Council member Fondren. A second was provided by Council member Adams. The motion carried.

**AGENDA AMENDED** – Mayor Nolen amended the agenda to include a 4<sup>th</sup> item. He said that Ms. Jeanna Brannon will be added to the agenda. She turned in her request to be on the agenda to the email of the city clerk and since there is no current clerk, the request had been overlooked.

**APPROVAL FOR THE MAYOR TO SIGN THE CONSTELLATION CONTRACT** – Mayor Nolen informed the council that Stewart Engineering has submitted the final contract for Constellation, the new electrical supplier. Stewart Engineering had the contract drawn up by a lawyer who is experienced in these contracts. Mayor Nolen said that Lance from Stewart Engineering said it was one of the best contracts he had ever seen. He said it is important to sign the contract now because the city is getting a better rate and that may not last. The rate is 6 cents per kilowatt hour. He said that they will not know the final until the day of signing the contract. Council member Fondren reiterated that the contract has been approved by Stewart Engineering who have negotiated the electrical contract for the city since the 1970's. Mayor Nolen confirmed this. Council member Fondren asked if Stewart Engineering was comfortable with the work the attorney did on the contract. Mayor Nolen confirmed this. Council member Adams asked if the length of the contract is 5 years. Mayor Nolen confirmed this. Council member Fowler made the motion to approve the mayor signing the Constellation Contract. Council member Fondren provided the second. Council member Clements said she is not comfortable going into a 5-year contract without a city attorney. Council member Clements voted Nay, while all others voted Yay. Motion carries.

**APPROVAL OF CEMETARY CD RENEWAL** – Mayor Nolen said that there were 2 bids for the CD which is \$103,002.44. He opened the bid from First National Bank of Hartford. Their bid was 4.9%. The second bid was from Friend Bank at 4.25%. Council member Fondren made the motion to accept the First National Bank Bid. Council member Ron Adams made the second. The vote was unanimous, and the motion carried.

**COMMUNITY EVENTS DIRECTOR JANIE FONDREN** Mrs. Fondren gave an update to the council on the upcoming Freedom Fest. She told the council that the Freedom Fest will be on Monday, July 3<sup>rd</sup> at the James Radford Recreation Park beginning at 5:00 pm. Fireworks will end the night and will start sometime after 8:00, once it is dark. She said that various vendors will be there such as food vendors, face painting, snow cones, homemade goods and crafts. There will possibly be a couple of inflatables provided by Shiloh Baptist Church. The Band Britain will be headlining the evening with a concert starting at 6:30 pm. She encouraged everyone to come out. Mrs. Fondren told the council that she met with her advisory group last week and, with their approval, she has created a Community Events page which will have all planned community event information on it. Council member Adams said he will link it to the City's Facebook page so that the information will be available there as well.

**JEANNA BRANNON-** Ms. Brannon addressed the following issues: addressing the issues found in the state audit, the fiscal backlog of 2022 and 2023 will be addressed, when will the \$15,000 computer program be used and how the changes in overtime will be addressed in the budget. Ms. Brannon quoted the mayor as responding at the last meeting that “we are doing our best to address these issues and get everything caught up”. Ms. Brannon said that his best is not producing results. She stated that there is still no city clerk or city attorney. She said that no one who has been offered those positions is willing to step into the chaos in which the city finds itself. She encouraged full disclosure to any possible candidates for these positions in the future as well as full disclosure to the citizens. She stated the need for the city to address the financial issues faced by the city. She said there are many “of us” who are willing to meet with the city to address issues and provide a plan for moving forward. She asked the city council if they had a plan. She asked if a work session was held with the council and citizens, this might be a positive step toward transparency, accountability, and financial stability. Ms. Brannon addressed the executive session held at the last meeting. She stated that the executive session is not the place to discuss finances but that representatives from the Parsons Group, LLC, were included in the executive session. Ms. Brannon said that she and others believe that this violated the open meetings act. She asked for the mayor and council to share any financial information discussed in the executive session. Ms. Brannon stated her concerns about the city's ability to pay their bills and said that she knows that the city has been late in payment of vendors. Ms. Brannon returned to the issue of employee overtime and where money to pay overtime would come from. She

said she is aware that the city has paid overtime on paid time off. She said based on discussions with city clerks from Slocomb, Geneva, Samson and Daleville and Hartford's practice from the last 20 years, she believes overtime is supposed to be based on time worked. She asked where the money for overtime, based on non-working hours, came from. She said it would be a good idea for the council and mayor to review the city's overtime police in the employee handbook. Next, she asked about an update on issues with the city's water wells. She asked about the cost and if the council voted to approve this cost. She said she understands that, while the wells were not working, Slocomb and Geneva provided water to the city. She asked if Hartford will be charged for this water and, if so, what is the cost and where will the funds come from. She asked if the council had been made aware of and discussed in a council meeting even if an emergency meeting needed to be called. She asked what the plan is to address all of these concerns. Mayor Nolen thanked her and assured her that the city is working diligently to get people hired and in place. He said they are working hard and will get to these issues as they are able.

#### **PUBLIC COMMENTS –**

Dianne Copeland, who lives on 3<sup>rd</sup> Avenue, said she is having water issues. She showed a bottle of water to the council. The water was a brown color and she said it came from her house. Mayor Nolen said that they will check into it.

#### **COUNCIL COMMENTS –**

Mayor Nolen said the city needs to move forward with the purchase of the landfill. He said that ADEM has given approval of the site. A water test is needed but it will not be available to be done until the Fall because it needs to be done when the water table is at its lowest. Therefore, he said, the land needs to be purchased now. Next, Mayor Nolen said that the next council meeting is July 3<sup>rd</sup> which is the night of the city's Freedom Fest. The meeting will be moved to 5:00 pm.

Council member Melissa Clements stated that she is concerned about the overtime. She is concerned about workers using PTO to get to have overtime. She said that overtime should be on time worked. She said that when it was approved for Fire & Rescue, it was stated that it would start immediately. However, she said that it could not be official until the minutes of that meeting were approved. She said that they got overtime two weeks before it was officially approved. Council member Fowler said he did not know about this. Council member Clements said that she knows of 3 employees who used PTO and then claimed overtime. Council member Fowler said that this is an issue for the mayor to oversee and manage. Mayor Nolen said that this is an issue which needs to be revisited because the handbook has contradictory statements. Council member Clements asked if the council needs to stop all overtime until a clerk and lawyer can be hired. Council member Fondren said that this is an issue for the

mayor to work on. Mayor Nolen said that he will get with the attorney, once one is hired, to sort this issue out.

Council member Zane Fowler thanked Mrs. Janie Fondren for her efforts in organizing Freedom Fest.

There were no other remarks by any of the council members.

**COMMENTS FROM DEPARTMENT HEADS –**

Magistrate Vernon Alford complimented utility clerk, Khris Ballard, for her efforts toward handling the bill paying for the city. In his budget, he has a line item for administrative support which pays the city clerk, utility clerk and payroll clerk for the work they do for the court system. Since there is currently no city clerk and Mrs. Ballard is handling everything so well, he proposed increasing her pay from \$200 per month to \$400 per month and for the new Payroll clerk, Lisa Ketchum, to be paid \$200 per month. Council member Paul Fondren made a motion to approve this. A second was offered by Council member Zane Fowler. The motion carried.

There were no other comments by department heads.

**ADJOURNMENT-** Mayor Nolan asked for a motion to adjourn the meeting. Council member Fowler made the motion which was seconded by Council member Fondren. The vote was unanimous in approving the adjournment.



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Presiding Officer