

City of Ashville
Special Called Council Meeting
Wednesday, November 30 ,2022
5:30 PM

Mayor Derrick Mostella called the Council meeting to order at 5:30pm on Wednesday, November 30, 2022.

Mayor Derrick L. Mostella and Councilmembers Robin Bowlin, Edward Roscoe Lane, Sue Price, Shirley Smith and Denise Williams were present.

Mayor Mostella asked for a motion to approve the final meeting agenda. Councilmember Denise Williams made a motion to approve the final meeting agenda; Councilmember Shirley Smith seconded the motion; all Councilmembers voted yes; motion approved.

City Attorney James Hill advised the council and public that it was his understanding that the Mayor and Council were considering going into an executive session for the purpose of discussing pending litigation. He further stated that there are certain requirements that must be met in order for the Mayor and Council to go into executive session. The purpose for the executive session must be one allowed under the code, which in this case was to discuss pending litigation. The public must be advised of the anticipated time that the Mayor and Council will remain in executive session, which in this case was approximately 15 minutes. The public must also be advised of the whether the Mayor and Council will reconvene the public meeting following the executive session and whether they anticipate taking any action when they return to the public meeting, which in this case the Mayor and Council anticipated returning to the special called public meeting and will be taking action on the agreement regarding the pending litigation. The Mayor and Council were also informed that they would be provided a letter outlining these requirements and Attorney Hill's opinion that the issue to be discussed qualified for executive session under the code. Finally, the Mayor and Council were advised that if they desired to enter an executive session there must be a motion including the information required, a second to that motion, and roll call vote in the affirmative.

Mayor Mostella asked for a motion to enter into executive session based on the information outlined by the City's Attorney. Councilmember Denise Williams made a motion to enter executive session based on the information outlined by the City's Attorney. Councilmember Shirley Smith seconded the motion; Councilmember Shirley Smith votes yes, Councilmember Denise Williams votes yes, Councilmember Sue Price votes yes, Mayor Derrick Mostella votes yes, Councilmember Robin Bowlin votes yes, and Councilmember Edward Roscoe Lane votes yes; motion unanimously approved. The Council convened for executive session at 5:34pm and returned at 5:52pm.

Mayor Mostella asked for a motion to approve the Full Release and Settlement Agreement (the "Agreement") regarding pending litigation: Shelia Williams vs City of Ashville, AL. Councilmember Denise Williams made a motion to approve the Agreement. Councilmember Shirley Smith seconded the motion; all Councilmembers voted yes; motion approved.

Mayor Mostella asked for a motion to adjourn. Councilmember Sue Price made a motion to adjourn; Councilmember Shirley Smith seconded the motion; all Councilmembers voted yes, motion approved. Meeting adjourned.

Derrick Mostella, Mayor

Chrystal St. John, City Clerk