

City Hall
Fayette, Alabama
June 24, 2014

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on June 24, 2014, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Ray Nelson, Council members Linda McCraw, Mike Hardin, Jason Cowart, Cedric Wilson and David Brand. Also present were City Clerk Dawn Clapp, Police Chief Danny Jenkins, Fire Chief Tony Ellis, City Attorney Dale Lawrence and City Engineer Dewayne Roby.

The opening prayer was given by Mr. Dewayne Roby.

Mayor Nelson announced that a quorum was present and that the meeting was open for the transaction of business.

APPROVAL OF MINUTES

Councilmember Brand moved that the minutes of the regular meeting and work session held on May 27, 2014, and the minutes of the meeting held on June 10, 2014, be approved. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

UPDATE ON PROJECTS

Mr. Heath Reed of Goodwyn, Mills and Cawood, updated the Council on the projects his firm was providing engineering and design services.

Sanitary Sewer and Drainage Project along 4th and 5th Streets – Mr. Reed stated the project is ongoing.

Wastewater Plant Project- Mr. Reed reported the contractor should be starting work on this project by mid-July. He expects the project to be completed in 6-8 months.

Temple Avenue Streetscape – Mr. Reed reported the project should be bid in the late summer or early fall. The designs have to be submitted to and approved by the Alabama Department of Transportation.

Aquatic Center Project- Mr. Reed reported there are some minor punch list matters to be addressed at the Aquatic Center.

OXBODIES EXPANSION

Mayor Nelson reported that Ox Bodies, Inc. (TBI) is increasing its production of dump beds from ten per day to fifteen per day. The company is in need of space to store and park its equipment and trucks. The increase in production will create 30 to 35 additional jobs.

Mayor Nelson stated the City owns property adjacent to Ox Bodies that is not currently being used by the City. He stated this would be a good location for the Company to store and park its equipment and trucks; however, the property would need to have a fence around it.

C3 Director David Thornell stated that he had applied for a small grant from the State to place fencing around the City owned property and make other improvements to the property.

It was the consensus of the Council to allow Ox Bodies to use the property since it was not currently needed for municipal purposes.

Councilmember Cowart moved that the Council proceed with fencing the property and use the low bidder to construct it. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for the month of May: 39 incidents investigated; 18 accidents; 85 traffic citations; and 26 arrests.

Chief Jenkins, also, reported on a recent traffic study on 2nd Avenue NE. A study was performed on this street because of some complaints that had been received.

FIRE DEPARTMENT REPORT

Fire Chief Tony Ellis presented the fire report for the month of May 2014. The Fire Department received 7 fire calls, with no structural fires.

RESOLUTION 2014-11

Mayor Nelson presented Resolution 2014-11 to the Council for their consideration. Resolution 2014-11 is as follows:

**RESOLUTION 2014-11 (RETIREES)
A RESOLUTION AUTHORIZING THE CITY OF FAYETTE TO
COME UNDER PROVISIONS OF ACT 429
OF THE REGULAR SESSION OF THE 2014 LEGISLATURE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, that the City of Fayette elects to come under the provisions of Act 429 of the regular session of the 2014 Legislature.

BE IT FURTHER RESOLVED, that the City of Fayette agrees to provide all funds necessary to the Employee’s Retirement System to cover the cost of a one-time lump sum payment as provided by said Act for those eligible employees retired from the City of Fayette.

ADOPTED AND APPROVED by the City Council of the City of Fayette, Alabama, on this 24th day of June, 2014.

Mayor

ATTEST:

City Clerk

Councilmember Cowart moved that the Council adopt Resolution 2014-11. Upon the motion being seconded by Councilmember Brand, the following vote was taken:

AYES: Mayor Nelson and Council members McCraw, Cowart, Wilson and Brand

NAYS: None

ABSTAINING: Councilmember Hardin

Mayor Nelson stated the motion passed.

RESOLUTION 2014-12

Mayor Nelson presented Resolution 2014-12 to the Council for their consideration. Resolution 2014-12 is as follows:

**RESOLUTION 2014-12 (PENSIONERS)
A RESOLUTION AUTHORIZING THE CITY OF FAYETTE TO
COME UNDER PROVISIONS OF ACT 429
OF THE REGULAR SESSION OF THE 2014 LEGISLATURE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, that the City of Fayette elects to come under the provisions of Act 429 of the regular session of the 2014 Legislature.

BE IT FURTHER RESOLVED, that the City of Fayette agrees to provide all funds necessary to the Employee's Retirement System to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible pensioners and beneficiaries of pensioners who retired from the City of Fayette.

ADOPTED AND APPROVED by the City Council of the City of Fayette, Alabama, on this 24th day of June, 2014.

Mayor

ATTEST:

City Clerk

Councilmember Wilson moved that the Council adopt Resolution 2014-12. Upon the motion being seconded by Councilmember Hardin, the same was unanimously approved.

HOSPITAL UPDATE

Mayor Nelson stated that he thought the meeting on June 10th went well. He stated Fayette County Hospital Board Chairman, Mike Freeman, will meet with the City Council at its next meeting (July 8th).

NORTHWEST ALABAMA MENTAL HEALTH UPDATE

Mayor Nelson reported on the meeting with officials from Northwest Alabama Mental Health (NAMH) concerning their purchase of property in the old Industrial Park. Mayor Nelson stated NAMH has now purchased the property from the City and received the deed to the lot.

Mayor Nelson stated one issue that had arisen was the need to run a water line along the street right-of-way so that the NAMH lot would have access to water. The cost of running the water line is \$25,475.37. This water line would run from State Highway 96 along the right-of-way of the street. NAMH would be responsible for their own service line to their building.

Councilmember Wilson moved that the City provide water service access to the new facility by running a water line from State Highway 96 along the right-of-way of the street. Upon the motion being seconded by Councilmember McCraw, the following vote was taken:

AYES: Mayor Nelson and Council members McCraw, Wilson and Brand

NAYS: Councilmember Cowart and Hardin

Mayor Nelson stated the motion passed.

ALABAMA FROG LEVEL FESTIVAL 2014

Mayor Nelson reported to the Council that \$6,000.00 from the Community Development portion of the City's budget would be used for the 2014 Frog Level Festival.

RESOLUTION 2014-13

Mayor Nelson presented Resolution 2014-13 to the Council for their consideration. Resolution 2014-13 is as follows:

RESOLUTION 2014-13

A RESOLUTION AUTHORIZING THE CITY OF FAYETTE TO ENTER INTO A CONTRACT WITH REBASCO DECORATORS TO PAINT THE EXTERIOR OF THE FORMER DELTA APPAREL BUILDING

WHEREAS, the City of Fayette has applied for a CDBG Economic Development Incubator Grant to construct improvements to the former Delta Apparel Building which is owned by the City of Fayette.

THEREFORE, in accordance with CDBG regulations the City of Fayette has solicited and received bids from qualified construction companies to paint the exterior of the former Delta Apparel Building in accordance with city's grant application and approved plans and specifications;

NOW, THEREFORE, be it resolved that the City of Fayette has evaluated the bids received and has determined that Rebasco Decorators is the low bidder on the exterior painting portion of the project; and

THAT, Ray Nelson, Mayor, is hereby authorized to enter into a contract with Rebasco Decorators in the amount of \$26,949.00 to paint the exterior of the former Delta Apparel Building.

IN WITNESS WHEREOF, the Fayette City Council has caused this Resolution to be executed in its name and on its behalf by its Mayor on this the 24th day of June, 2014.

Mayor Ray Nelson

ATTEST:

City Clerk Dawn Clapp

After a general discussion, Councilmember Cowart moved that the Council adopt Resolution 2014-13. Upon the motion being seconded by Councilmember Brand, the same was unanimously approved.

APPROVAL OF FINANCIAL REPORT & STATEMENT

Councilmember Cowart moved that the City's financial report be approved. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

Councilmember Cowart moved that the City's financial statement be approved. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

APPROVAL OF PARK & RECREATION FINANCIAL REPORT & STATEMENT

Councilmember McCraw moved that the Park & Recreation financial report be approved. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

Councilmember Wilson moved that the Park & Recreation financial statement be approved. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

OLD BUSINESS

City Engineer Dewayne Roby stated that he had spoken with Mr. Lynn Lawley about the clean up of the old Cotton Mill site. Mr. Roby stated nothing had changed since the last update.

PUBLIC HEARING ON ABATEMENT OF NUISANCES

City Engineer Dewayne Roby informed the Council that the Municipal Housing Code Abatement Board had determined that the below described buildings were unsafe to the extent that they created a public nuisance and had notified the owners of the buildings that the nuisances should be abated. He said that the time had run for the nuisances to be abated and that they had not been. After a general discussion, Councilmember Hardin moved that a public hearing be set for July 22, 2014 at 5:00 p.m., to determine the extent that the below listed properties create a public nuisance and require further action by the City of Fayette to abate. Upon the motion being seconded by Councilmember McCraw the same was unanimously

approved.

1. Building located at:
427 4th Avenue NW
Fayette, AL 35555

Assessed for ad valorem tax to:
Yvonia P. Wallace Estate
502 Cannon Road
Fayette, AL 35555

2. Building located at:
707 6th CT SW
Fayette, AL 35555

Assessed for ad valorem tax to:
Eddie James & Dorothy Wilson
910 2nd Ave NE
Fayette, Alabama 35555

REPORT OF MAYOR

Mayor Nelson reported that the LED lighting for the downtown street lights will be received soon. The lighting was obtained through a WRATT grant.

REPORT OF COUNCILMEMBER MCCRAW

Councilmember McCraw presented the Council with a report on the Aquatic Center. The report showed this year's revenue from admissions and concession sales were in line with the numbers from last year. She said the Aquatic Center is doing well.

REPORT OF COUNCILMEMBER COWART

Councilmember Cowart stated that he had a request for one or both of the stop signs to be taken down on 23rd Street.

ADJOURNMENT

There being no further business to come before the Council, upon the motion to adjourn being made by Councilmember Wilson and seconded by Councilmember McCraw, the same was unanimously approved.

Mayor

Attest:

City Clerk