

City Hall
Fayette, Alabama
February 24, 2015

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on February 24, 2015, 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, City Attorney Dale Lawrence and City Engineer Dewayne Roby.

The opening prayer was given by Mr. David Logan.

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

GUEST APPEARING BEFORE COUNCIL

1. Mr. John Underwood – Chairman of the Fayette County Commission

Mr. John Underwood appeared before the Council to apologize for forgetting to invite the Council to a meeting at the Civic Center on February 18, 2015.

APPROVAL OF MINUTES

Councilmember Cowart moved that the minutes of the meeting held on February 10, 2015, be approved. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

PUBLIC HEARING ON ABATEMENT OF NUISANCE LOCATED AT 707 6th COURT SW, FAYETTE, ALABAMA

Mayor Ray Nelson announced that this was the day and time scheduled for the public hearing on the determination of the City of Fayette Municipal Housing Code Abatement Board that the structure located at 707 6th Court SW, Fayette, Alabama, assessed for ad valorem taxes to Olive Rose Savage is unsafe to the extent that it creates a public nuisance. Mr. Chris Savage, grandson of Olive Rose Savage, spoke on behalf of Mr. Early Rubert and he asked on behalf of Mr. Rubert that they be allowed an additional sixty days to demolish the building themselves.

After a general discussion, Councilmember Wilson moved that the Council postpone action on the property located at 707 6th Court SW, Fayette, Alabama, assessed for ad valorem taxes to Olive Rose Savage for a period of sixty days. Upon the motion being seconded by Councilmember Cowart, the following vote was taken:

AYES: Councilmember McCraw, Cowart, Wilson and Brand
NAYS: Councilmember Hardin

Mayor Nelson stated the motion passed.

PUBLIC HEARING ON ABATEMENT OF NUISANCE LOCATED AT 113 8th WAY SW, FAYETTE, ALABAMA

Mayor Nelson announced that this was the day and time scheduled for the public hearing on the determination of the City of Fayette Municipal Housing Code Abatement Board that the structure located at 113 8th Way SW, Fayette, Alabama, assessed for ad valorem taxes to Evelyn Hollis c/o Luventris Hollis is unsafe to the extent that it creates a public nuisance. No one appeared at the public hearing to oppose or object to the building being declared a public nuisance.

After a general discussion, Councilmember Brand moved that the Council find that the structure located at 113 8th Way SW, Fayette, Alabama, assessed for ad valorem taxes to Evelyn Hollis c/o Luventris Hollis is unsafe to the extent that it creates a public nuisance and that the City order the structure to be demolished 30 days from this date. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

PUBLIC HEARING ON ABATEMENT OF NUISANCE
LOCATED AT 732 3rd AVE. NW, FAYETTE, ALABAMA

Mayor Nelson announced that this was the day and time scheduled for the public hearing on the determination of the City of Fayette Municipal Housing Code Abatement Board that the structure located at 732 3rd Ave. NW, Fayette, Alabama, assessed for ad valorem taxes to the Louis Harris Walker Estate c/o Fabiano W. Cheeks is unsafe to the extent that it creates a public nuisance. No one appeared at the public hearing to oppose or object to the building being declared a public nuisance.

After a general discussion, Councilmember Cowart moved that the Council find that the structure located at 732 3rd Ave. NW, Fayette, Alabama, assessed for ad valorem taxes to the Louis Harris Walker Estate c/o Fabiano Cheeks is unsafe to the extent that it creates a public nuisance and that the City order the structure to be demolished 30 days from this date. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

STREET LIGHT REQUEST

This street light request was previously discussed at the Council meeting on February 10, 2015. City Engineer Dewayne Roby reported the two street lights at Shadow Oaks Apartments are on the right of way. He said one light will have to be turned toward the street and the other one will have to be replaced. Councilmember Brand suggested the Council wait to see how dark it is when the lights are cut off and then make a decision on the matter. The cost of the two lights will be \$25.00 per month.

Councilmember Wilson moved to table this matter until the next meeting. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

RESOLUTION 2015-04

Mayor Nelson presented Resolution 2015-04 to the Council for their consideration. Resolution 2015-05 is as follows:

RESOLUTION 2015-04
A RESOLUTION AUTHORIZING LOCAL STATE LEGISLATORS TO INTRODUCE AND
PASS LEGISLATION DURING THE 2015 REGULAR SESSION THAT ALLOWS FOR
THE SALE OF DRAFT BEER IN THE CITY OF FAYETTE

WHEREAS, the City of Fayette held a municipal option election on June 22, 2010, and based upon the results of the municipal option election the sentiment of the people of the City was to allow alcoholic beverages to be legally sold and distributed within the City of Fayette; however, this municipal option election could not and did not authorize the sale of draft or keg beer; and;

WHEREAS, the sale of draft beer can only be authorized through local legislation passed by the Alabama Legislature; and,

WHEREAS, the City Council wishes to have the Legislature enact a local law providing for the sale of draft beer in the City of Fayette;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Fayette, requests that Representative Kyle South and Senator Greg Reed introduce and pass legislation during the 2015 regular session that allows for the sale of draft beer in the City of Fayette.

Done this the _____ day of February, 2015.

Mayor

ATTEST:

City Clerk

Councilmember Cowart addressed the matter and said that when the City voted to go wet, this vote did not address the issue of draft beer. Councilmember Cowart stated that he spoke to some of the local restaurant owners concerning the sale of draft beer and they would like to be able to offer this to their customers.

After a general discussion, Councilmember Cowart moved that the Council adopt Resolution 2015-04. Upon the motion being seconded by Councilmember Hardin, the following vote was taken:

AYES: Councilmembers Hardin, Cowart, Wilson and Brand

NAYS: Mayor Nelson and Councilmember McCraw

Mayor Nelson stated the motion passed.

AQUATIC CENTER UPDATE

Councilmember McCraw reported that Park & Recreation Director Lance Holliman recommended that the fee for the pool parties be increased from \$350.00 to \$400.00. She also reported he recommended the admission price and cost of season passes remain the same.

Councilmember Hardin stated he felt it was premature to set prices for the pool parties and admissions when they did not know what the expenses would be. Councilmember McCraw stated Mr. Holliman thought it would break even charging \$400.00 for the pool parties.

Councilmember Brand said instead of the Council just focusing on the pool parties, it should be focusing on how the Aquatic Center performs financially from the time it opens until it closes on an average day.

Councilmember McCraw stated when the Aquatic Center project started the Council recognized that it might not generate enough revenue to cover its operating expenses. She stated if its revenues did not cover its operating expenses that was okay because it was done as public service for the people of Fayette and not for the purpose of making money.

Councilmember Cowart said the Aquatic Center is a business that is operated by the public and it should be managed as such. He said the Council should try to blend the proposals that had been presented concerning the Aquatic Center's personnel and payroll so the best parts of each might be implemented. He stated if the fee for pool parties was increased to \$500.00 and the lifeguards, concession workers and admission workers paid minimum wage, it would be a step in the right direction.

Mayor Nelson stated he and Mr. Holliman were working to find a full-time Aquatic Center Director. He stated if they were unable to find one soon then another plan would have to be implemented.

Councilmember Wilson stated Mr. Holliman was asked to present a plan and he presented a plan. He stated the Council needed to look at the plan that was presented instead of jumping ahead of him. Councilmember Wilson stated if the Council was going to develop the plan then they did not need to ask Mr. Holliman to do it.

Councilmember McCraw moved that the Council authorize the charging of a fee of \$400.00 for pool parties at the Aquatic Center. Upon the motion being seconded by Councilmember Wilson, the following vote was taken:

AYES: Mayor Nelson, Councilmembers McCraw, Hardin and Wilson

NAYS: Councilmembers Cowart and Brand

The Mayor stated the motion passed.

Councilmember Brand stated he was concerned that increasing the fee for pool parties would result in fewer parties being booked.

APPROVAL OF FINANCIAL STATEMENT

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

APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

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

REPORT OF CITY CLERK

City Clerk Dawn Clapp reported that recently \$5,800.00 on delinquent garbage accounts had been collected.

REPORT OF COUNCILMEMBER MCCRAW

Councilmember McCraw reported that 270 players had signed up for baseball and softball. She stated Opening Day will be held on April 2nd.

REPORT OF COUNCILMEMBER HARDIN

Councilmember Hardin stated as soon as the weather breaks, leaf pick up will begin.

REPORT OF MAYOR

Mayor Nelson reported the Chamber Banquet will be held on March 19th. He also stated a reception honoring Mr. David Logan upon his retirement from Alabama Power Company will be held on March 25th at Beville State Community College.

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 Cowart, the same was unanimously approved.

Mayor

Attest:

City Clerk