

City Hall  
Fayette, Alabama  
June 9, 2015

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on June 9, 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, Fire Chief Tony Ellis and City Attorney Dale Lawrence.

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

#### GUEST APPEARING BEFORE COUNCIL

##### A. Joy Griswold

Mrs. Joy Griswold spoke to the Council about dogs at Guthrie Smith Park. She stated that dogs came up to her grandchildren while they were on the playground at the park. She stated she would like for owners to be required to have their dogs on a leash while at the park.

Mayor Nelson stated he would form a committee to look into this matter. He asked Mrs. Griswold if she would be willing to serve on the committee. Councilmember Cowart said the committee should look at surrounding communities to see how they have addressed this issue.

The Mayor stated the committee would be comprised of Mrs. Joy Griswold, Councilmember Jason Cowart as cChairman, Councilmember Linda McCraw and Police Chief Danny Jenkins.

#### APPROVAL OF MINUTES

Councilmember Brand moved that the minutes of the meeting held on May 26, 2015, be approved. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

#### SEWER PROJECT UPDATE

Mr. Heath Reed updated the Council on the camera work on the sewer lines on 2<sup>nd</sup> Avenue NE (US Hwy 43). He reported they were able to do some camera work in the neighborhood east of 2<sup>nd</sup> Avenue NE but because of collapsed pipes and infiltration of dirt and gravel they were unable to perform camera work on the lines running under 2<sup>nd</sup> Avenue N.E. He stated the pictures taken would be used in the City's grant applications. Mr. Reed said the plan would be for the main sewer lines on 2<sup>nd</sup> Avenue NE to run under the sidewalks instead of under the street.

#### SEWER PROJECT CDBG APPLICATION

Mr. Terry Acuff stated the estimated cost of replacing the sewer lines, manholes, and all house service lines on 2<sup>nd</sup> Avenue NE (US Hwy 43), 3<sup>rd</sup> Avenue, 7<sup>th</sup> Street NE, 6<sup>th</sup> Street NE and 6<sup>th</sup> Avenue NE was \$1,316,100.00. This estimate includes resurfacing all roads impacted by the project, except US Hwy 43. This project would lay a new sewer line and manholes underneath the sidewalks on both sides of 2nd Avenue NE. The City's match would be \$666,100.00. Mr. Acuff said the City will have \$204,493.50 remaining from the EPA Wastewater Improvement Project which can be used toward the match. City Clerk Dawn Clapp stated the City's sewer fund may be able to provide up to \$400,000.00 toward the project.

#### RESOLUTION 2015-08

Mayor Nelson presented Resolution 2015-08 to the Council for their consideration. Resolution 2015-08 is as follows:

**RESOLUTION 2015-08**  
**A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE**  
**STATE OF ALABAMA, DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS,**  
**TO REQUEST A 2015 COMMUNITY DEVELOPMENT BLOCK GRANT TO REPLACE**  
**THE SANITARY SEWER SYSTEM**

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**WHEREAS**, the Alabama Community Development Block Grant Program has been established to assist local governments in meeting community development and housing needs consistent with the objectives as set forth in Title I of the Housing and Community Development Act of 1974, as amended; and

**WHEREAS**, the City of Fayette, acting by and through its City Council proposes to apply for Community Development Block Grant (CDBG) funds for the purpose of performing eligible community development activities that will benefit low and moderate income residents in the City of Fayette; and,

**RAY NELSON, MAYOR**, is hereby authorized to execute and submit an application with appropriate assurances to the State of Alabama, Department of Economic and Community Affairs, requesting Fiscal Year 2015 Community Development Block Grant Funds in the amount of \$450,000.00 and requesting Fiscal Year 2015 Appalachian Regional Commission (ARC) Grant Funds in the amount of \$200,000.00 to replace the sanitary sewer system on State Highway 43, 3<sup>rd</sup> Avenue, 7<sup>th</sup> Street NE, 6<sup>th</sup> Street NE and 6<sup>th</sup> Avenue NE in the City of Fayette; and

**THAT, THE CITY OF FAYETTE**, will provide a local cash match of \$666,100.00 in support of this project.

DONE this the 9th day of June, 2015 .

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Mayor

ATTEST:

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City Clerk

Councilmember Hardin moved that the resolution be adopted. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

ORDINANCE 2015-01

Mayor Nelson presented Ordinance 2015-01 to the Council for their consideration. Ordinance 2015-01 is as follows:

**ORDINANCE NO. 2015-01**

**AN ORDINANCE AUTHORIZING THE SALE AND DISTRIBUTION OF DRAFT OR KEG BEER OR MALT BEVERAGES BY RETAIL LICENSEES OF THE ALCOHOLIC BEVERAGE CONTROL BOARD AND THE CITY OF FAYETTE**

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**WHEREAS**, the Alabama Legislature enacted Act 2015-298, and said Act was signed into law by Governor Robert Bentley on June 2, 2015, empowering the City Council of the City of Fayette to authorize the sale and distribution of draft or keg beer or malt beverages by retail licensees of the Alcoholic Beverage Control Board and the City of Fayette.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, AS FOLLOWS:**

**SECTION 1.** Pursuant to State of Alabama Act. 2015-298, passed by the legislature on May 26, 2015, the sale of draft or keg beer or malt beverages by retail licensees is authorized in the City of Fayette.

**SECTION 2.** The sale of draft or keg beer or malt beverages is subject to the requirements and provisions of Ordinance 2010-04, as amended, the same as canned or bottled beer.

**SECTION 3.** This ordinance shall become effective upon its passage and publication as required by law.

**THE ABOVE AND FOREGOING ORDINANCE WAS READ, ADOPTED AND APPROVED** on the 9<sup>th</sup> day of June, 2015, by the City Council of the City of Fayette, Alabama.

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Mayor

ATTEST:

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City Clerk

Councilmember Wilson moved that the Council give unanimous consent to consider Ordinance 2015-01. Upon the motion being seconded by Councilmember Hardin, the same was unanimously approved.

Councilmember Hardin moved that the Council adopt Ordinance 2015-01. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

#### POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for the month of May 2015. The report was as follows: 32 incidents investigated; 14 accidents; 163 traffic citations; and 27 arrests.

#### FIRE DEPARTMENT REPORT

Fire Chief Tony Ellis presented the fire report for the month of May 2015. The Fire Department received 24 calls.

Fire Chief Ellis reported his vehicle was becoming unreliable. It is a 1997 GMC Yukon with 158,250 miles. He requested the Council allow him to purchase a new 2015 Fleet/Chevrolet Silverado 1500 4WD crew cab truck off the state bid list at a cost of \$28,382.12. He stated a bed liner and bed cover would cost \$2,000.00 for a grand total of 30,000.00. Mayor Nelson stated he would have the City Clerk look at the financials and report back at the next meeting.

#### PARADE PERMIT

Mayor Nelson presented to the Council a request for parade permit for "Tunes on Temple" to be held on July 10, 2015. Councilmember Wilson moved the permit be granted. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

#### APPROVAL OF FINANCIAL STATEMENT

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 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 for the month of May, the City received \$194,522.42 in sales tax, which was a decrease of \$6,300.00 compared to last year. Also, the City received \$7,036.00 in alcohol taxes for May, which was a decrease of \$1,600.00 compared to last year.

#### REPORT OF COUNCILMEMBER MCCRAW

Councilmember McCraw stated the average attendance at the Aquatic Center so far is 238 per day. She also stated swimming lessons are being offered.

#### REPORT OF MAYOR

Mayor Nelson stated there will be a meeting concerning Fayette Medical Center on June 25, 2015, at the Civic Center.

#### ADJOURNMENT

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

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Mayor

Attest:

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City Clerk