

City Hall
Fayette, Alabama
November 10, 2015

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on November 10, 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, City Attorney Dale Lawrence and City Engineer Dewayne Roby.

The opening prayer was given by Mayor Ray Nelson.

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

ANNOUNCEMENT OF MAYOR

Mayor Nelson announced that Governor Bentley had awarded the City a new CDBG grant for sewer rehabilitation in the amount of \$450,000.00.

GUEST APPEARING BEFORE COUNCIL

A. FAYETTTE HOUSING AUTHORITY

Mr. David Logan, Chairman of the Fayette Housing Authority, along with board members Mr. Charles Langley, Mr. John Cross and Housing Authority Director Debra Barham appeared before the Council. Also present was Mr. Jake Garrison, a former member and chairman of the Housing Authority. Mr. Logan stated the Fayette Housing Authority wanted to honor Mr. Garrison for his service on the Housing Authority board. Mr. Logan presented a plaque to Mr. Garrison.

Mayor Nelson presented a Resolution to Mr. Jake Garrison on behalf of the Council to honor him for his service on the Fayette Housing Authority.

HOUSING AUTHORITY REPORT

Ms. Debra Barham gave a report on the Fayette Housing Authority. She said it has 151 apartments either rented or available for rent. She said the Housing Authority has a total of 166 apartments but some were in the process of being renovated. She said the renovated apartments should be available for occupation soon.

She stated the Housing Authority had recently had their annual inspection and were working to get the matters discovered corrected.

Ms. Barham stated the Housing Authority is still working on its lead paint abatement. She said there was no lead paint inside the apartments.

Ms. Barham also reported there is a problem with vehicles speeding on 6th Street SW and running the four way stop at the intersection of 6th Street SW and 4th Avenue SW. She asked for the City to look into ways to address this problem. Mayor Nelson recommended the Police Chief and Councilmembers Wilson and Brand look into the matter and report back to the Council with their recommendation.

APPROVAL OF MINUTES

Councilmember Cowart moved the minutes of the meeting held on October 27, 2015, be approved. 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 October 2015. The report was as follows: 32 incidents investigated; 10 accidents on public roads; 10 accidents on private property; 80 traffic citations; and 38 arrests.

SPEED STUDY

Police Chief Danny Jenkins stated the speed study on 11th Street SW was not a week long study due to an equipment malfunction. He reported the study was only for a twenty-four hour period. He said he would like to have a week long study before making any recommendations to the Council.

POLICE DEPARTMENT

Police Chief Danny Jenkins stated the new body cameras for the police officers had been received but would not be placed into service until a policy was implemented for their use. He hoped to have the policy ready for the next meeting. He stated the new ballistic vest had also been received.

HIRING OF POLICE OFFICER

Police Chief Danny Jenkins stated he had recommended to the Mayor that Mr. Byron Yerby be hired as a police officer to replace Officer Jared Taylor who had resigned. Chief Jenkins stated Mr. Yerby had worked with the Fayette County Sheriff's Department for several years.

Mayor Nelson stated he would hire Mr. Byron Yerby as a police officer upon receiving the consent of the Council.

Councilmember Brand moved the Council consent to the Mayor hiring Mr. Byron Yerby as a police officer. Upon the motion being seconded by Councilmember Cowart, the following vote was taken:

AYES: Councilmembers McCraw, Hardin, Cowart, Wilson and Brand.
NAYS: None
ABSTAIN: Mayor Nelson

FIRE DEPARTMENT REPORT

Fire Chief Tony Ellis presented the fire report for the month of October 2015. The Fire Department received 18 calls. He also reported the FEMA grants he had applied for had been turned down.

WATER BOARD APPOINTMENTS

Mayor Nelson stated the Council needed to appoint two individuals to the Water Works Board to fill the unexpired terms of Mr. Arthur "Skip" Reid and Mrs. Dottie Brasher. Mayor Nelson stated he would be abstaining from the vote on both positions.

Mayor Nelson stated the first position to be filled was the one formerly occupied by Mrs. Dottie Brasher. The Mayor asked for nominations for this position. Councilmember McCraw nominated Mrs. Bobbie Kemp Driver. Councilmember Hardin nominated Mrs. Belinda Watts. Councilmember Cowart nominated Mr. Jimmy Ayres. Councilmember Wilson did not nominate any one. Councilmember Brand nominated Mrs. Belinda Ary. There were no further nominations. Mayor Nelson stated the nominees would be voted on in the order of their nomination and once one nominee received a majority they would be declared appointed to the position. Mayor Nelson then called for a vote on the nomination of Mrs. Bobbie Kemp Driver. Mayor Nelson stated he would be abstaining from the vote on this position. Those voting for Mrs. Driver were Councilmembers McCraw, Wilson and Brand. Upon Mrs. Driver receiving three votes, the Mayor announced that Mrs. Bobbie Kemp Driver had received a majority of the vote and therefore was appointed to the Water Works Board to fill the unexpired term of Mrs. Dottie Brasher.

Mayor Nelson stated the next position to be filled was the one formerly occupied by Mr. Arthur "Skip" Reid. The Mayor asked for nominations for this position. Councilmember Brand nominated Mrs. Belinda Ary. Councilmember Wilson nominated Mrs. Stella Wallace. Councilmember Cowart nominated Mrs. Belinda Watts. Councilmember Hardin did not nominate any one. Councilmember McCraw did not nominate any one. There were no further nominations. Mayor Nelson stated the nominees would be voted on in the order of their nomination and once one nominee received a majority they would be declared appointed to the position. Mayor Nelson stated he would be abstaining from the vote on this position. Mayor Nelson then called for a vote on the nomination of Mrs. Belinda Ary. Those voting for Mrs. Ary were Councilmember Brand. Mayor

Nelson announced because Mrs. Ary only received one vote that was not majority and therefore, she did not receive enough votes to be appointed to the Water Works Board. Mayor Nelson then called for a vote on the nomination of Mrs. Stella Wallace. Those voting for Mrs. Wallace were Councilmembers McCraw, Wilson and Brand. Upon Mrs. Wallace receiving three votes, the Mayor announced that Mrs. Stella Wallace had received a majority of the vote and therefore was appointed to the Water Works Board to fill the unexpired term of Mr. Arthur "Skip" Reid.

RESOLUTION 2015-13

Mayor Nelson presented Resolution 2015-13 to the Council for their consideration. Resolution 2015-13 is as follows:

RESOLUTION 2015-13 A RESOLUTION IN SUPPORT OF KEEPING LOCAL DRIVER LICENSE EXAMINER'S OFFICE OPEN AT LEAST ONCE A WEEK

WHEREAS, on September 30, 2015, the Alabama Law Enforcement Agency announced that 31 part-time driver license examiner's offices would be closed, including the one in the City of Fayette, Alabama; and,

WHEREAS, on October 30, 2015, the Alabama Law Enforcement Agency announced it would send a driver license examiner to the part-time offices once a month; and,

WHEREAS, driver license services are a basic function of government and should be available on more than a monthly basis in every county; and,

WHEREAS, it is a hardship on many of the citizens living in Fayette to have to travel to another county in order to take a driver's test or obtain a driver's permit.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of Fayette, Alabama as follows:

That the City of Fayette urges Governor Robert Bentley and the Alabama Law Enforcement Agency to keep the part-time driver license examiner's office in Fayette open at least once a week.

ADOPTED AND APPROVED by the City Council of the City of Fayette, Alabama, on this 10th day of November, 2015.

Mayor

ATTEST:

City Clerk

Councilmember Hardin moved the Council adopt Resolution 2015-13. Upon the motion being seconded by Councilmember Wilson, the following vote was taken:

AYES: Mayor Nelson, Councilmembers McCraw, Hardin, Wilson and Brand
NAYS: Councilmember Cowart.

Mayor Nelson stated that Resolution 2015-13 was adopted.

Councilmember Hardin said the driver license examiner's office only being open once a month was a substantial inconvenience for the citizens who were needing to take the driver's license exam or the learner's permit exam.

MUNICIPAL INTERCEPT SERVICES

Mayor Nelson reported to the Council that in 2014, the Alabama Legislature enacted an amendment allowing municipalities and counties to attempt to collect delinquent debts owed to them by collecting the debt from an individual's State tax refund. As part of this amendment, the Alabama Department of revenue agreed to process these debts through only two clearinghouse entities: the Alabama League of Municipalities (ALM) and the Association of County Commissions. In 2015, the ALM formed Municipal Intercept Services to act as the conduit between participating municipalities and the Department of Revenue. Mayor Nelson asked the Council whether they wanted the City to participate in this program and enter into a contract with Municipal Intercept Services. Councilmember Wilson moved that the Council participate and enter into an agreement with Municipal Intercept Services. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

OLD COTTON MILL SITE

City Engineer Dewayne Roby reported on his contacts with ADEM concerning the old Cotton Mill site. Mr. Roby reported ADEM officials had told him ADEM had sent three letters to the owner stating they were in violation of ADEM's rules and regulations.

OLD BUSINESS

Councilmember Wilson asked whether the signs had been placed at Guthrie Smith Park concerning dogs being at large.

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 Wilson, the same was unanimously approved.

REPORT OF CITY CLERK

City Clerk Dawn Clapp gave the sales tax and alcohol tax reports. She reported for the month of October, the City received \$193,776.00 in sales tax, which was an increase of \$631.00 compared to last year. Also, the City received \$9,055.00 in alcohol taxes for October which was an increase of \$710.00 over the previous year.

REPORT OF COUNCILMEMBER MCCRAW

Councilmember McCraw reported the Fayette "12 and under" soccer team won the league championship. Councilmember McCraw stated that Park & Recreation basketball sign up is underway. The basketball games will be played on Saturday.

REPORT OF COUNCILMEMBER HARDIN

Councilmember Hardin stated the old brush truck is having frequent mechanical problems. It is a 2000 model.

REPORT OF COUNCILMEMBER COWART

Councilmember Cowart asked Mr. Rick McCabe whether the amount shown for the payroll taxes on the Fayette Aquatic Center Financial Report was correct. Mr. McCabe stated the amount was incorrect because the employees' contribution was included and should not have been.

ADJOURNMENT

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

Mayor

Attest:

City Clerk