

City Hall
Fayette, Alabama
December 1, 2015

A special meeting of the City Council of the City of Fayette, Alabama, was held at 4:00 o'clock, p.m. on December 1, 2015, at the Fayette Civic Center.

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, City Engineer Dewayne Roby, Police Chief Danny Jenkins, Fire Chief Tony Ellis and City Attorney Dale Lawrence.

The opening prayer was given by Police Chief Danny Jenkins.

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

REPORT OF MAYOR

Mayor Nelson stated the Council's regular meeting scheduled for November 24, 2015 had been cancelled because a quorum of the Council was not going to be present. He stated he intended to reschedule the meeting for December 8, 2015, which would be the Council's next regular meeting. After cancelling the meeting, Mayor Nelson received a request for special meeting to be held on November 30, 2015. This request was made by Councilmembers Hardin and Cowart. Mayor Nelson stated the special meeting could not be held on November 30th so he set it for December 1, 2015. He said the meeting was held at the Civic Center because of City Court. City Court is held in the Council chambers at City Hall at 5:00p.m., on the first and third Tuesdays. The special meeting was set for 4:00 p.m. so the City Attorney could be present. The City Attorney is also the City Prosecutor.

APPROVAL OF MINUTES

Councilmember Brand moved the minutes of the meeting held on November 10, 2015, be approved. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

DISCUSSION CONCERNING POTENTIAL CLOSURE OF 10th STREET NE

Councilmember Cowart addressed the Council concerning the possible closure of 10th Street to eighteen wheel trucks. This section of 10th Street runs from the intersection with U.S Highway 43 to the intersection with State Highway 18. The eighteen wheel trucks damage the street over time because the street is not built to handle large trucks.

Mayor Nelson stated he had written a letter to ALDOT some time ago, requesting that ALDOT take over the upkeep and repair of this particular section of 10th Street. ALDOT declined to do so.

City Engineer Dewayne Roby stated he had spoken to ALDOT and they could understand why the City might consider closing 10th Street to truck traffic. He said by closing 10th Street it would send all truck traffic to the intersection of U.S. Highway 43 and State Highway 18 (Columbus Street) and through downtown. He stated there was already a problem with the trucks turning at this intersection. Mr. Roby stated 10th Street has been repaired more than most of the other streets in the City. He said the amount of money spent to pave 10th Street could be used to pave several other smaller streets.

Police Chief Jenkins said his concern was with the intersection of U.S. Highway 43 and State Highway 18 (Columbus Street). He said from a traffic prospective it is smooth now other than for the poles and traffic lights being knocked down at the intersection of 10th Street and U.S. Highway 43.

Councilmember Brand asked could a traffic study be done on 10th Street to determine the amount of truck traffic. Chief Jenkins said ALDOT had the equipment to do this and he would ask them to perform the study. Chief Jenkins recommended that a two week study be performed.

DISCUSSION OF REINSTATING AT LARGE VOTING FOR COUNCIL MEMBERS

Councilmember Cowart addressed the Council concerning returning to electing council members at-large instead of electing them by wards. He stated that at-large voting means the voters can vote on each and every council seat. He said persons interested in running would run for a seat (place) on the Council instead of having to run from a ward. Councilman Cowart said he saw at-large voting for council members as an opportunity to encourage the best citizens to step forward and run, so that the five best candidates would be elected to lead the City regardless of where they live. He said his idea is to have the five best candidates on the Council even if they live next door to each other. He said the reason for doing this now was because Fayette had already been established as a trendsetter.

Councilmember Cowart said he hoped by electing council members at large, it would make the Fayette municipal system better. He said everyone needed to be thinking about how to make things better.

Councilmember Hardin said by drawing artificial ward lines, the City is probably missing out on imminently qualified individuals. He thought the council members should be serving all the citizens of Fayette. He said if the changes were to be made, then it would have to be done by February 23rd.

Mayor Nelson said that all the achievements by the Council have been done by a Council elected from districts. He said he would be opposed to electing council members by at-large voting.

Councilmember Wilson said he was opposed to electing council members by at-large voting. He said this was not moving forward but moving backward. Councilmember Wilson mentioned that the Dillard v. Crenshaw County case had resulted in minorities being able to be elected to commissions and councils.

Councilmember McCraw said that she represented everyone in the City even though she was elected from a ward. She said electing council members from wards has provided for more equal representation. She stated she was opposed to electing council members by at-large voting.

City Attorney Dale Lawrence stated the City elected council members by wards due to a federal law suit, Dillard v. City of Fayette. The lawsuit alleged that the City's at-large voting system violated §2 of the Federal Voting Rights Act. To resolve the lawsuit, the City entered into a consent decree whereby the City was enjoined from having at-large elections and agreed to hold their elections based on voting by wards.

DISCUSSION CONCERNING CHANGING OF ELECTED OFFICIALS SALARIES

Councilmember Hardin requested the Council consider reducing the salaries of the Mayor and Council. He said he has received comments about the pay of the Mayor being \$42,000.00 and the Council being \$600.00 per month. He said the Mayor's current salary is good for a retired person but is not enough for a younger person to give up their current job or career to be Mayor.

Councilmember Hardin said the Mayor's hours were not set and so there was really no distinction between part-time and full-time.

Councilmember Hardin proposed cutting the Mayor's salary and the Council's salary in half and hire a City Manager. He said this would allow the City to have a better qualified slate of candidates at the next election. The deadline to adjust the salary is February 23, 2016.

Mayor Nelson said he spoke to both former Mayor Bobo and former Mayor Meherg. They both said as the Mayor they worked long hours each week.

Councilmember Cowart said he would rather cut the Council pay and add some to the Mayor's salary. He said he would only be in favor of Councilmember Hardin's proposal if a city manager was hired.

Councilmember Hardin said if the Council was not willing to reduce the salaries of the Mayor and Council and hire a city manager, then he would propose raising the Mayor's salary to \$60,000.00 and adding health benefits and retirement benefits for the Mayor.

Councilmember Brand stated he was opposed to making any changes in the salaries of the Mayor and Council. He also stated he was opposed to changing the way council members were elected.

NEW FIREFIGHTER HIRED

Mayor Nelson asked the Council to consider consenting to the hiring of a new firefighter. Fire Chief Tony Ellis reported he had gone through the hiring process by posting the job internally and advertising for applications in the Times-Record.

Chief Ellis recommended Mr. Tyler Hayes be hired by the Mayor as a firefighter. He stated Mr. Hayes had been a volunteer firefighter for two years. He stated he would have to go to Fire College.

Councilmember Cowart moved that the Council consent to the Mayor hiring Tyler Hayes as a firefighter. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

SEVERE WEATHER TAX HOLIDAY

The Council discussed the Severe Weather Tax Holiday. After a general discussion, Councilmember Wilson moved that the City participate in the Severe Weather Tax Holiday. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

APPROVAL OF FINANCIAL STATEMENT

Councilmember Cowart moved that the City's financial statement for October 2015 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 for October 2015 be approved. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

REPORT OF MAYOR

Mayor Nelson congratulated the FCHS Football Team for reaching the 4A Football State Championship game.

Mayor Nelson stated the Christmas parade will be held on December 7th.

Mayor Nelson reported the City had received an anonymous donation of \$3,500.00 for the lazy river addition at the Aquatic Center. The City also received a grant from the Fayette Community Foundation in the amount of \$20,500.00 to be applied to the debt on the lazy river addition.

REPORT OF COUNCILMEMBER MCCRAW

Councilmember McCraw reported that Park & Recreation basketball signup had been extended. Councilmember McCraw also congratulated the FCHS Football Team on their season.

The Council discussed a donation of \$1,500.00 to the FCHS Football Team for expenses to the State Championship Game. After a general discussion, Councilmember McCraw moved that the Council donate \$1,500.00 to the FCHS Football Team for expenses for the State Championship Game. Upon the motion being seconded by Councilmember Brand, the same was unanimously approved.

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