

City Hall
Fayette, Alabama
January 26, 2016

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on January 26, 2016, 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 Pastor Jeremy Houck of the Central Church of Christ.

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

APPROVAL OF MINUTES

Councilmember Cowart moved the minutes of the meeting held on January 12, 2016, be approved. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

GUEST APPEARING BEFORE COUNCIL

A. Van Gravlee

Mr. Van Gravlee spoke to the Council concerning the City's purchase of a new telephone system. Mr. Gravlee asked the Council to reconsider the purchase of the telephone system off the state bid list from an out of state vendor. The Council had previously authorized the purchase of the telephone systems off of the state bid list from Synergetics, a company located in Mississippi. He asked the Council to consider advertising for bids and not limit it to a certain type system. He said in reviewing the equipment he could save the City \$10,000.00. He questioned the two 48-port switches to serve 29 telephones. He recommended lowering it to two 24-port switches. He said one of his clients is Books-A-Million and he has set up 17 phone systems for them.

ORDINANCE 2016-01

Ordinance 2016-01 was introduced at the previous council meeting. Mayor Nelson presented Ordinance 2016-01 to the Council for their consideration. Ordinance 2016-01 is as follows:

ORDINANCE NO. 2016-01 AN ORDINANCE FIXING THE SALARY OF THE MAYOR FOR THE TERM COMMENCING NOVEMBER 7, 2016.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, ALABAMA, AS FOLLOWS:

SECTION 1. §2-16 of the Code of Ordinances for the City of Fayette, Alabama, is hereby amended by deleting the entire section and substituting the following therefor, viz:

"§2-16: Mayor - Salary

The salary of the Mayor of the City of Fayette, Alabama, for the term commencing November 7, 2016, for the performance of his duties as Mayor is hereby fixed and established at the sum of Twenty Two Thousand dollars (\$22,000.00) per annum, payable in equal monthly installments. The Mayor shall be eligible to receive health care benefits, the same as any other city employee, by paying the same premium as city employees pay."

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its adoption by the City Council and its publication as prescribed by law.

ADOPTED on this the ___ day of January, 2016.

Mayor

ATTEST:

City Clerk

Councilmember Hardin moved that the Council adopt Ordinance 2016-01. Upon the motion being seconded by Councilmember Cowart, the following vote was taken:

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

Mayor Nelson stated that the motion did not pass.

Councilmember Hardin said he was requesting that the sentence - "this is a full time position" - be removed because from information he received from the Alabama League of Municipalities the Council could not dictate the hours of the Mayor. He stated the primary purpose for changing the ordinance is because currently, it is not economically feasible for many people to give up their current job to serve as a full-time mayor. He said this would make the Mayor a part-time position and by reducing the Mayor's salary, a City Manager could be hired.

Councilmember Cowart said if the Mayor is part-time, then the City would have to have a city manager.

ORDINANCE 2016-02

Ordinance 2016-02 was introduced at the previous Council meeting. Mayor Nelson presented Ordinance 2016-02 to the Council for their consideration. Ordinance 2016-02 is as follows:

**ORDINANCE NO. 2016-02
AN ORDINANCE FIXING THE SALARY OF THE COUNCILMEMBERS FOR
THE TERM COMMENCING NOVEMBER 7, 2016.**

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

SECTION 1. §2-27 of the Code of Ordinances for the City of Fayette, Alabama, is hereby amended by deleting the entire section and substituting the following therefor, viz:

"§2-27: Members of the Council - Salary

The salary of the members of the City Council of the City of Fayette, Alabama, for the term commencing on November 7, 2016, for the performance of their duties as Councilmembers is hereby fixed and established at the sum of Two Thousand Four Hundred dollars (\$2,400.00) per annum, payable in equal monthly installments".

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its adoption by the City Council and its publication as prescribed by law.

ADOPTED on this the ___ day of January, 2016.

Mayor

ATTEST:

City Clerk

Councilmember Hardin moved that the Council adopt Ordinance 2016-02. Upon the motion being seconded by Councilmember Cowart, the following vote was taken:

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

Mayor Nelson stated that the motion did not pass.

Councilmember Hardin stated that several persons had expressed displeasure about the amount the Council was paid. He stated the savings could either be put toward the salary for a city manager or for an increase in the Mayor's pay.

Councilmember Cowart said any savings should be applied to the Mayor's salary.

ORDINANCE 2016-01-B

Mayor Nelson presented Ordinance 2016-01-B to the Council for their consideration. Ordinance 2016-01-B is as follows:

ORDINANCE NO. 2016-01 – B
AN ORDINANCE FIXING THE SALARY OF THE MAYOR
FOR THE TERM COMMENCING NOVEMBER 7, 2016.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, ALABAMA, AS FOLLOWS:

SECTION 1. §2-16 of the Code of Ordinances for the City of Fayette, Alabama, is hereby amended by deleting the entire section and substituting the following therefor, viz:

"§2-16: Mayor - Salary

The salary of the Mayor of the City of Fayette, Alabama, for the term commencing November 7, 2016, for the performance of his duties as Mayor is hereby fixed and established at the sum of **Sixty Five Thousand dollars (\$65,000.00)** per annum, payable in equal monthly installments. The Mayor shall be eligible to receive health care benefits, the same as any other city employee, by paying the same premium as city employees pay."

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its adoption by the City Council and its publication as prescribed by law.

ADOPTED on this the ___ day of January, 2016.

Mayor

ATTEST:

City Clerk

Councilmember Brand moved that the Council give unanimous consent to consider Ordinance 2016-01-B. Upon the motion being seconded by Councilmember Cowart, the following vote was taken:

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

Mayor Nelson stated there was not unanimous consent to consider the ordinance and it would be voted on at the next meeting.

ORDINANCE 2016-02-B

Mayor Nelson presented Ordinance 2016-02-B to the Council for their consideration. Ordinance 2016-02-B is as follows:

ORDINANCE NO. 2016-02 - B
AN ORDINANCE FIXING THE SALARY OF THE COUNCILMEMBERS FOR THE TERM
COMMENCING NOVEMBER 7, 2016.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, ALABAMA, AS FOLLOWS:

SECTION 1. §2-27 of the Code of Ordinances for the City of Fayette, Alabama, is hereby amended by deleting the entire section and substituting the following therefor, viz:

"§2-27: Members of the Council - Salary

The salary of the members of the City Council of the City of Fayette, Alabama, for the term commencing on November 7, 2016, for the performance of their duties as Councilmembers is hereby fixed and established at the sum of **Three Thousand Six Hundred dollars (\$3,600.00)** per annum, payable in equal monthly installments".

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its adoption by the City Council and its publication as prescribed by law.

ADOPTED on this the ___ day of January, 2016.

Mayor

ATTEST:

City Clerk

Councilmember Cowart moved that the Council give unanimous consent to consider Ordinance 2016-02-B. Upon the motion being seconded by Councilmember McCraw, the following vote was taken:

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

Mayor Nelson stated there was not unanimous consent to consider the ordinance and it would be voted on at the next meeting.

ORDINANCE 2016-01-C

Mayor Nelson presented Ordinance 2016-01-C to the Council for their consideration. Ordinance 2016-01-C is as follows:

**ORDINANCE NO. 2016-01 – C
AN ORDINANCE FIXING THE SALARY OF THE MAYOR
FOR THE TERM COMMENCING NOVEMBER 7, 2016.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, ALABAMA, AS FOLLOWS:

SECTION 1. §2-16 of the Code of Ordinances for the City of Fayette, Alabama, is hereby amended by deleting the entire section and substituting the following therefor, viz:

"§2-16: Mayor - Salary

The salary of the Mayor of the City of Fayette, Alabama, for the term commencing November 7, 2016, for the performance of his duties as Mayor is hereby fixed and established at the sum of **Forty Two Thousand dollars (\$42,000.00)** per annum, payable in equal monthly installments. The Mayor shall be eligible to receive health care benefits, the same as any other city employee, by paying the same premium as city employees pay."

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its adoption by the City Council and its publication as prescribed by law.

ADOPTED on this the ___ day of January, 2016.

Mayor

ATTEST:

City Clerk

Councilmember Cowart moved that the Council give unanimous consent to consider Ordinance 2016-01-C. Upon the motion being seconded by Councilmember Brand, the following vote was taken:

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

Mayor Nelson stated there was not unanimous consent to consider the ordinance and it would be voted on at the next meeting.

ORDINANCE 2016-02-C

Mayor Nelson presented Ordinance 2016-02-B to the Council for their consideration. Ordinance 2016-02-B is as follows:

**ORDINANCE NO. 2016-02 - C
AN ORDINANCE FIXING THE SALARY OF THE COUNCILMEMBERS FOR THE TERM
COMMENCING NOVEMBER 7, 2016.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, ALABAMA, AS FOLLOWS:

SECTION 1. §2-27 of the Code of Ordinances for the City of Fayette, Alabama, is hereby amended by deleting the entire section and substituting the following therefor, viz:

"§2-27: Members of the Council - Salary

The salary of the members of the City Council of the City of Fayette, Alabama, for the term commencing on November 7, 2016, for the performance of their duties as Councilmembers is hereby fixed and established at the sum of **Four Thousand Eight Hundred dollars (\$4,800.00)** per annum, payable in equal monthly installments".

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its adoption by the City Council and its publication as prescribed by law.

ADOPTED on this the ___ day of January, 2016.

Mayor

ATTEST:

City Clerk

Councilmember Cowart moved that the Council give unanimous consent to consider Ordinance 2016-02-C. Upon the motion being seconded by Councilmember McCraw, the following vote was taken:

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

Mayor Nelson stated there was not unanimous consent to consider the ordinance and it would be voted on at the next meeting.

CENTURYTEL FRANCHISE FEE UPDATE

City Clerk Dawn Clapp reported the City should be receiving approximately \$3,500.00 per quarter from the Centurytel franchise fee.

MAINTENANCE SUPERVISOR TRUCK

City Engineer Dewayne Roby said the new truck for the maintenance supervisor had been purchased. He said he had received the following quotes for painting the old utility bed and installing it on the new truck. The quotes were as follows: (1) West Body Shop - \$3,900.00; (2) The Shop- \$3,800.00; and (3) Mike Freeman Collision Center - \$3,160.00.

Mr. Roby stated the alternative was to purchase and install a new utility bed on the truck. He reported a new bed from PalFleet Truck Equipment would cost \$5,990.00. He recommended that a new utility bed be placed on the truck.

Councilmember Hardin moved that a new utility bed for the maintenance supervisor truck be purchased. Upon the motion being seconded by Councilmember Wilson, 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 COUNCILMEMBER MCCRAW

Councilmember McCraw reported that the Park & Recreation Director Lance Holliman had informed her that the following needed to be done at Guthrie Smith Park: (1) both the parking lot at the Aquatic Center and the parking lot at the baseball fields needed to be restriped; (2) mulch was needed around the playground equipment, the Aquatic Center landscaping and at the Jimmy Hutto sign; and, (3) slag was needed on the drive leading to the big pavilion.

REPORT OF COUNCILMEMBER BRAND

Councilmember Brand asked for an update on the AT&T Tower. City Engineer Dewayne Roby said the company constructing the tower hoped to have it in place by March 1st.

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