

City Hall
Fayette, Alabama
March 22, 2016

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on March 22, 2016, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Pro Tempore Cedric Wilson and Council members Mike Hardin, Jason Cowart and David Brand. Mayor Ray Nelson and Councilmember Linda McCraw were absent. 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. Dale Lawrence.

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

APPROVAL OF MINUTES

Councilmember Hardin moved that the minutes of the regular meeting and work session held on March 8, 2016, be approved. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

PARADE PERMIT

Mayor Pro Tempore Wilson presented to the Council a request for permit for the BSCC Gabriella Faith 5K-Run to be held on April 2, 2016. Councilmember Hardin moved the permit be granted. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

PARADE PERMIT

Mayor Pro Tempore Wilson presented to the Council a request from Billy Joe Rodgers for a wedding to be held in front of the Courthouse on May 21, 2016. The permit was requesting a portion of Temple Avenue be closed. Police Chief Danny Jenkins recommended that the Council not grant the permit. The Chair asked for a motion. No motion was made concerning the permit.

REPORT OF SURPLUS PROPERTY SALE

City Engineer Dewayne Roby reported on the surplus property sale. The City's surplus property sold for a total of \$7,000.00. The sales commission was \$700.00 so the City netted \$6,300.00. Mr. Roby said that he was pleased with the amount received.

REPORT ON ZONING BOARD OF ADJUSTMENTS

City Engineer Dewayne Roby reported on the Zoning Board of Adjustments meeting concerning the appeal of Tonya Brand and Chris Harris to allow a restaurant in a M-1 Zoning District. The appeal was granted by a 5-0 vote of the Board.

FAYETTE HOUSING AUTHORITY BOARD

Mayor Pro Tempore Wilson reported that Mayor Nelson had reappointed Mr. John Cross to the Fayette Housing Authority Board.

COUNCIL LIAISON APPOINTMENTS AND COMMITTEE APPOINTMENTS

Mayor Pro Tempore Wilson announced the Mayor's Council Liaison Appointments and Committee Appointments effective April 1, 2016. They are as follows:

COUNCIL LIAISON APPOINTMENTS

- Police Department – Councilmember Linda McCraw
- Fire Department – Councilmember Jason Cowart
- PARA – Councilmember David Brand
- Airport & Maintenance Department – Councilmember Mike Hardin
- Street & Sanitation Department – Councilmember Cedric Wilson

- Art Museum & Civic Center – Mayor Ray Nelson

COMMITTEE APPOINTMENTS

INSURANCE COMMITTEE:

Chairman – Councilmember Mike Hardin
Councilmember David Brand
Councilmember Cedric Wilson

BOARD APPOINTMENTS:

Chairman -- Councilmember Jason Cowart
Councilmember David Brand
Councilmember Linda McCraw

BUDGET COMMITTEE 2016-2017

Chairman -- Councilmember David Brand
Councilmember Mike Hardin
Councilmember Cedric Wilson

RONNIE BLACK RETIREMENT UPDATE

City Attorney Dale Lawrence reported on the issue of whether Mr. Ronnie Black could be hired back by the City on contract after his retirement. The informal opinion Mr. Lawrence received from the Ethics Commission stated as follows: “The Ethics Law prohibits those individuals who hold a position of authority from contracting back with the public entity that formerly employed them for a period of two years after their retirement. It appears that Mr. Black, while he operated a small department, was considered a department head and a supervisor, which implies discretionary authority. Unfortunately, there currently exists no exceptions in the Ethics Law. Section 36-25-13 is a strict prohibition.” Mr. Lawrence stated that based on the informal opinion, Mr. Black would be ineligible to contract with the City.

HISTORICAL PRESERVATION COMMISSION

City Attorney Dale Lawrence reported the City of Fayette Historic Preservation Commission will consider the adoption of a resolution recommending to the Council that it adopt an ordinance designating and establishing the Fayette Downtown Historic District. He stated the proposed resolution will be considered by the Historic Preservation Commission at a public hearing to be held at the City Hall on April 14, 2016, at 5:00 o'clock, p.m.

OLD BUSINESS

City Attorney Dale Lawrence reported that he had spoken with Mr. Heath Aldridge about Mr. Aldridge’s request that the City close a portion of the street near his home. The street is currently designated 3rd Avenue NW. Mr. Lawrence stated that after discussing the consequences of this with Mr. Aldridge, he wanted to think about it and would let the City know if he still wanted to proceed.

APPROVAL OF FINANCIAL STATEMENT

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

APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

Councilmember Cowart moved that the Park & Recreation financial statement be approved. 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 Cowart and seconded by Councilmember Hardin, the same was unanimously approved.

Mayor

Attest:

City Clerk