

City Hall
Fayette, Alabama
June 14, 2016

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on June 14, 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, Jason Cowart Mike Hardin and Cedric Wilson. Also present were Police Chief Danny Jenkins, Fire Chief Tony Ellis, City Attorney Dale Lawrence, City Clerk Dawn Clapp and City Engineer Dewayne Roby. Councilmember David Brand was absent.

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

APPROVAL OF MINUTES

Councilmember Cowart moved that the minutes of the meeting held on May 24, 2016, be approved. Upon the motion being seconded by Councilmember Hardin, the same was unanimously approved.

PUBLIC HEARING ON ABATEMENT OF NUISANCE LOCATED AT 712 8th STREET SE, FAYETTE, ALABAMA

Mayor Nelson announced that this was the day and time scheduled for the public hearing on the determination of the City of Fayette Municipal Housing Code Abatement Board that the structure located at 712 8th Street SE, Fayette, Alabama, assessed for ad valorem taxes to Danny Palmer is unsafe to the extent that it creates a public nuisance. No one appeared at the public hearing to oppose or object to the building being declared a public nuisance.

After a general discussion, Councilmember Hardin moved that the Council find that the structure located at 712 8th Street SE, Fayette, Alabama, assessed for ad valorem taxes to Danny Palmer is unsafe to the extent that it creates a public nuisance and that the City order the structure to be demolished 30 days from this date. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

PUBLIC HEARING ON ABATEMENT OF NUISANCE LOCATED AT 243 11TH STREET NW, FAYETTE, ALABAMA

Mayor Nelson announced that this was the day and time scheduled for the public hearing on the determination of the City of Fayette Municipal Housing Code Abatement Board that the structure located at 243 11th Street NW, Fayette, Alabama, assessed for ad valorem taxes to B.S. Nalls and Roverda Nalls is unsafe to the extent that it creates a public nuisance. No one appeared at the public hearing to oppose or object to the building being declared a public nuisance.

After a general discussion, Councilmember McCraw moved that the Council find that the structure located at 243 11th Street NW, Fayette, Alabama, assessed for ad valorem taxes to B.S. Nalls and Roverda Nalls % Jericho Nalls is unsafe to the extent that it creates a public nuisance and that the City order the structure to be demolished 30 days from this date. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

PUBLIC HEARING ON ABATEMENT OF NUISANCE LOCATED AT 219 7th STREET SW, FAYETTE, ALABAMA

Mayor Nelson announced that this was the day and time scheduled for the public hearing on the determination of the City of Fayette Municipal Housing Code Abatement Board that the structure located at 219 7th Street SW, Fayette, Alabama, assessed for ad valorem taxes to Mary L. Hudson is unsafe to the extent that it creates a public nuisance.

Mr. Dewayne Roby reported that Ms. Mary Hudson had called and said she would be unable to attend the meeting but said her sons should be able to take the building down.

After a general discussion, Councilmember Hardin moved that the Council find that the structure located at 219 7th Street SW, Fayette, Alabama, assessed for ad valorem taxes to Mary L. Hudson is unsafe to the extent that it creates a public nuisance and that the City order the structure to be demolished 30 days from this date. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

AIRPORT RUNWAY PROJECT

Mr. Heath Reed with Goodwin Mills & Caywood stated that the FAA recommended the 2016 allocations be used for the design phase for the runway project. Councilmember Wilson moved that the City contract with Goodwyn, Mills & Cawood to design the runway paving project. Upon the motion being seconded by Councilmember Hardin, the same was unanimously approved.

POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for the month of May 2016. The report for May was as follows: 32 incidents investigated; 10 accidents; 78 traffic citations; and 52 arrests.

FIRE DEPARTMENT REPORT

Fire Chief Tony Ellis presented the fire report for the month of May 2016. The Fire Department received 19 fire calls, 3 were structure fires.

ORDINANCE 2016-04

Mayor Nelson presented Ordinance 2016-04 to the Council for their consideration. Ordinance 2016-04 is as follows:

ORDINANCE NO. 2016-04 AN ORDINANCE PROVIDING FOR THE ELECTION OF MAYOR AND CITY COUNCILMEMBERS FOR THE CITY OF FAYETTE, ALABAMA.

BE IT ORDAINED BY THE CITY COUNCIL of the City of Fayette, Alabama, as follows:

SECTION I

That a municipal election is hereby called to be held in and for the City of Fayette, Alabama, on **Tuesday, August 23, 2016**, for the purpose of electing a Mayor and five (5) Councilmembers to serve said City for a period of four (4) years from the **first Monday in November, 2016**.

SECTION II

All registered and qualified electors of the state who have resided within Fayette County for thirty (30) days and within the corporate limits of the municipality for a period of thirty (30) days and in the ward for thirty (30) days prior to the election and who have registered not less than ten (10) days prior to the election will be authorized to participate in said election.

SECTION III

That for the accommodation of the voters in said election, there shall be one central place of voting for all Wards to be located at the Fayette Civic Center, 534 Temple Avenue North, Fayette, Alabama, in said City.

SECTION IV

That on **July 5, 2016**, the Mayor shall give notice of the election as provided in §11-46-22, *1975 Code of Alabama*.

SECTION V

That the City Council shall appoint election officials not less than fifteen (15) days before the election to be held on **August 23, 2016**, and the Mayor shall publish a list of the election officials at least ten (10) days prior to the election as provided by §11-46-27, *1975 Code of Alabama*.

SECTION VI

That per diem compensation for election officers shall be as follows:

Electronic Machine Coordinator	\$200.00
Chief Inspector	\$125.00
Inspector	\$100.00
Chief Clerk	\$100.00
Clerks	\$80.00
Election Officer Training School	\$25.00

SECTION VII

That a qualification fee in the amount of **\$25.00 for the Office of Councilmember** and a fee of **\$50.00 for the Office of Mayor** is hereby fixed and imposed upon all candidates seeking election as Mayor or Councilmember of the City of Fayette, Alabama, except as hereinafter provided for.

Such qualification fee shall be paid to the City Clerk and deposited to the general fund of the City, at or prior to the time of taking out qualification papers by any such candidates.

Any person desiring to qualify who is not financially able to pay the required fee may qualify provided such prospective candidate furnishes the Clerk with an affidavit stating that he is financially unable to pay the required fee by this ordinance.

SECTION VIII

That the Mayor shall cause to be made a list of the qualified voters who reside within the corporate limits of the City of Fayette and who are registered to vote regular ballots, dividing the same with separate alphabetical lists of qualified voters of each Ward and to perform all the duties relating thereto as set forth in §11-46-36, *1975 Code of Alabama*. The Mayor shall file such list of qualified voters with the City Clerk on or before **July 19, 2016**, who shall file and retain such list as a public record in her office. The City Clerk shall cause such list to be published on or before **August 18, 2016**.

SECTION IX

The polls shall be open between the hours of 7:00 o'clock, a.m. and 7:00 o'clock, p.m. and no longer, and it will be kept open between the hours stated without any intermission or adjournment.

SECTION X

Persons qualifying for the office of Mayor and Councilmember shall be a resident and qualified elector of the City for at least ninety (90) days prior to the election and candidates for Councilmember shall have resided within the limits of the Ward from which they shall seek election for a period of ninety (90) days prior to the election and continue to so reside during their term of office.

SECTION XI

That the qualification date shall begin on **July 5, 2016**, at 8:00 o'clock, a.m. and end on **July 19, 2016**, at 5:00 o'clock, p.m.

ADOPTED AND APPROVED this the 14th day of June, 2016.

Mayor

ATTEST:

City Clerk

Councilmember Wilson moved that the Council give unanimous consent to consider Ordinance 2016-04. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved. After a general discussion, Councilmember Hardin moved that the Council adopt Ordinance 2016-04. Upon the motion being seconded by Councilmember Cowart, the same was unanimously adopted.

NOTICE OF ELECTION

Mayor Nelson presented the Notice of Election to the Council for their review and information. The notice will run in the Times-Record the week of June 27th.

WATER WORKS BOARD RE-APPOINTMENT

Mayor Nelson reported he had received a letter from the Water Works Board requesting that Ms. Mary Sparks be reappointed to the Water Works Board. Councilmember Hardin moved that the seven-day notice period for nominations be waived. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved. Councilmember Hardin moved that the Council reappoint Ms. Mary Sparks to the Water Works Board. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

CIVIC CENTER BOARD APPOINTMENTS

Mayor Nelson reported he had received a letter from the Civic Center Board requesting that Mr. Clyde Stevens be appointed to the Civic Center Board to fill the unexpired term of Mr. Bill Brasher, who had recently resigned. Councilmember Wilson moved that the seven-day notice period for nominations be waived. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved. Councilmember Hardin moved that the Council appoint Mr. Clyde Stevens to the Civic Center Board to fill the unexpired time of Mr. Bill Brasher. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

CITY SHOP SUPERVISOR POSITION

Mayor Nelson reported that Shop Supervisor Jeff Pendley would be retiring from the City after 28 years of service. The Council discussed the possibility of hiring a certified mechanic to help reduce the cost of repairs. It was recommended the Council discuss a new job description for the shop supervisor in a work session.

TEMPORARY WORKERS

Mayor Nelson reported to the Council that due to two employees being off from work due to illness and/or injury, he would like to hire some temporary employees.

REPORT OF CITY CLERK

City Clerk Dawn Clapp reported for the month of May, the City received \$209,889.00 in nondesignated sales tax. This was \$15,357.00 more than received last year. She reported the $\frac{1}{2}\text{¢}$ sales tax for the hospital generated \$35,523.00. She stated the City received \$12,640.00 in alcohol taxes.

APPROVAL OF FINANCIAL STATEMENT

Councilmember Wilson 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 Wilson moved that the Park & Recreation financial statement be approved. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

REPORT OF MAYOR

Mayor Nelson reported on the Aquatic Center. After 16 operating days (through Sunday, June 12th) the Aquatic Center had a total paid attendance of 5,711 for an average daily paid attendance of 357. The Aquatic Center's total deposits for the first 16 days were \$86,511.89 for an average daily amount of \$5,406.99. Also, 29 private pool parties have been held so far.

Mr. David Thornell closed the meeting in prayer.

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