

City Hall
Fayette, Alabama
August 30, 2016

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on August 30, 2016, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Ray Nelson and Council members Linda McCraw, Mike Hardin, Jason Cowart, Cedric Wilson and David Brand. Also present were City Clerk Dawn Clapp and City Attorney Dale Lawrence.

The opening prayer was given by Councilmember Cedric Wilson.

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

GUEST APPEARING BEFORE COUNCIL

1. Ms. Sam Colburn of AARP

Ms. Sam Colburn is a tax aide with a program sponsored by the AARP. She stated they prepare tax returns for individuals and they need more volunteers due to the volume of tax returns they are preparing. The tax return preparers receive training and are certified. They will prepare tax returns in Fayette next year from February 4, 2017, through April 14, 2017. They do not charge for the preparation of tax returns. They generally prepare tax returns for low income individuals and the elderly.

APPROVAL OF MINUTES

Councilmember Wilson moved that the minutes of the regular meeting and work session held on August 9, 2016, be approved. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

PARADE PERMIT

Mayor Nelson presented to the Council a request for permit for Children's Cancer Awareness Day to be held on September 13, 2016. Councilmember Cowart moved the permit be granted. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

PARADE PERMIT

Mayor Nelson presented to the Council a request for permit for a fundraiser for Tyler Barnes to be held on September 17, 2016. Tyler Barnes is in need of a heart and double lung transplant. Dexter Roberts will be performing. Councilmember Wilson moved the permit be granted. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

PARADE PERMIT

Mayor Nelson presented to the Council a request for permit for the Fayette County High School Fifth Quarter to be held on September 23, 2016. Councilmember Hardin moved this matter be tabled until the next council meeting. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

PARADE PERMIT

Mayor Nelson presented to the Council a request for permit for a fundraiser to be held on October 1, 2016, at Guthrie Smith Park for the Fayette Elite travel baseball team for their trip to Cooperstown, NY. Councilmember Brand moved the permit be granted. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

MASSEY FERGUSON TRACTOR REPAIRS

City Engineer Dewayne Roby reported to the Council on the repairs to the Massey Ferguson tractor. The tractor was purchased in 2011. The tractor has had numerous problems, including problems with the transmission and hydraulics. The clutch is now broken. The cost of the part to repair would be less than \$1,000.00. The City Engineer recommended the purchase of a John Deere tractor with a boom mower be included in next year's budget. The tractor and mower would cost \$123,000.00.

After a discussion, Councilmember Hardin moved that the Massey Ferguson tractor be repaired. After the motion being seconded by Councilmember McCraw, the same was unanimously approved.

REPORT ON HANDICAPPED PARKING REQUEST

City Engineer Dewayne Roby reported on the request for a handicapped parking space on Temple Avenue near Becky's Beauty Shop. The City Engineer recommended adding a double handicapped parking bump-out just south of the drainage inlet located just south of Becky's Beauty Shop. Mr. Roby stated Ballard Builders could construct the new double handicapped bump-out at a cost of \$3,822.00.

Councilmember Cowart moved to proceed with contracting with Ballard Builders to construct a double handicapped bump-out for \$3,822.00. Upon the motion being seconded by Councilmember Hardin, the same was unanimously approved.

RESOLUTION 2016-12

Mayor Nelson presented Resolution 2016-12 to the Council for their consideration. Resolution 2016-12 is as follows:

**RESOLUTION 2016-12
A RESOLUTION FURTHER AMENDING A RESOLUTION BY THE CITY
COUNCIL OF THE CITY OF FAYETTE AUTHORIZING THE CREATION OF AN
ART MUSEUM BOARD UNDER THE PROVISIONS OF ACT NO. 451, GENERAL
LAWS OF ALABAMA, APPROVED SEPTEMBER 16, 1963, (SECTION 11-47-16, 1975
CODE OF ALABAMA.)**

BE IT RESOLVED by the City Council of the City of Fayette, Alabama, as follows:

SECTION 1. That the Resolution adopted by the City Council of the City of Fayette, Alabama, on September 15, 1969, entitled "a resolution authorizing the creating of an Art and Museum Board under the provisions of Act. No. 451, General Laws of Alabama, approved September 16, 1963, which was amended by resolutions dated October 5, 1970, February 2, 1976, July 6, 1992, September 8, 1993, and March 1, 2001 be and the same is further amended by deleting Section 2 in its entirety and substituting therefor the following:

"Section 2. (a) That the Board created be called the Fayette Art Museum Board and shall be composed of eleven (11) members who shall be residents of Fayette County, Alabama. The Board of Directors shall be elected by the governing body of the municipality and shall be so elected that they shall hold office for staggered terms.

(b) The number of Directors shall be divided into three groups, two of which shall have four (4) members each and one group shall have three (3) members.

The first group of Directors shall be composed of the following members of the Board of Directors, viz: Anne Perry Uhlman, Morris Anne Perry, Jackie Williams and Karen Davis, who shall serve a term of one (1) year from September 1, 2016.

The second group of Directors shall be composed of the following members of the Board of Directors, viz: Ron Morris, Mary Jane Dodson, Carol Gates and Sherry Terry, who shall serve a term of two (2) years from September 1, 2016.

The third group of Directors shall be composed of the following members of the Board of Directors, viz: Paul May, Lesley Whitehead and Scott Walker, who shall serve a term of three (3) years from September 1, 2016.

Thereafter, the terms of all directors shall be three (3) years, provided that if at the expiration of any term of office of any director a successor shall not have been elected, then the director whose term of office shall have expired shall continue to hold office until his successor shall be so elected.

(c) The directors shall serve without compensation except that they shall be reimbursed for their actual expenses incurred in and about the performance of their duties.

(d) The Board shall elect a Chairman, Vice-Chairman, Secretary and Treasurer and such other officers as the board shall deem necessary or appropriate. The offices of secretary and treasurer may, but need not, be held by the same person. The Chairman and Vice-Chairman shall be elected by the Board from the membership thereof; the secretary, the treasurer and any other officers, elected by the Board may, but need not, be members of the Board."

Adopted and approved on this the _____ day of August, 2016.

Mayor

ATTEST:

City Clerk

Councilmember Wilson moved that the seven-day notice period for nominations be waived. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

Councilmember Cowart moved that the Council adopt Resolution 2016-12. Upon the motion being seconded by Councilmember McCraw, the same was unanimously adopted.

COMPLAINTS ABOUT VEHICLES EXITING TIGER DRIVE THE WRONG WAY

Councilmember Hardin reported on complaints he had received about vehicles exiting the wrong way from Tiger Drive. The person reporting said it was students, teachers, coaches and police who were exiting the wrong way. The exiting from the one way street creates a traffic hazard for those entering the highway from 14th Street. Chief Jenkins said he would increase the police presence in the area to ticket drivers exiting the wrong way.

STREET SIGN REPAIRS

Councilmember Hardin reported there are street signs in need of replacement or repair. He said a census of the signs should be taken to see which signs and poles need to be replaced. City Engineer Dewayne Roby said new regulations are going into place concerning signs. He said he had one of the City employees ride around and make a list of the signs that needed to be repaired or replaced.

MOSQUITO SPRAYING MACHINE

Mayor Nelson said the mosquito spraying machine had broken down and it has been out of service for two weeks. City Engineer Dewayne Roby recommended purchasing a new mosquito spraying machine at a cost of \$8,400.00. The old mosquito spraying machine is eighteen years old. The mosquito spraying will take place five days a week.

GUTTERS AND CURB CLEANUP PLAN

Mayor Nelson said they were developing a plan to clean up the gutters and curbs. He wanted the budget committee to consider adding two to three additional full time street department employees to help with this and other street department work.

SHOP MECHANIC POSITION

Mayor Nelson stated he had received the Council's input concerning the applicants for the mechanic's position. Five applicants have been selected to be interviewed. The Council will consider both certified and uncertified mechanics.

OLD BUSINESS

City Engineer Dewayne Roby reported speed bumps would be placed on Ayers Road across the entire street on the North side and South side of the four-way stop intersection.

City Engineer Dewayne Roby requested that John Wakefield be contracted with to take down the three buildings the Council had ordered abated. The cost would be \$8,350.00. Mr. Roby also, recommended the repairs to the Fire Department be performed by Sammy Renfroe who submitted the low quote of \$23,500.00 for repairing the lights and ceiling.

Councilmember Cowart moved the City contract with John Wakefield to take down the three buildings at a cost of \$8,350.00 and contract with Sammy Renfroe to perform the repairs to the lights and ceiling at the Fire Department at a cost of \$23,500.00. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

APPROVAL OF FINANCIAL STATEMENT

Councilmember Cowart moved 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 Cowart moved 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 reported the City received \$43,262.00 in excise tax from local banks.

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