

City Hall  
Fayette, Alabama  
March 28, 2017

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on March 28, 2017, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Ray Nelson, Councilmembers Linda McCraw, Eddy Campbell, Jason Cowart, Cedric Wilson and Jerry Nichols. Also present were Police Chief Danny Jenkins, City Attorney Dale Lawrence, City Clerk Dawn Clapp and City Engineer Dewayne Roby.

The opening prayer was given by Councilmember Cedric Wilson.

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

#### APPROVAL OF MINUTES

Councilmember Wilson moved the minutes of the regular meeting held on March 14, 2017, be approved. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

#### PARADE PERMIT

Mayor Nelson presented to the Council a request for permit for the West Alabama Fiddle Festival to be held on April 28-29, 2017. He stated that 1<sup>st</sup> Avenue NE will be closed off between 4<sup>th</sup> Street NE and 5<sup>th</sup> Street NE. Councilmember McCraw moved the permit be granted. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

#### CHAMBER OF COMMERCE BANQUET UPDATE

Mr. Danny White reported the speaker for the Chamber of Commerce Banquet - Mr. Fred Hunter of WBRC 6 Television - had broken his leg, therefore, the Banquet would be rescheduled for May.

#### PARADE PERMIT

Mayor Nelson presented to the Council a request for a parade permit for the "March for Jesus" to be held on May 20, 2017. Councilmember Cowart moved the permit be granted. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

#### ORDINANCE 2017-02

Mayor Nelson presented Ordinance 2017-02 to the Council for their consideration. Ordinance 2017-02 had been introduced at the last Council meeting. It is as follows:

#### **ORDINANCE NO. 2017-02**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FAYETTE TO  
ADD CHAPTER 3A, ALCOHOLIC BEVERAGES

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**BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF FAYETTE,  
ALABAMA, as follows:**

**SECTION 1. That Division 2, License, of Article I, Alcoholic Beverage Control of Chapter 3A, Alcoholic Beverages of the Code of Ordinances of the City of Fayette, be and the same is hereby amended to include the following section:**

**"Sec. 3A-79.1 Commercial event center license fees and requirements.**

(a) Each person licensed by the City, who shall engage in operating a commercial event center, prior to engaging in such business shall pay to the City, for the privilege of so engaging in business, an annual privilege business license fee and comply with the following requirements set forth below:

(1) *Commercial event center.* Each person licensed by the City to operate a commercial event center shall comply with the following requirements:

- (a) Receive approval from the City Council.
- (b) Public liability insurance in the amount of \$100,000.00 or more.

**SECTION 2 . EFFECTIVE DATE**

This Ordinance shall become effective upon its passage and publication as provided by law.

**ADOPTED** at a meeting of the City Council of the City of Fayette, Alabama on this \_\_\_\_ day of March 2017.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

After a general discussion, Councilmember Cowart moved the Council adopt Ordinance 2017-02. Upon the motion being seconded by Councilmember Campbell, the following vote was taken:

- AYES: Councilmembers Campbell, Cowart and Nichols
- NAYES: Councilmembers McCraw and Wilson

Mayor Nelson did not vote. Because adoption of an ordinance requires four affirmative votes, Mayor Nelson stated the motion did not pass.

**REAPPOINTMENT TO WATER WORKS BOARD**

Mayor Nelson reported the Water Works Board had requested Mrs. Bobbie Kemp Driver be reappointed to the Board. Councilmember Wilson moved 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 Mrs. Bobbie Kemp Driver be reappointed to the Water Works Board. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

**REPORT OF PERSONNEL MANUAL REVIEW COMMITTEE**

Councilmember Cowart reported on the work of the Personnel Manual Review Committee. He stated one of the areas to be updated are the rules regarding cell phone and social media usage.

**APPROVAL OF FINANCIAL STATEMENT**

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

**APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT**

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

**REPORT OF CITY CLERK**

City Clerk Dawn Clapp updated the amount of alcohol tax collected for the month of February. The City collected \$8,083.00 for the month. She reported the City has collected \$1,300.00 more the first two months of this year than last year.

**REPORT OF COUNCILMEMBER MCCRAW**

In the past, when the City was replacing police cars, the City had auctioned off the old police cars. Councilmember McCraw reported the trade-in values for the two old police cars: (1) the trade-in value for the Caprice was \$8,000.00; and, (2) the trade-in value for the Impala was \$1,200.00. Councilmember McCraw moved to trade-in the vehicles to offset the price of the new police cars. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

**REPORT OF COUNCILMEMBER WILSON**

Councilmember Wilson reported the Street Department had hired three temporary workers.

**REPORT OF COUNCILMEMBER NICHOLS**

Councilmember Nichols announced opening day for Park & Recreation baseball would be Friday, March 31, 2017, at Guthrie Smith Park.

REPORT OF MAYOR

Mayor Nelson reported Mr. Carl Porter had written a book titled "Cousin Bill and Tadpole" and would have a book signing at Fayette Civic Center on March 31st at 6:00 p.m.

UPDATE ON DOWNTOWN LIGHTS

City Engineer Dewayne Roby stated the new lights along Temple Avenue, were shipped with the wrong ballast and the new ballast should be in and installed sometime next week.

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 McCraw, the same was unanimously approved.

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Mayor

Attest:

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City Clerk