

City Hall  
Fayette, Alabama  
August 22, 2017

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on August 22, 2017, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Ray Nelson, Councilmembers 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. Councilmember Linda McCraw was absent.

The opening prayer was given by Councilmember Eddy Campbell.

Mayor Ray 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 council meeting and work session held on August 8, 2017, be approved. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

#### GARBAGE TRUCK EMERGENCY REPAIR

Mayor Nelson reported to the Council that the 1996 garbage truck had broken down and was in need of repair. City Engineer Dewayne Roby said the hydraulics were not working on the 1996 garbage truck and it was out of service. The cost to repair the hydraulic system is \$7,100.00 and the cost of replacing parts of the bed is \$15,000.00. The bed could be placed on another truck if the 1996 truck becomes non-repairable. Mr. Roby stated the 1996 garbage truck is used once a week to pick up garbage.

#### RESOLUTION 2017-11

Mayor Nelson presented Resolution 2017-11 to the Council for their consideration. Resolution 2017-11 is as follows:

#### **RESOLUTION 2017-11 A RESOLUTION DECLARING THE EXISTENCE OF AN EMERGENCY WHEREIN THE 1996 GARBAGE TRUCK IS IN NEED OF IMMEDIATE REPAIR**

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**WHEREAS**, garbage collection is an integral part of preserving public health and safety in the City; and,

**WHEREAS**, without garbage trucks the City will be unable to perform its function to preserve and provide for the public health and safety of citizens; and,

**WHEREAS**, the 1996 garbage truck has broken down and is in need of repairs and its being inoperable effects public health and safety and any delay in repairing it is a danger to public health and safety; and,

**WHEREAS**, an emergency exists due to the 1996 garbage truck being inoperable.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fayette, as follows:

1. That an emergency exists which affects public health and safety due to the 1996 garbage truck being inoperable.
2. That the 1996 garbage truck being out of service jeopardizes the collection of garbage and thus, creates a danger to public health and safety. The 1996 garbage truck is used once a week for garbage collection.
3. That the repair of the 1996 garbage truck is paramount and any delay in obtaining the repairs or its replacement would create further danger to the public health and safety.
4. That the 1996 garbage truck should be repaired, and the Council hereby authorizes the Mayor to have 1996 garbage truck repaired.

DONE this the \_\_\_\_\_ day of August 2017.

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Mayor

ATTEST:

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City Clerk

After a general discussion, Councilmember Wilson moved the Council adopt Resolution 2017-11. Upon the motion being seconded by Councilmember Campbell, the following vote was taken:

AYES: Mayor Nelson, Councilmembers Campbell, Wilson and Cowart

NAYES: Councilmember Nichols

Mayor Nelson stated the motion passed.

#### RDS CONTRACT FOR COLLECTION OF SALES TAX

Mayor Nelson presented a contract with RDS for Sales Tax Collection for the Council to review. Under the contract, RDS will receive an amount equal to \$2.76 per account per transaction or 1.85% of gross revenues collected whichever is lower. The contract is for three years.

Councilmember Wilson moved the Council enter into a contract with RDS. The motion being seconded by Councilmember Campbell. [The motion was discussed but not voted on and was subsequently tabled.]

Councilmember Campbell asked whether RDS was collecting the delinquent sales tax accounts. Mayor Nelson stated if the City does not contract with RDS, then the City would have to contract with the Alabama Department of Revenue to collect the sales tax. He stated the State of Alabama had gotten better with its collections.

Councilmember Cowart moved to table this matter. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

#### RDS CONTRACT FOR DISCOVERY/RECOVERY OF BUSINESS LICENSE

Mayor Nelson presented a contract with RDS for Discovery and Recovery of Business License Fees. RDS receives 50% of the business license revenue discovered and collected by RDS for the first year. The contract is for three years. Councilmember Cowart moved to table this matter. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

#### ANIMAL CONTROL

The issue of animal control was discussed by the Council. Mayor Nelson suggested the Council request a proposal from the Fayette County Commission concerning partnering with the Commission for animal control services. Councilmember Cowart suggested having a joint meeting with the Fayette County Commission. The issue is what the City's cost will be for the animal control service. Mayor Nelson stated he would contact the Commission about meeting in a work session.

#### FAYETTE MEDICAL CENTER HOMECARE LEASE RENEWAL

Mayor Nelson presented the proposed amendment to the lease with Fayette Medical Center Homecare to the Council for review. Mayor Nelson said he had requested Mr. Joey Byars provide a cost estimate for the requested repairs.

#### APPROVAL OF FINANCIAL STATEMENT

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

#### APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

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

#### WASTEWATER REPORT

Mayor Nelson reported Wastewater employee Matt Buckner will be taking the test for his Level 3 Operator certification.

#### REPORT OF COUNCILMEMBER NICHOLS

Councilmember Nichols stated there were two big projects the Council should be considering and those were street paving and a location for a new industrial park.

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 Campbell, it was unanimously approved.

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Mayor

Attest:

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City Clerk