

City Hall
Fayette, Alabama
September 12, 2017

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on September 12, 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, Fire Chief Tony Ellis and City Engineer Dewayne Roby.

The opening prayer was given by Councilmember Jerry Nichols

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

APPROVAL OF MINUTES

Councilmember Cowart moved the minutes of the meeting held on August 22, 2017, be approved. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for the month of August 2017. The report was as follows: 52 incidents investigated; 17 accidents; 142 traffic citations; and 53 arrests.

FIRE DEPARTMENT REPORT

Fire Chief Tony Ellis presented the fire report for the month of August 2017. The Fire Department received 25 calls.

FAYETTE AQUATIC CENTER REPORT

Park & Recreation Director Lance Holliman and Mr. Chris Champion reported to the Council on this year's season at the Fayette Aquatic Center. The average daily paid attendance at the Aquatic Center was 307. There were 20 weather days where the Aquatic Center either did not open, opened late or closed early. The high attendance day was June 9, 2017, with 854 in attendance. The total paid attendance for the year was 25,445. There were 140 private parties.

PARADE PERMIT

Mayor Nelson presented to the Council a request for a parade permit for the FCHS Homecoming Parade to be held on September 15, 2017. Councilmember Wilson moved the permit be granted. 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 Frog Level Festival to be held on October 6th and October 7th. Councilmember Cowart moved the permit be granted. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

SIPSEY ARTS ALLIANCE REQUEST

Mr. Ron Morris of the Sipsey Arts Alliance addressed the Council concerning using space in City Hall for the Alliance. He asked the space be provided rent free. Mr. Morris stated the Alliance will be applying for grants to help open an artist studio. He said there are 36 individuals involved in the Sipsey Arts Alliance. Councilmember Cowart moved to authorize the Mayor, on behalf of the City, to contract with and provide space for the Sipsey Arts Alliance. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

YOUR TOWN ALABAMA WORKSHOP

Mr. Danny White, Executive Director of the Fayette Chamber of Commerce, reported on the "Your Town Alabama" Workshop he recently attended. He stated the workshop lasted for 2 ½ days. The workshop concentrated on analyzing and determining goals for a strategic plan for a city.

BUDGET COMMITTEE REPORT

Councilmember Wilson, Chairman of the Budget Committee, stated the Committee was ready to present the budget they had developed to the Council for discussion.

CIVIC CENTER BOARD REAPPOINTMENT

Mayor Nelson reported the Civic Center Board had requested Mrs. Libby Kimbrell be reappointed to the Board. Councilmember Wilson moved the seven-day notice period for nominations be waived. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved. Councilmember Campbell moved Mrs. Libby Kimbrell be reappointed to the Civic Center Board. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

SALES TAX COLLECTION AGREEMENT

Mr. Ashley Handcock of RDS addressed the Council concerning the collection of sales tax. He said there was a \$25,000.00 savings to the City by having RDS collect the City's sales tax versus the Alabama Department of Revenue collecting it. Mr. Handcock stated there were auditing services provided for in the contract. He said usually when a sales tax payer gets delinquent, they are sent a delinquency notice. In collecting delinquent sales tax, he said RDS follows the State law concerning the imposition of penalties and interest.

Ms. Julie Nelson of the Alabama Department of Revenue spoke to the Council concerning the collection service they can provide. She said the State fees are capped at 2% of the gross collection. Mr. Cameron Clark of the Alabama Department of Revenue spoke also. He said they charged \$6.54 or 2% of the gross collection whichever is less. He said if someone is delinquent then they receive a 30-day delinquent notice. He said they do perform the audits for the State and would perform an audit for the City on a taxpayer free of charge. The State makes weekly distributions and on the week of the 20th of each month they make two distributions for a total of five distributions per month.

There is no contract required with the State of Alabama. The State does ask taxpayers be given a 30-day notice of the change. There is no additional charge for the State conducting an audit. The State said they had the ability to customize its reports if the City wanted a break out of the ½ cent sales tax for the hospital.

City Clerk Dawn Clapp stated her concern was cash flow. She said RDS had made 11 distributions last month instead of the five the State would make if it was collecting the sales tax.

RDS BUSINESS LICENSE DISCOVERY/RECOVERY CONTRACT

Mayor Nelson presented the RDS Business License Discovery/Recovery contract. He stated the contract is for three years. RDS's fee is half of the first year collection and this is the only payment to them. After a general discussion, Councilmember Wilson moved the City enter into a contract with RDS for Business License Discovery/Recovery services. Upon the motion being seconded by Councilmember McCraw, the following vote was taken:

AYES: Mayor Nelson, Councilmembers McCraw, Campbell, Cowart and Wilson.

NAYES: Councilmember Nichols

Mayor Nelson stated the motion passed.

FAYETTE MEDICAL CENTER HOMECARE LEASE AMENDMENT

Mayor Nelson reported the estimated costs of the renovations or improvements as requested by the Fayette Medical Center Homecare was \$10,000.00. Councilmember Cowart moved the Mayor, on behalf of the City be authorized to execute the Fourth Amendment to the lease with Fayette Medical Center Homecare at a monthly rental rate of \$1,300.00 and execute the lease commission agreement. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

ANIMAL CONTROL SERVICES

Mayor Nelson stated the City is waiting to hear from the Fayette County Commission on partnering with them for animal control services.

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

REPORT OF CITY CLERK

City Clerk Dawn Clapp stated the Blue Cross Blue Shield health insurance rates for City employees would remain the same.

Mrs. Clapp reported for the month of August, the City received \$200,728.00 in non-designated sales tax. She reported the ½¢ sales tax for the hospital generated \$33,101.00. The total sales tax received was \$233,829.00. She stated the City received \$7,133.00 in alcohol taxes.

ETERNAL FLAME ON COURTHOUSE LAWN

Mr. Todd Hocutt spoke to the Council concerning the Eternal Flame monument on the Courthouse lawn. He said the burner on the monument would use approximately \$200.00 of gas per month. His proposal was to replace the burner with a smaller pipe that would reduce the amount of gas consumed. He gave a copy of the proposed burner design to the Council.

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, the same was unanimously approved.

Mayor

Attest:

City Clerk