

City Hall  
Fayette, Alabama  
October 24, 2017

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on October 24, 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 Eddy Campbell.

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

#### HOSPITAL REPORT

Mr. Don Jones, Administrator of the Fayette Medical Center, along with Mr. Jeff Huff, Assistant Administrator of the Fayette Medical Center reported to the Council on how the Fayette Medical Center proposed to use the tax revenue dedicated to capital improvements at the hospital and nursing home. This year the ½¢ sales tax generated \$428,462.51. They stated these funds would be used to renovate one of the halls at the nursing home. Last year one of the other halls was renovated. The renovation of the hall last year costs \$1.2 million dollars. A portion of this money was used to purchase an air conditioner unit for the halls to be renovated.

#### GUEST APPEARING BEFORE COUNCIL

##### 1. CAMILLA SHACKELFORD – HEAD START

Ms. Camilla Shackelford, the Director of Fayette Head Start, appeared before the Council. She stated October was “Head Start Awareness” month. Ms. Shackelford thanked the community for its support of the local Head Start program. She reported there are 32 children, ages 0-2, enrolled in early Head Start and 51 children, ages 3-5, enrolled in Head Start.

#### APPROVAL OF MINUTES

Councilmember Wilson moved the minutes of the regular meeting held on October 10, 2017, be approved. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

#### RESOLUTION 2017-14

Mayor Nelson presented Resolution 2017-14 to the Council for their consideration. Resolution 2017-14 is as follows:

#### **RESOLUTION 2017-14**

#### **A RESOLUTION AUTHORIZING THE CITY OF FAYETTE TO AWARD A CONSTRUCTION CONTRACT TO BALLARD BUILDERS TO REHABILITATE AND CONSTRUCT NEW HANDICAPPED ACCESSIBLE SIDEWALKS IN THE DOWNTOWN AREA ALONG TEMPLE AVENUE**

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**WHEREAS**, the City of Fayette has received a Transportation Alternatives Program (TAP) Grant from the Alabama Department of Transportation (ALDOT) to rehabilitate and construct new handicapped accessible sidewalks in the downtown area along Temple Avenue; and

**THEREFORE**, in accordance with ALDOT regulations the City of Fayette has solicited and received bids from qualified construction companies to construct the above referenced sidewalk improvement activities in accordance with the approved plans and specifications;

**NOW, THEREFORE**, be it resolved that the City Council and their Consulting Engineer has evaluated the bids received and has determined that Ballard Builders, Incorporated is the low bidder on the construction portion of this project; and

**THAT**, Ray Nelson, Mayor, be and is hereby authorized to award a construction contract upon receipt of the approval of the Alabama Department of Transportation to Ballard Builders, Incorporated in

the amount of \$726,503.50 to complete all sidewalk improvement activities associated with the above referenced project.

*IN WITNESS WHEREOF*, the Fayette City Council has caused this Resolution to be executed in its name and on its behalf by its Mayor on this the 24th day of October, 2017.

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Mayor Ray Nelson

ATTEST:

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City Clerk Dawn Clapp

Councilmember Cowart moved the Council adopt Resolution 2017-14. Upon the motion being seconded by Councilmember Wilson, the same was unanimously adopted.

#### AIRPORT IMPROVEMENT PLANS

Ms. Natalie Hobbs of Goodwyn, Mills & Cawood, is the City's airport consultant. Ms. Hobbs reported to the Council concerning the Airport Improvement Plan. She stated that pre-applications are now due for 2018 grants. The 2018 grant would be used to overlay the airport apron area. The 2017 grant will be used to overlay the runway. The 2018 Airport Apron project's estimated cost is \$350,000.00. If awarded, the FAA would pay 90%, the State would pay 5% and the City would pay 5% or \$15,000.00.

#### RESOLUTION 2017-15

Mayor Nelson presented Resolution 2017-15 to the Council for their consideration. Resolution 2017-15 is as follows:

#### **RESOLUTION 2017-15**

#### **A RESOLUTION AUTHORIZING THE CITY OF FAYETTE TO SUBMIT AN APPLICATION FOR AIRPORT IMPROVEMENT FUNDING ASSISTANCE FROM THE STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION AND THE FEDERAL AVIATION ADMINISTRATION**

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*WHEREAS*, the City of Fayette intends to apply for state and federal matching funds for an airport improvement project for the Richard Arthur Field Airport during fiscal year 2018.

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

1. That the City of Fayette is authorized to make an application for airport improvement funding assistance from the State of Alabama Department of Transportation and the Federal Aviation Administration, for the purpose of undertaking a project in fiscal year 2018 to make improvements at the Richard Arthur Field Airport.
2. That the application be submitted for and on behalf of the City of Fayette by its Mayor who is authorized by this resolution to sign the application and any related forms or documents on behalf of the City.
3. That the City of Fayette is authorized to enter into an airport improvement funding agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, and the Federal Aviation Administration, for the purpose of undertaking a project to make improvements at the Richard Arthur Field Airport, with partial funding provided by the State of Alabama and the Federal Aviation Administration.
4. That the agreement be executed in the name of the City of Fayette for and on behalf of the City of Fayette by its Mayor.
5. That the authority of the City of Fayette to enter into contracts with the State of Alabama and the Federal Aviation Administration has been reviewed by the City's attorney, and in his opinion, the City of Fayette is duly authorized to commit the City of Fayette to agreements with the Alabama Department of Transportation and Federal Aviation Administration.

*BE IT FURTHER RESOLVED*, that the City of Fayette hereby affirms that the local matching share of funds in the amount required for this airport improvement project has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the Federal Aviation Administration's and the State of Alabama's funding agreements and the start of the project.

*IN WITNESS WHEREOF*, I have hereunto set my hand and affixed the official seal of the City of Fayette on this \_\_\_\_\_ day of October, 2017.

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Mayor Ray Nelson

ATTEST:

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City Clerk Dawn Clapp

Councilmember Cowart moved the Council adopt Resolution 2017-15. Upon the motion being seconded by Councilmember Campbell, the same was unanimously adopted.

#### SEWER REHAB PROJECT UPDATE

City Engineer Dewayne Roby stated a preconstruction meeting was held for the sewer project on October 19, 2017. The contractor, REV Construction, indicated they would start around November 1<sup>st</sup>. It will start at the intersection of 5<sup>th</sup> Street NE and 5<sup>th</sup> Avenue NE. They have 270 days to complete the project. The project should be completed by mid-July 2017.

#### REQUEST FOR A HANDICAPPED PARKING SPACE

Mr. Scottie Porter, owner of Sterling Bridges Antiques, addressed the Council concerning designating one of the spaces in front of his store on Columbus Street, a handicapped parking space. He said several of his customers were elderly and had difficulty walking. He asked that the space in front of his front door be designated as a handicapped parking space.

City Engineer Dewayne Roby stated the best place for handicapped spaces would be in the empty lot diagonally across from his store. Mr. Roby said there would be safety issues with handicapped individuals exiting their vehicles on Columbus Street.

Mr. Porter said that until the property owned by Chuck and Lana Langley was rented, the two spaces in front of his store were usually utilized by his customers.

Police Chief Jenkins said he also was concerned for the safety of handicapped individuals exiting vehicles onto Columbus Street.

Mr. Roby said if the designates a space for handicapped parking space then the City must make it handicap accessible for all handicapped drivers.

Mayor Nelson stated that he would like for all the Council members to look at the area.

Mr. Chuck Langley requested the Council also consider his tenant's customers when making the decision on whether to create a handicapped parking space.

Mr. Roby said parallel parking is generally not feasible for handicap parking. He said that is why the engineers did not design handicap parking spaces for the parallel spaces when the Downtown revitalization project was being designed.

#### RESOLUTION 2017-13

Mayor Nelson presented Resolution 2017-13 to the Council for their consideration. Resolution 2017-13 is as follows:

#### **RESOLUTION 2017-13 RESOLUTION PROVIDING FOR THE PARTICIPATION OF THE CITY OF FAYETTE IN THE "SALES TAX HOLIDAY"**

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*WHEREAS*, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256, effective April 26, 2012, which provides an exemption of the state sales and use tax for certain severe weather preparedness supplies during the first full weekend in July of 2012 and the last full weekend of February in subsequent years; and

*WHEREAS*, Act No. 2012-256 authorizes the City Council to provide for an exemption of city sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted; and

*WHEREAS*, the Fayette City Council has affirmatively voted to grant the exemption of City sales and use taxes on purchases covered by Act No. 2012-256 during the last full weekend of February 2018

beginning at 12:01 a.m. on Friday, February 23, 2018 and ending at twelve midnight on Sunday, February 25, 2018, the last full weekend of February in 2018;

**WHEREFORE BE IT RESOLVED BY THE FAYETTE CITY COUNCIL** that it does hereby provide for an exemption of the City sales and use tax on purchases of items covered by Act No. 2012-256 beginning at 12:01 a.m. on Friday, February 23, 2018 and ending at twelve midnight on Sunday, February 25, 2018.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the October 24, 2017, meeting of the Fayette City Council, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama, § 11-51-210 (e).

**IN WITNESS WHEREOF**, the Fayette City Council has caused this Resolution to be executed in its name and on its behalf by its Mayor on this the 24th day of October, 2017.

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Mayor Ray Nelson

ATTEST:

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City Clerk Dawn Clapp

Councilmember Campbell moved the Council adopt Resolution 2017-13. Upon the motion being seconded by Councilmember McCraw, the same was unanimously adopted.

#### ANIMAL CONTROL CONTRACT

Councilmember Wilson stated he talked with Charlotte Williams about renewing the animal control contract for one year at a rate of \$1,000.00 per month.

After a general discussion, Councilmember Cowart moved that the City renew the animal control contract with Charlotte Williams for one year at \$1,000.00 per month. Upon the motion being seconded by Councilmember McCraw, 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 Campbell, 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 COUNCILMEMBER NICHOLS

Councilmember Nichols stated that Fayette will be hosting the Toy Bowl Football Tournament at John Morgan Brown Stadium.

#### REPORT OF MAYOR

Mayor Nelson thanked Danny White, Executive Director of the Fayette Chamber of Commerce, for the successful Frog Level Festival.

#### 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 Nichols, the same was unanimously approved.

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Mayor

Attest:

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City Clerk