

Work Session
City Hall
Fayette, Alabama
January 9, 2018

The City Council of the City of Fayette held a work session at 6:00 o'clock, p.m. on January 9, 2018, 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, and Jerry Nichols. Also present were Police Chief Danny Jenkins, City Attorney Dale Lawrence, City Clerk Dawn Clapp, and City Engineer Dewayne Roby. Councilmember Cedric Wilson was absent.

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

RAILS TO TRAILS PROJECT

Mr. Terry Acuff of Community Consultants said in April of 2016, the City applied for a Rails to Trails grant for the procurement of a portion of the old rail corridor. He stated the City had an appraisal done and the appraiser appraised that portion of the rail corridor at \$186,000.00. Mr. Acuff said the next step is for the City to pay \$500.00 and submit the appraisal to ALDOT for review.

There was considerable discussion about how to proceed with the project in light of the lawsuit that had been filed by Mr. Sam Striegel against Norfolk Southern Railway concerning a portion of the old rail corridor that the City was seeking to acquire.

There was also discussion about Norfolk Southern being only willing to convey the property to the City by quit claim deed. A quit claim deed to the City would carry no warranty by Norfolk Southern that it owned the property nor would it contain any provision about Norfolk Southern having to defend any challenge to its title to the property. Also, there would be no recourse against Norfolk Southern should its title fail. Councilmember Cowart suggested the possibility of eminent domain being used to acquire the property for the trail. The City Attorney stated he would look into this.

Councilmember Cowart moved the City submit the appraisal to ALDOT for review and pay the required \$500.00 fee. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

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 adopted.

Mayor

Attest:

City Clerk