

City Hall  
Fayette, Alabama  
May 8, 2018

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on May 8, 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, Cedric Wilson and Jerry Nichols. Also present were Police Chief Danny Jenkins, City Attorney Dale Lawrence, City Clerk Dawn Clapp and Fire Chief Tony Ellis.

The opening prayer was given by Mr. Dennis Stripling, Executive Director of the West Alabama Regional Commission.

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

#### GUEST APPEARING BEFORE COUNCIL

1. DENNIS STRIPLING – WEST ALABAMA REGIONAL COMMISSION

Mr. Dennis Stripling, Executive Director of the West Alabama Regional Commission (WARC) spoke to the Council about the services WARC can provide to the City. He is the former Mayor of Brent.

2. TAMMY ROSS – FAMILY GUIDANCE CENTER OF ALABAMA

Ms. Tammy Ross with Family Guidance Center of Alabama appeared before the Council. She stated they work with family members who are helping to care for a relative's child. They conduct classes to provide information and training to the caregivers.

3. MURPHREE PAVING

Mr. Harrison Gregory is the owner of Murphree Paving. Mr. Tim Simmons, a Fayette resident, also works with the company. Murphree Paving is looking to expand into the West Alabama area. The company has not decided where it plans to locate. Their niche is small projects. The company performs asphalt paving, sealing, striping and repair. Its Tupelo branch has 15 to 20 employees. A local branch would have 4 to 5 employees.

#### PUBLIC HEARING ON REZONING OF GARRISON PROPERTY

Mayor Nelson announced that this was the day and time set for a public hearing on the request for rezoning made by Mrs. Gena Garrison Howton. No one appeared in opposition to the rezoning of the property. Mrs. Gena Garrison Howton appeared in support of the Council rezoning the property.

#### ORDINANCE 2018-03

Mayor Nelson presented Ordinance 2018-03 to the Council for their consideration. Ordinance 2018-03 is as follows:

#### **ORDINANCE NO. 2018-3**

**AN ORDINANCE TO AMEND CITY ORDINANCE ENTITLED "ZONING ORDINANCE OF THE CITY OF FAYETTE, ALABAMA", ADOPTED AND APPROVED BY THE CITY COUNCIL ON JULY 15, 1996, REFERRED TO AND IDENTIFIED IN SECTION 11, SHORT TITLE OF SAID ZONING ORDINANCE AS THE "ZONING ORDINANCE OF THE CITY OF FAYETTE, ALABAMA".**

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***THE PUBLIC WELFARE REQUIRING IT***, and under authority granted by Section 11-52-77, 1975 Code of Alabama, Be It Ordained by the City Council of the City of Fayette, Alabama, as follows:

1. The Zoning Map of the City of Fayette, Alabama, adopted and approved by the City Council on July 15, 1996, is hereby altered, changed, amended and modified as follows:

That the zoning classification of the following described land be reclassified from a R-1 Residential District to a B-2 Business District, viz:

Parcel 1:

Beginning at a point, at an iron stake, on the West edge of the right of way of U.S. Highway No. 43, where said West edge intersects the center line of the ditch which marks the Southern boundary line of the

land now [formerly] owned by the estate of Homer Campbell, deceased, and running thence in a Southerly direction along the West edge of said right of way a distance of 105 feet to an iron stake; thence in a Westerly direction for a distance of 300 feet, more or less, to an iron stake; thence North to an iron stake on the center line of said ditch; thence in a Easterly direction along the center line of said ditch to the point of beginning.

Parcel 2:

A lot or parcel of land described and bounded, as follows, to-wit: Begin at an iron stake on the West right-of-way line of Fayette and Winfield present paved highway, which beginning point is the Southeast corner of Ralph Neal Nichols' and wife, Danny Lou Nichols' residence lot, and from thence a Northwest direction along the South line of said Nichols lot 270 feet to an iron stake, and from thence a Southwest direction 75 feet to an iron stake, and from thence a Southeast direction 270 feet to a stake on the West right-of-way line of said Fayette and Winfield Highway, and from thence a Northeasterly direction along the West right-of-way line of said highway 75 feet to beginning point. Said lot being 75 feet wide and 270 feet long and located in the NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of Section 32, Township 15 South, Range 12 West.

Parcel 3:

Lot Number 1 and 2 of Block 3, of Herren Subdivision, North Fayette, Fayette County, Alabama, as shown by map or plat of said subdivision which is of record in the Office of the Judge of Probate of Fayette County, Alabama.

ALSO: a strip of land described as follows: Begin where the North edge of Garrison Drive (which is in said subdivision) intersects the West right-of-way line of U.S. Highway No. 43, thence run along the North edge of said Garrison Drive in a Northwesterly direction 274.9 feet to an iron stake; thence along the Southeast line of Lot No. 1, Block 3 of Herren Subdivision heretofore mentioned, 5 feet to an iron stake; thence in a Southeasterly direction and parallel to North edge of said Garrison Drive 274.9 feet to an iron stake on West right-of-way line of said U.S. Highway 43; thence in a Southwesterly direction along the West right-of-way line of said Highway 5 feet to an iron stake at the point of beginning.

2. All ordinances or parts of ordinances that conflict with this act are hereby repealed.

This Ordinance shall take effect and be in force from and after the date of its publication.

DONE this the \_\_\_\_\_ day of May, 2018.

\_\_\_\_\_  
Mayor, City of Fayette

ATTEST:

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Clerk, City of Fayette

Councilmember Cowart moved the Council adopt Ordinance 2018-03. Upon the motion being seconded by Councilmember Wilson, the same was unanimously adopted.

**PUBLIC HEARING ON ALCOHOL LICENSE**

Mayor Nelson announced that this was the day and time scheduled for a public hearing on the application of Fowler Oil Company, Inc., for an alcohol license for Exxon Handi-Mart #1. Mr. Steve Herring of Fowler Oil appeared in support of the granting of the alcohol license. No one appeared opposing the granting of the license.

**RESOLUTION 2018-08**

Mayor Nelson presented Resolution 2018-08 to the Council for their consideration. Resolution 2018-08 is as follows:

**RESOLUTION 2018-08  
A RESOLUTION GRANTING AN ALCOHOL LICENSE  
TO FOWLER OIL COMPANY, INC.,**

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

That the application by Fowler Oil Company, Inc., doing business as Handi Mart #1, located at 1343 Temple Avenue N, 35555 for the following types of alcohol license :

**050 - Retail Beer – Off Premises Consumption Only**

be and is hereby approved.

**ADOPTED AND APPROVED** by the City Council of the City of Fayette, Alabama, on this 8<sup>th</sup> day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

Councilmember Cowart moved the Council adopt Resolution 2018-08. Upon the motion being seconded by Councilmember Nichols, the same was unanimously adopted.

**POLICE DEPARTMENT REPORT**

Police Chief Danny Jenkins presented the police report for the month of April 2018. The report was as follows: 33 incidents investigated; 15 accidents; 87 traffic citations; and 36 arrests.

Chief Jenkins stated he was still investigating the possibility of placing speed bumps on 9<sup>th</sup> Street.

**FIRE DEPARTMENT REPORT**

Fire Chief Tony Ellis presented the fire report for the month of April 2018. The Fire Department received 49 calls.

**ADMINISTRATIVE ASSISTANT POSITION FILLED**

Mayor Nelson stated Ms. Sherry Fowler had been hired to fill the Administrative Assistant position. There were 42 applicants. Ms. Fowler was hired through Express Employment Professionals.

**SECOND MEETING CANCELLED**

After a general discussion, Councilmember Campbell moved that the second Council meeting in May be cancelled. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

**PARADE PERMIT**

Mayor Nelson presented to the Council a request for permit for the "Relay for Life" Celebration to be held on June 1, 2018. Councilmember Cowart moved the permit be granted. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

**APPROVAL OF MINUTES**

Councilmember Wilson moved the minutes of the work session and regular meeting held on April 24, 2018, be approved. Upon the motion being seconded by Councilmember Nichols, 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 Nichols, the same was unanimously approved.

**APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT**

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

**APPROVAL OF MUNICIPAL COURT FINANCIAL STATEMENT**

Councilmember Nichols moved the Municipal Court financial statement be approved. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

**REPORT OF CITY CLERK**

City Clerk Dawn Clapp reported for the month of April, the City received \$229,300.00 in non-designated sales tax. She reported the ½¢ sales tax for the hospital generated \$37,604.00. The total sales tax received was approximately \$266,904.00. She stated the City received \$7,325.00 in alcohol taxes.

CHAMBER OF COMMERCE REPORT

Chamber of Commerce Executive Director Danny White reminded everyone that the West Alabama Fiddle Fest would be held on May 11<sup>th</sup> and 12<sup>th</sup> on the lawn at the Fayette County Courthouse.

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 Cowart, the same was unanimously approved.

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Mayor

Attest:

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City Clerk