

City Hall
Fayette, Alabama
April 8, 2014

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on April 8, 2014, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Ray Nelson, Council members Linda McCraw, Mike Hardin, Jason Cowart, Cedric Wilson and David Brand. Also present were City Clerk Dawn Clapp, Police Chief Danny Jenkins, Fire Chief Tony Ellis, City Attorney Dale Lawrence and City Engineer Dewayne Roby.

The opening prayer was given by Mr. Bobby Avant.

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

PUBLIC HEARING

Mayor Nelson announced that this was the day and time set for the public hearing on the nuisances located on the property of GRB, LLC at 7th Street SE, Fayette, Alabama. This is the site of the old Cotton Mill.

City Engineer Dewayne Roby reviewed with the Council the steps he had taken as the enforcing official to have the nuisance abated on the old Cotton Mill property now owned by GRB, LLC. He reviewed with the Council his attempts to contact the owner of the company, George Blakeney. Mr. Roby reported that there were piles of debris on the property that can harbor vermin, rats, snakes and mosquitoes and that because of these conditions and concerns about public health and safety, he as the enforcing official had declared it a nuisance.

Mr. John Stewart spoke to the Council. He lives in the residential neighborhood near the old Cotton Mill. He stated he would like to see the property cleaned up. He said it was a health and safety problem. He also said there was a tremendous mosquito problem. Mr. Stewart stated he had written ADEM and ADEM came and looked to see if there was any hazardous material on the property.

Mr. Lynn Lawley spoke on behalf of GRB, LLC. He apologized to the community for not have the debris cleaned up. He stated that Todd Guy, who has a construction company, will be at the site in two weeks to being hauling the debris. He estimated that it would take thirty days to haul off all of the debris.

RESOLUTION 2014-10

Mayor Nelson presented Resolution 2014-10 to the Council for their consideration. Resolution 2014-10 is as follows:

RESOLUTION 2014-10

A RESOLUTION DECLARING EXISTENCE OF A NUISANCE AND AUTHORIZING AND ORDERING THE ENFORCING OFFICIALS TO ABATE THE NUISANCES ON THE PROPERTY OWNED BY GRB, LLC, LOCATED AT THE SITE OF OLD COTTON MILL ON 7TH AVE, SE, FAYETTE, ALABAMA

WHEREAS, GRB, LLC, (and its agent George Blakeney) owner of the old Cotton Mill site at 7th Avenue SE, Fayette, Alabama 35555 was last notified by an enforcing official on February 20, 2014 that there were nuisances on the said property and that he was to abate these nuisances; and,

WHEREAS, the enforcing official has reported that the owner, GRB, LLC, and its agent, George Blakeney, has failed, refused or neglected to comply with the notice to abate the nuisance; and,

WHEREAS, a public hearing was set for April 8, 2014, at 5:00 p.m. for the Council to determine whether the Council should order the enforcing officials to proceed with abating the nuisances on the property; and,

WHEREAS, notice of this hearing was published in the Times-Record on April 2, 2014 and GRB, LLC, was served with notice of this hearing by certified mail on March 27, 2014;

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

1. That the accumulation and piles of rubbish, litter, weeds and debris on the property owned by GRB, LLC, located at the old Cotton Mill site at 7th Avenue SE, Fayette, Alabama constitutes a nuisance. There are several piles of debris located upon this property. The piles of debris and rubbish are near several residences and constitute a health hazard and nuisance by contributing to the raising or harboring of mosquitoes, flies, rats, fleas, snakes, vermin and the decaying of debris, rubbish, weeds, or litter creates an obnoxious odor. Such conditions are dangerous to the public health, safety and welfare. Such conditions make the premises injurious to the health, offensive to the senses and an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life and property by others. Also, the piles of debris and rubbish are a danger to children who may go upon the property to play.

2. This nuisance shall be abated by GRB, LLC and its agent, George Blakeney, by removing the piles of debris, rubbish, litter, weeds and other material from the property immediately.

3. The enforcing officials are hereby authorized and ordered to abate the nuisance and remove the piles of debris, rubbish, litter, weeds and other material from the said property.

DONE this the ____ day of April, 2014.

Mayor

ATTEST:

City Clerk

After a general discussion, Councilmember Hardin moved that the Council adopt Resolution 2014-10. Upon the motion being seconded by Councilmember McCraw, the same was unanimously approved.

APPROVAL OF MINUTES

Councilmember Cowart moved that the minutes of the regular meeting held on March 25, 2014, be approved. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for the month of March: 22 incidents investigated; 24 accidents; 107 traffic citations; and 36 arrests.

FIRE DEPARTMENT REPORT

Fire Chief Tony Ellis presented the fire report for the month of March. The Fire Department received 21 fire calls, with two structural fires.

SURPLUS PROPERTY

Councilmember Brand moved to declare the following four pieces of equipment as surplus property, to-wit: (1) 2005 Husqvarna LZ 52" Cut 25 horsepower mower - serial number 044235986; (2) 2005 Alamo 72B 6' bush hog - serial number 02798; (3) 2005 Alamo 72B 6' bush hog - serial number 02799; and (4) John Deere Tractor 5500 Series - serial number LV5500C551415. Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

WEBSITE USAGE REPORT

Mayor Nelson presented the Council with a report on the usage of the City's website. He reported that on one of the nights when American Idol was being shown, the website received 855 hits. He stated the webmaster is Ron Taylor.

PROJECT UPDATE

City Engineer Dewayne Roby reported on the City's projects. He stated they had met with REV Construction concerning the sewer system improvement project and they would have a preconstruction meeting on the Wastewater Project with Goldman Contractors on April 16th.

Mr. Roby stated that the lazy river project at the Aquatic Park should be completed on time.

APPROVAL OF FINANCIAL STATEMENT

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

APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

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

REPORT OF CITY CLERK

City Clerk Dawn Clapp reported that for the month of March, the City received \$189,829.00 in sales tax and \$6,299.00 in alcohol taxes. The sales tax collected last year at this time was \$186,000.00. Alcohol taxes dropped \$1,800.00 from last year.

Mrs. Clapp stated the City received the Gold Award from the Workmen's Compensation insurance carrier for having a very low loss ratio.

REPORT OF COUNCILMEMBER MCCRAW

Councilmember McCraw reported that 275 children were participating in the Park and Recreation baseball and softball programs.

REPORT OF MAYOR

Mayor Nelson announced that Mr. Bobby Avant would be the new ACE Coordinator for the City of Fayette.

Mayor Nelson reported Street Superintendent William Brand would have major shoulder surgery and be out for twelve weeks. He stated City Engineer Dewayne Roby would take over the supervision of the Street Superintendent while Mr. Brand is out.

Mayor Nelson informed the Council that a "Dexter Roberts Watch Party" would be held at McDonalds on Wednesday night. Dexter is competing to be the next American Idol and has made it into to the Top 10. A portion of the sales made during the watch party will go to help with the family's travel expenses to Los Angeles.

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 Wilson, the same was unanimously approved.

Mayor

Attest:

City Clerk