

City Hall
Fayette, Alabama
October 23, 2018

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on October 23, 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, Jason Cowart, Eddy Campbell, Cedric Wilson and Jerry Nichols. Also present were Police Chief Danny Jenkins, City Attorney Dale Lawrence, City Clerk Dawn Clapp, City Engineer Dewayne Roby and Fire Chief Shannon Taylor.

The opening prayer was given by Councilmember Eddy Campbell.

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

GUEST APPEARING BEFORE COUNCIL

1. MR. JESSE GRIFFIN – OPERATION CHRISTMAS CHILD

Mr. Jesse Griffin spoke to the Council concerning Samaritan's Purse *Operation Christmas Child* shoe box ministry. Mr. Griffin is a year round volunteer for this project. He stated Southside Baptist Church is the drop off center in Fayette for the shoe boxes. He encouraged the Mayor and Council to participate by packing a shoe box.

APPROVAL OF MINUTES

Councilmember Wilson moved the minutes of the regular meeting held on October 9, 2018, be approved. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

FAYETTE AQUATIC CENTER FINANCIAL REPORT

Park and Recreation Director Lance Holliman gave a report on the Aquatic Center. He stated the Aquatic Center had 27,226 in paid attendance for the 2018 season. The average paid attendance was 324 per day. The total received in admissions was \$275,528.60 and the total received in concessions was \$101,696.39. He stated as far as repairs, they are replacing the sand in the filters this year and will replace four drains in November of 2019.

AIRPORT PROJECT FOR 2019

Ms. Natalie Hobbs of Goodwyn, Mills & Cawood, reported to the Council on potential projects at the airport. She stated the City has \$300,000.00 available for 2019. Due to the poor condition of the apron pavement the FAA and ALDOT have suggested reconstructing the pavement instead of rehabilitating it with an overlay. She estimated this would cost approximately \$1,500,000. The FAA will not have funds available for this project in 2019, so she recommended applying for a grant for the design of the apron in order to have a more accurate estimate prior to applying for the project in the future. The City's match would be 5%.

RESOLUTION 2018-14

Mayor Nelson presented Resolution 2018-14 to the Council for their consideration. Resolution 2018-14 is as follows:

RESOLUTION 2018-14

A RESOLUTION AUTHORIZING THE CITY OF FAYETTE TO MAKE AN APPLICATION FOR AIRPORT IMPROVEMENT FUNDING ASSISTANCE FROM THE STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION AND THE FEDERAL AVIATION ADMINISTRATION FOR IMPROVEMENTS AT RICHARD ARTHUR FIELD AIRPORT

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 2019.

THEREFORE BE IT RESOLVED, by 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 2019 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.

ADOPTED this the _____ day of October, 2018.

Mayor Ray Nelson, City of Fayette

Attest:

City Clerk

Councilmember Campbell moved the Council adopt Resolution 2018-14. Upon the motion being seconded by Councilmember McCraw, the same was unanimously adopted.

AIRPORT LAYOUT PLAN

Ms. Natalie Hobbs reviewed with the Council the Airport Layout Plan. She reported the plan had now been approved by the FAA.

RESOLUTION 2018-15

Mayor Nelson presented Resolution 2018-15 to the Council for their consideration. Resolution 2018-15 is as follows:

**RESOLUTION 2018-15
RESOLUTION PROVIDING FOR THE PARTICIPATION
THE CITY OF FAYETTE IN THE "SALES TAX HOLIDAY"**

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 2019 beginning at 12:01 a.m. on Friday, February 22, 2019 and ending at twelve midnight on Sunday, February 24, 2019, the last full weekend of February in 2019;

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 22, 2019 and ending at twelve midnight on Sunday, February 24, 2019.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the October 23, 2018, 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 23rd day of October, 2018.

Mayor Ray Nelson

ATTEST:

City Clerk Dawn Clapp

Councilmember Cowart moved the Council adopt Resolution 2018-15. Upon the motion being seconded by Councilmember Campbell, the same was unanimously adopted.

ANIMAL CONTROL CONTRACT

Mayor Nelson presented the proposed animal control contract with Charlotte Williams to the Council for their consideration. The contract is for one year at a rate of \$1,000.00 per month. After a general discussion, Councilmember McCraw moved the City enter into a one year contract with Charlotte Williams for animal control services at a rate of \$1,000.00 per month. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

HIGHWAY 43 SANITARY SEWER SYSTEM EXTENSION

Mr. Paul Burkhalter, Goodwyn, Mills & Cawood, reported on the Highway 43 Sanitary Sewer System bids. The bids were as follows:

<u>Bidder</u>	<u>Bid Price</u>
Cornerstone Civil Contractors	\$309,904.94
Perma Corporation	\$311,430.00
Double Diamond Construction Co.	No Bid
REV Construction	\$297,150.00
Robinson & Sons Construction	\$596,189.00
C & J Contracting and Plumbing	\$469,488.00
Southern Civil Contracting	\$247,717.01
Robertson Excavating	\$392,041.00

Mr. Burkhalter recommended the Council award the contract to Southern Civil Contracting for \$247,717.01. After a general discussion, Councilmember Wilson moved the Council adopt the following resolution:

RESOLUTION

BE IT RESOLVED, by the City Council of the City of Fayette that it hereby awards the bid for the Highway 43 Sanitary Sewer System project to the lowest responsible bidder, Southern Civil Contracting in the amount of \$247,717.01.

Upon the motion being seconded by Councilmember Cowart, the same was unanimously approved.

CITY ENGINEER DEWAYNE ROBY TO RETIRE

City Engineer Dewayne Roby will retire on December 1, 2018, after 21 ½ years of service to the City. He has taken a Civil Service position at Maxwell/Gunter Airforce Base.

CONSENT FOR MAYOR TO HIRE FIREFIGHTER

Fire Chief Shannon Taylor recommended to the Mayor that Mr. Russell Oswalt be hired as a firefighter. Mr. Oswalt is currently a volunteer firefighter. After a general discussion, Councilmember Cowart moved that the Council consent to the Mayor hiring Russell Oswalt as a firefighter. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

SPOT PAVING

City Engineer Dewayne Roby reported to the Council on the availability of spot paving and areas where it might be performed.

TRUCK TRAFFIC ON 10TH STREET

Councilmember Cowart stated he would like the issue of truck traffic on 10th Street to be on the next meeting's agenda.

APPROVAL OF FINANCIAL STATEMENT

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

APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

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

APPROVAL OF MUNICIPAL COURT FINANCIAL STATEMENT

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

EXECUTIVE SESSION

Councilmember Cedric Wilson moved the Council go into executive session for the purpose of discussing potential litigation. The City Attorney stated this exception was applicable to the planned discussion. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

Councilmember Cowart moved the Council come out of executive session. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

ADJOURNMENT

There being no further business to come before the Council, upon a motion to adjourn being made by Councilmember Cowart and seconded by Councilmember Nichols, it was unanimously approved.

Mayor

Attest:

City Clerk