

City Hall  
Fayette, Alabama  
November 13, 2018

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on November 13, 2018, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Pro Tempore Cedric Wilson, 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 Fire Chief Shannon Taylor. Mayor Ray Nelson was absent due to illness.

The opening prayer was given by Mr. Dale Lawrence.

Mayor Pro Tempore Wilson announced a quorum was present and the meeting was open for the transaction of business.

#### APPROVAL OF MINUTES

Councilmember Nichols moved the minutes of the regular meeting held on October 23, 2018, be approved. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

#### FIRE DEPARTMENT REPORT

Fire Chief Shannon Taylor presented the fire report for the month of October 2018. The Fire Department received 32 total calls, with 5 being structure calls.

#### POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for the month of October 2018. The report was as follows: 23 incidents investigated; 12 accidents; 94 traffic citations; and 30 arrests.

#### TRUCK TRAFFIC ON 10<sup>TH</sup> STREET TRAFFIC

Mayor Pro Tempore Wilson presented Ordinance 2018-06 to the Council for their review and consideration. The ordinance prohibits heavy trucks from operating on 10<sup>th</sup> Street except in certain circumstances. Councilmember Cowart said he was in favor of adopting the new ordinance. Councilmember Nichols suggested maybe a different grade of asphalt could be used on 10<sup>th</sup> Street. He said it would probably cost an additional \$5,000.00 to use the higher grade mix. He thought making all truck traffic turn onto Columbus Street would create problems too. He thought this might solve the problem without changing the truck traffic. Ordinance 2018-06 was proposed but not acted on at this meeting. The ordinance is as follows:

#### **ORDINANCE NO. 2018-06**

#### **AN ORDINANCE AMENDING §15-49.3, *ROUTES; DESIGNATED* OF DIVISION 6. *TRUCK REGULATIONS* OF ARTICLE I. *MOTOR VEHICLES* OF CHAPTER 15. *TRAFFIC AND MOTOR VEHICLES***

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**BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF FAYETTE, ALABAMA,** as follows:

**SECTION 1.** That Section 15-49.3, *Routes; Designated* of DIVISION 6. *Truck Regulations* of ARTICLE I. *MOTOR VEHICLES* of CHAPTER 15. *TRAFFIC AND MOTOR VEHICLES* of the CODE OF ORDINANCES OF THE CITY OF FAYETTE, ALABAMA is hereby amended by striking such section in its entirety and substituting the following therefor:

§ 15-49.3. Routes; Designated.

(a) It shall be unlawful for any person to operate a heavy truck, as defined in section 15-49.1, on any street or highway within the city except on the street or highways designated as truck routes as hereinafter described.

(b) The term "truck route" shall mean and include the following designated streets and highways:

- (1) State Highway #96
- (2) State Highway #18
- (3) State Highway #159
- (4) State Highway #171
- (5) U.S. Highway #43
- (6) County Highway #35

**SECTION 2.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 3.** This ordinance shall be effective on publication.

Adopted this the 13th day of November, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

RESOLUTION 2018-16

Mayor Pro Tempore Wilson presented Resolution 2018-16 to the Council for their consideration. Resolution 2018-16 is as follows:

**RESOLUTION 2018-16**

**A RESOLUTION AUTHORIZING THE MAYOR TO FILE SUIT ON BEHALF OF THE CITY AGAINST GRB, LLC AND GEORGE BLAKENEY TO ABATE THE NUISANCE AT OLD COTTON MILL PROPERTY AND FOR OTHER GENERAL AND EQUITABLE RELIEF AND AUTHORIZING THE CITY ATTORNEY AND HIS FIRM HOLDER, MOORE, LAWRENCE & LANGLEY TO REPRESENT THE CITY IN THE LAWSUIT**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTE**, that it hereby authorizes the Mayor to file suit on behalf of the City of Fayette against GRB, LLC, George Blakeney and any other entity or individual having an ownership interest in the property, to abate the nuisance at the old Cotton Mill property and for other general and equitable relief as may be appropriate; and,

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTE**, that it hereby authorizes City Attorney Dale Lawrence and his firm, Holder, Moore, Lawrence & Langley, P.C. to represent the City in the lawsuit.

**READ AND ADOPTED** this the \_\_\_\_ day of November, 2018.

\_\_\_\_\_  
Mayor Ray Nelson

ATTEST:

\_\_\_\_\_  
City Clerk Dawn Clapp

Councilmember Nichols moved the Council adopt Resolution 2018-16. Upon the motion being seconded by Councilmember Campbell, the same was unanimously adopted.

CITY ENGINEER JOB DESCRIPTION

Mayor Pro Tempore Wilson presented the job description for the City Engineer position to the Council for their review.

SPOT PAVING

Mayor Pro Tempore Wilson announced the spot paving street project had been put on hold because the City did not have an engineer to inspect the paving. He also, stated the estimate came in at an amount that triggered the project having to be bid.

GARBAGE EXEMPTIONS

Assistant City Clerk Sherry Fowler reported on the applications for garbage exemptions. She stated 200 exemption letters were mailed out on October 29, 2018. She said as of November 9, 2018, the City had received 40 completed forms. Of the 40 received, 33 had qualified for the exemption and 7 had not. Mrs. Fowler stated November 30<sup>th</sup> is the cut-off date for applying for the exemption. The exemption must be renewed annually.

CHRISTMAS AT THE PARK

Mayor Pro Tempore Wilson stated "Christmas at the Park" will be held November 22, 2018 – December 31, 2018. The times are 5:30 p.m. – 9:30 p.m. each night.

APPROVAL OF FINANCIAL STATEMENT

Councilmember Campbell 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 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 Campbell, the same was unanimously approved.

REPORT OF CITY CLERK

City Clerk Dawn Clapp reported for the month of October, the City received \$202,189.00 in non-designated sales tax. She reported the ½¢ sales tax for the hospital generated \$34,000.00. The total sales tax received was approximately \$236,431.00. She stated the City received \$5,764.00 in alcohol taxes.

REPORT OF COUNCILMEMBER MCCRAW

Councilmember McCraw stated the process of hiring a maintenance assistant would resume since Mr. Joey Byars was now back at work.

SAMARITAN'S PURSE OPERATION CHRISTMAS CHILD

The Council presented their shoe boxes for Operation Christmas Child to Mr. Jesse Griffin.

EXECUTIVE SESSION

Councilman Nichols moved the Council go into executive session to discuss the good name and character of individuals. Upon the motion being seconded by Councilman Campbell, the same was unanimously approved.

Councilman Cowart moved the Council come out of executive session. Upon the motion being seconded by Councilman Campbell, 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 Campbell and seconded by Councilmember McCraw, it was unanimously approved.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk