

City Hall  
Fayette, Alabama  
June 25, 2019

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on June 25, 2019, 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, Assistant City Clerk Sherry Fowler and Fire Chief Shannon Taylor.

The opening prayer was given by Councilmember Cedric Wilson.

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

#### APPROVAL OF MINUTES

Councilmember Wilson moved the minutes of the regular meeting and work session held on June 11, 2019, be approved. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

#### GUESTS APPEARING BEFORE COUNCIL

##### 1. PARADE PERMIT – MS. SHALYN SMITH

Ms. Shalyn Smith appeared before the Council to request a permit for a prayer walk to be held on June 29, 2019, from 9:00 a.m. to 11:00 a.m. She stated the prayer walk would start at the Community Center (old youth center) and proceed for a few blocks to Texaco. She said they will be walking on the sidewalks. She stated there will be no music but they will have refreshments. After a general discussion, Councilmember Cowart moved to grant the permit for the prayer walk to be held on June 29, 2019. Upon the motion being seconded by Councilmember Wilson, the same was unanimously approved.

#### PROJECT UPDATES

Mr. Luke Porter updated the Council on the City's current projects. (1) He stated the plans for the 25<sup>th</sup> Street and 8<sup>th</sup> Avenue paving project had been approved but the City was waiting on the agreement from the State; (2) He stated the plans for the old Industrial Park Pumping Station and Sewer Line project had been completed and the City was now awaiting an ALDOT permit; (3) He reported he is putting together a construction cost estimate for the "Rails to Trails" project.

Mayor Nelson stated the cost of paving the parking lot at Guthrie Smith Park was \$82,796.00. He stated that this was \$5,900.00 less than the bid.

#### RECREATIONAL TRAILS GRANT

Mayor Nelson presented the Council a letter from ADECA concerning the "Rails to Trails" grant. The letter dated June 17, 2019, gives the City thirty days to notify ADECA of its intent or lack thereof to proceed with the project. Mayor Nelson said the Council would vote on this at its first meeting in July.

Mayor Nelson reported he had communicated via email with Mr. Craig Orcutt with Norfolk Southern Railway about the purchase of a portion of the rail corridor. Mr. Orcutt said unless the City is willing to pay the appraised "over the fence" price, then the railroad would not sell the property.

Councilmember Cowart said he would not be present at the first meeting in July. He said he thought the project was great but was nervous about the City having to "eat" the cost. He said he was hesitant because if the City did not get grants for the construction, then the City would have to build the trail out of its own funds.

Mayor Nelson reported if the City uses the grant funds for the purchase of the property, then the walking trail would have to be constructed within three to five years. Councilmember Campbell said he thought if the trail is shortened, then it essentially kills the project. He was afraid the grants available for construction would still leave the City paying a significant amount.

#### FUNDS FOR PAVING

City Clerk Dawn Clapp said the amount of gasoline taxes collected annually is approximately \$120,000.00. Mayor Nelson said he wanted the Council to put together a plan for paving.

### FAYETTE COTTON MILL PROPERTY

Mayor Nelson said he had received an email from Mr. Antwon Parker from ADEM. ADEM has requested the City apply for an EPA Targeted Brownfield Assessment grant to provide financial assistance for the Phase II environmental assessment to be performed at the old Cotton Mill property.

### RETIREMENT AND RESIGNATION

Mayor Nelson stated Mr. Bud Kizzire retired on June 10, 2019, and Mr. Matt Johnson had resigned to take a new job.

### SUMMER WORK PROGRAM

Mayor Nelson said the Summer Work Program would start soon.

### OLD BUSINESS

Mr. Danny White read a letter from the City of Vernon Economic Director, Greg Lowery, requesting \$1,000.00 for travel expenses to lobby the Governor for the BBT project he presented at the last Council meeting. The City cannot donate funds to a private entity.

### 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 Wilson, 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 Cowart, the same was unanimously approved.

### REPORT OF MAYOR

Mayor Nelson announced the Fayette Medical Center had hired a surgeon, Dr. David Evans, and a hospitalist, Dr. Dakota Acton Jones.

Mayor Nelson announced the Celebrate America Rally at Fayette First Baptist Church on Sunday, June 30<sup>th</sup> at 5:30 p.m.

### REPORT OF COUNCILMEMBER MCCRAW

Councilmember McCraw stated the airport was going to need some upkeep and would like for the Council to plan for it in its budget.

### EXECUTIVE SESSION

Councilmember Wilson moved the Council go into executive session to discuss with their attorney the legal ramifications of and legal options for controversies not yet being litigated but imminently likely to be litigated. The City Attorney stated this exception was applicable to the planned discussion. Upon the motion being seconded by Councilmember Cowart the same was unanimously approved. Councilmember Cowart moved the Council come out of executive session. Upon the motion being seconded by Councilmember Campbell, 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 Wilson and seconded by Councilmember Cowart, the same was unanimously approved.

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Mayor

Attest:

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City Clerk