

City Hall
Fayette, Alabama
August 24, 2021

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on August 24, 2021, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Rod Northam, Councilmembers Virettia L. Whiteside, Eddy Campbell, Tommy Williams, Aliska Hughes-Monroe and Jerry Nichols. Also present were City Clerk Dawn Clapp, City Attorney Dale Lawrence, Police Chief Danny Jenkins and Fire Chief Shannon Taylor.

The opening prayer was given by Mr. Owen Sweatt.

The Pledge of Allegiance was led by Mr. Jimmy Campbell.

Mayor Northam 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 August 10, 2021, be approved. Upon it being seconded by Councilmember Campbell, it was unanimously approved.

PUBLIC HEARING ON REZONING REQUEST OF PAM JENKINS

Mayor Northam stated this was the day and time scheduled for the public hearing on the rezoning request of Pam Jenkins. No one appeared to oppose or support the rezoning request. [Pam and Bob Jenkins came into the meeting after the public portion of the meeting.]

GUEST APPEARING BEFORE COUNCIL

Mr. Tom Jenkins – ADA Code Violations

Mr. Tom Jenkins spoke to the Council concerning ADA code violations within the City. He said according to the CDC reports in rural counties one-third of the residents are disabled. He said the City has made improvements to the downtown but there were areas within the downtown area that are not ADA compliant. He stated there should be more handicap parking spaces in the downtown area. He reported there are holes in sidewalks, sidewalks that are uneven and grates in the sidewalk. He stated there are no signs stating that a handicap entrance is available at the back of City Hall. Mayor Northam said the City would look into his concerns.

AQUATIC CENTER REPORT

Mr. Chris Champion reported to the Council on the Aquatic Center's 2021 season. He said this year's season was 72 days long and it was the best year since he had been there. The total attendance this year was 25,122. The daily average attendance was 349. Mr. Champion stated three times this year there had been more than 900 people in attendance. The highest attendance day was 971.

He said as of today, the net amount of revenue was \$107,000.00 with \$30,500.00 coming from the CARES ACT. He stated on opening day, the Aquatic Center had \$72,000.00 in the bank and now its balance as of August 24, 2021, was \$167,000.00. He stated there were no major repairs or maintenance issues this year.

RESOLUTION 2021-08

Mayor Northam presented Resolution 2021-08 to the Council for their consideration. Resolution 2021-08 is as follows:

RESOLUTION 2021-08 A RESOLUTION AUTHORIZING THE CITY TO USE THE FUNDS FROM THE NEW EXCISE TAX ON GASOLINE AND DIESEL FUEL FOR ERECTING AND REPLACING STREET SIGNS WITHIN THE CITY

WHEREAS, the 2019 Alabama Legislature has passed an HB2 to levy an additional excise tax on gasoline and diesel fuel; and

WHEREAS, the City of Fayette is to receive a portion of said tax; and

WHEREAS, the City of Fayette pledges to keep this money in a separate fund and expend it only for the maintenance, improvement, replacement and construction of roads as mandated by the law passed; and

WHEREAS, the City of Fayette shall adopt an annual transportation plan no later than August 31 for the next fiscal year based on an estimate of revenues;

NOW THEREFORE BE IT RESOLVED, that the City of Fayette intends to spend the expected funds of \$14,000.00 on erecting and replacing street signs within the City to improve and maintain the safety of the roads.

ADOPTED AND APPROVED by the City Council of the City of Fayette, Alabama, on this 24th day of August, 2021.

Mayor

ATTEST:

City Clerk

Councilmember Nichols moved the Council adopt Resolution 2021-08. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

PUBLIC HEARING ON FIXING COST OF ABATEMENTS

Mayor Northam stated the public hearing on fixing the cost for the weed and grass abatements is scheduled for September 14, 2021.

RESOLUTION 2021-09

Mayor Northam presented Resolution 2021-09 to the Council for their consideration. Resolution 2021-09 is as follows:

RESOLUTION 2021-09

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN APPLICATION FOR AIRPORT RESCUE GRANT FROM THE STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION AND/OR THE FEDERAL AVIATION ADMINISTRATION

WHEREAS, the City of Fayette intends to apply for Airport Rescue Grant Funding for the Richard Arthur Field Airport.

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

1. That the City of Fayette is authorized to make an application for an Airport Rescue Grant from the State of Alabama Department of Transportation and/or the Federal Aviation Administration, for the purpose of preventing, preparing for and responding to the coronavirus pandemic 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 Rescue Grant Agreement with either the State of Alabama, acting by and through the Alabama Department of Transportation or the Federal Aviation Administration or with both, for the purpose of preventing, preparing for and responding to the coronavirus pandemic at the Richard Arthur Field Airport.
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/or Federal Aviation Administration.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Fayette on this _____ day of August, 2021.

Mayor

ATTEST:

City Clerk

Councilmember Whiteside moved the Council adopt Resolution 2021-09. Upon the motion being seconded by Councilmember Nichols, the same was unanimously adopted.

FROG LEVEL FESTIVAL

Mayor Northam reported the Frog Level Festival was still on as scheduled for October 1st -2nd.

OLD FASHIONED CHRISTMAS REQUEST

Mayor Northam reported the *Old Fashioned Christmas* committee had requested assistance from the City. They requested the City send a letter requesting donations for the *Old Fashioned Christmas* event. The consensus of the Council was to do this.

PROPOSED HOLIDAY CALENDAR 2021-2022

Mayor Northam presented the proposed 2021-2022 City Holiday Calendar to the Council. The proposed calendar is as follows:

Columbus Day -- Monday, October 11, 2021
Veteran's Day -- Thursday, November 11, 2021
Thanksgiving -- Thursday, November 25, 2021 and Friday, November 26, 2021
Christmas -- Thursday, December 23, 2021, Friday, December 24, 2021
New Year's Day -- Friday, December 31, 2021
Martin Luther King/Robert E. Lee Day -- Monday, January 17, 2022
President's Day -- Monday, February 21, 2022
Good Friday -- Friday, April 15, 2022
Memorial Day -- Monday, May 30, 2022
Juneteenth -- Monday, June 20, 2022
Independence Day -- Monday, July 4, 2022
Labor Day -- Monday, September 5, 2022
Personal Day

Councilmember Nichols moved the Council adopt the 2021-2022 holiday calendar as presented. Upon the motion being seconded by Councilmember Hughes-Monroe, it was unanimously approved.

CIVIC CENTER BOARD APPOINTMENT

Mayor Northam reported the Civic Center Board had requested Mrs. Libby Kimbrell be reappointed to the Board. The Council will vote on the reappointment at the next meeting.

ORDINANCE 2021-04

Mayor Northam stated the Planning Commission had recommended the rezoning request of Pam Jenkins be granted. He presented Ordinance 2021-04 to the Council for their consideration. Ordinance 2021-04 is as follows:

ORDINANCE NO. 2021-04

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".

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 M-1 Manufacturing District to a R-1 Residential District, viz:

PARCEL I:

Tract No. 1: A lot or parcel of land containing .533 acres, more or less, lying along the North side of NW ¼ of SE ¼, Section 29, Township 15 South, Range 12 West, being more particularly described as follows: Begin at a point on the North line of said 40 acres, which point is the Northeast corner of tract heretofore conveyed to James H. Gullett; thence run South along East line of said James H. Gullett lot a distance of 100

feet; thence run East and parallel to the North line of said 40 acres a distance of 225 feet; thence run North to a point on the North line of said 40 acres 240 feet East of point of beginning; thence run West along the North line of said 40 acres a distance of 240 feet to the point of beginning.

Tract No. 2: A lot or parcel of land containing .459 of an acre, more or less, lying in the South part of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 29, Township 15 South, Range 12 West, being more particularly described as follows: Begin at an iron pin on the East edge of Evans Drive (also known as Evans Road) just after said Evans Drive turns North, which iron pin is 15 feet North of and 40 feet East of the Northeast corner of the tract or parcel of land heretofore conveyed by the Grantors herein to James H. Gullett. From this point of beginning, thence North along the East edge of said Evans Drive for a distance of 100 feet; thence run East and parallel with the South line of said 40 acres for a distance of 200 feet; thence South and parallel to the East edge of said Evans Drive for a distance of 100 feet; thence run West and parallel with the South line of said 40 acres and 15 feet North of the South line of said 40 acres for a distance of 200 feet to the point of beginning. Situated, lying and being within the City of Fayette, Fayette County, Alabama.

PARCEL II:

Tract No. 1: A lot or parcel of land lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29, Township 15 South, Range 12 West, being more particularly described as follows: Begin at the Southwest corner of the Poe lot, which point of beginning is on the East edge of Evans Road and is 200 feet from the point it turns North; thence run East along the South line of said Poe lot for a distance of 200 feet to the Southeast corner thereof; thence continue to run East and parallel with the South line of Stamps Road to the East line of SW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence run South along the East line of said 40 acres to the Southeast corner thereof; thence South along the East line of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ for a distance of 100 feet; thence run West and parallel to the North line of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ to the Southeast corner of Grantee's present lot; thence run North along the East end of Grantee's lot for a distance of 215 feet to the Northeast corner thereof; thence run West along the North line of Grantee's present lot for a distance of 200 feet to the East edge of Evans Road; thence run North along the East edge of Evans Road for a distance of 100 feet to the point of beginning.

Tract No. 2: A strip of land 15 feet wide North and South and 200 feet long East and West lying between the two lots presently owned by the Grantees.

Tract No. 3: A lot or parcel of land lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29, Township 15 South, Range 12 West, being more particularly described as follows: Begin at the Southeast corner of V.F.W. lot which point is on the North edge of Evans Road; thence run East along the North edge of Evans Road for a distance of 160 feet to the point where said road turns and runs North; thence run North along the West edge of said Evans Road for a distance of 385 feet; thence run West and parallel to the South line of Stamps Road for a distance of 160 feet; thence run South and parallel with Evans Road for a distance of 285 feet to the Northeast corner of V.F.W. lot; thence run South along the East end of V.F.W. lot for a distance of 100 feet to the point of beginning.

PARCEL III:

A small lot lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 29, Township 15 South, Range 12 West, being more particularly described as follows: Begin at the point where Evans Road turns and runs North and run along the West edge of said Evans Road for a distance of 85 feet; thence run West for a distance of 150 feet which is the point of beginning; thence run West for a distance of 10 feet; thence run South and parallel to Evans Road for a distance of 85 feet; thence run East for a distance of 10 feet to the Southwest corner of the Plyler lot; thence run North along the West end of the Plyler lot a distance of 85 feet.

LESS AND EXCEPT FROM ALL OF THE ABOVE DESCRIBED PARCELS AND TRACTS ANY PORTION OF THE ABOVE DESCRIBED PROPERTY PREVIOUSLY CONVEYED BY PAMELA F. JENKINS AND BOBBY JENKINS, including but not limited to, the deed from Pamela F. Jenkins and Bobby Jenkins to Charles H. Harris and Mary Harris, dated March 31, 2013 and recorded in Deed Book 2013 at page 2203 and the deed from Pam Jenkins to Tonya Michelle Brand and Shawn Christopher Harris, dated February 18, 2016 and recorded in Deed Book 2016 at page 552.

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 August, 2021.

Mayor, City of Fayette

ATTEST:

Clerk, City of Fayette

Councilmember Nichols moved the Council adopt Ordinance 2021-04. Upon the motion being seconded by Councilmember Whiteside, the same was unanimously adopted.

ZONING BOARD OF ADJUSTMENT MEETING

Mayor Northam said a Zoning Board of Adjustment meeting would be held on August 31, 2021.

CITY FINANCIALS

Mayor Northam reviewed the City financials with the Council.

REPORT OF MAYOR

Mayor Northam reported 9,850 vaccinations have been administered in Fayette County. 5,748 have received one or two shots. 4,620 have received both shots.

Mayor Northam reported there have been 54 positive COVID tests in Fayette County over the last seven days. He stated there are currently five patients in the local hospital with COVID.

Mayor Northam stated the unemployment rate for July for Fayette County was 2.9%.

Mayor Northam stated the Arts Festival will be held on September 11th at Guthrie Smith Park.

REPORT OF COUNCILMEMBER WHITESIDE

Councilmember Whiteside stated the mobile food pantry would be at Mayfair Manor on September 9th and September 16th.

REPORT OF COUNCILMEMBER WILLIAMS

Councilmember Williams thanked the Street Department for their work on four major sewer repairs.

EXECUTIVE SESSION

Councilmember Whiteside moved the Council go into executive session for the purpose of discussing the consideration the City is willing to offer for the purchase of certain real property. Upon the motion being seconded by Councilmember Hughes-Monroe, it was unanimously approved.

Councilmember Nichols 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 Nichols and seconded by Councilmember Campbell, it was unanimously approved.

Mayor

Attest:

City Clerk