

City Hall
Fayette, Alabama
June 14, 2022

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on June 14, 2022, in the Council Chambers of the City Hall.

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

The opening prayer was given by Councilmember Tommy Williams.

The Pledge of Allegiance was led by Councilmember Tommy Williams.

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 May 24, 2022, be approved. Upon it being seconded by Councilmember Campbell, it was unanimously approved.

TAX ABATEMENT FOR O'NEAL MANUFACTURING SERVICES, INC.

Mr. Tom Wisemiller of C3, spoke to the Council concerning the application of O'Neal Manufacturing Services for the abatement of non-educational taxes for ten years. O'Neal Manufacturing Services will be operating from the former Fayette Fabrication building. He said O'Neal Manufacturing Services would be making a capital investment of \$6,448,000.00 and was expecting to create seventy jobs within three years with a three million dollar annual payroll.

Mr. Matt Moon, Regional General Manager for O'Neal Manufacturing Services said this will be the first time the company has made parts in Alabama since their facility closed in Birmingham in 2015. He said they have eight other facilities. They have already hired over twenty employees.

RESOLUTION 2022-06

Mayor Northam presented Resolution 2022-06 to the Council for their consideration. Resolution 2022-06 is as follows:

RESOLUTION 2022-06 A RESOLUTION APPROVING AND GRANTING CERTAIN TAX ABATEMENTS FOR A NEW PROJECT

This Resolution is made this 14th day of June, 2022, (the Effective Date) by the **CITY OF FAYETTE** (the "Granting Authority"), to grant a tax abatement for **O'NEAL MANUFACTURING SERVICES, LLC** (the "Company".)

WHEREAS, the Company has announced plans for a new project within the jurisdiction of the Granting Authority; and,

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of all state and local non-educational ad valorem taxes, construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, mortgage and recording taxes; and,

WHEREAS, the Company has requested that the abatement of state and local non-educational ad valorem taxes (if applicable) be extended for a period of ten (10) years, in accordance with the Act; and,

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of \$6,448,000.00; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority that,

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of all state and local non-education ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, all mortgage and recording taxes as the same may apply to the fullest extent permitted by the Act. The period of abatement for the non-educational ad valorem taxes (if applicable) shall extend for a period of ten (10) years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The Mayor and City Clerk of the City of Fayette, the Granting Authority, are hereby authorized to execute on behalf of the City an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

THE CITY OF FAYETTE

By: _____
Its Mayor

Attest:

By: _____
Its City Clerk

Councilmember Nichols moved the Council adopt Resolution 2022-06. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

Councilmember Campbell moved to approve the Tax Abatement Agreement as presented. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

MOTION TO SET PUBLIC HEARING

Councilmember Williams moved the Council set a public hearing for June 28, 2022, at 5:00 p.m., concerning the City providing site preparation work at the former Fayette Fabrication building with a value of \$25,000.00 to O'Neal Industries, Inc. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

GUTHRIE SMITH PARK LIFT STATION PROJECT

Waste Water Superintendent Matt Buckner reviewed with the Council three options for the Guthrie Smith Park Lift Station. The options were as follows:

Option 1: Install two separate basins with one located at the National Guard Armory and the other at Guthrie Smith Park. This solution costs significantly less than the other options; however, Supt. Buckner stated this option would not work due to SCOUR velocity not being met resulting in the 4-inch force main becoming clogged. Also, there would be two locations to maintain resulting in more areas for something to go wrong.

Option 2: Rework the current lift station; however, this solution is not recommended by the contractors. Supt. Buckner said this solution will work but it is essentially putting off addressing the problem until some future date. The Council would just be buying time for the inevitable, complete replacement of the lift station. Also, it is a liability for the personnel having to maintain this station.

Option 3: Install a new lift station at Guthrie Smith Park. Supt. Buckner said this solution will work; however, it is expensive. He said this was a need for the City's sewage system because the City is required to maintain the collection system and its components according to the rules and regulations of the Alabama Department of Environmental Management (ADEM). He said this option corrects the ongoing problem. The current unit is 47 years old and it's very hard to obtain parts.

Supt. Buckner stated the Guthrie Smith Park Lift Station serves the National Guard Armory and the tennis court bathrooms and the concession stand nearest the tennis courts. Councilmember Nichols

expressed concern about the amount of money being spent in relation to the number of facilities the new lift station would serve. Councilmember Nichols asked were there any other options such as moving the lift station.

At the last Council meeting, it was reported three bids were received for constructing the new lift station at Guthrie Smith Park. The bids were as follows: Double Diamond Construction Company, Inc. - \$320,220.00; C.D. Roberts Contracting, Inc. - \$339,470.00; and REV Construction, Inc. - \$369,928.00. Mr. Luke Porter recommended the bid be awarded to the low bidder, Double Diamond Construction Company. Councilmember Campbell 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 construction of a new lift station at Guthrie Smith Park to the lowest responsible bidder, Double Diamond Construction Company in the amount of \$320,220.00

Upon the motion being seconded by Councilmember Nichols, it was unanimously approved.

HIGHWAY 159 LIFT STATION UPDATE

Mr. Luke Porter reported the estimate of the cost of the Highway 159 lift station was approximately \$500,000.00. He said this lift station project may be eligible for a CBDG grant. Mayor Northam said he would like for the City to apply for the grant.

STREET PAVING UPDATE

Mr. Luke Porter said the paving project on 25th Street and McConnell Loop had been completed. The City's portion of the cost was \$40,000.00. He also reported the City's street paving project was now complete and the cost was approximately \$290,000.00.

TAP GRANT FOR MLK DRIVE

Mayor Northam stated he had asked Mr. Luke Porter about applying for a TAP grant to update the streetscape from 2nd Avenue SE to 2nd Avenue SW which is from the old City Hall to the intersection at the GMS building. The grant application is due by June 30th. The consensus of the Council was to move forward with applying for the grant.

POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for May 2022. The report was as follows: 33 incidents investigated; 13 accidents; 107 traffic citations; 125 traffic warnings and 45 arrests.

Police Chief Jenkins reported on the traffic study on MLK Drive. He stated from June 3rd thru June 10th, 5,600 vehicles drove thru the area. He stated there was a 76% violation rate moving toward the radar and an 87% violation once passed the radar.

Police Chief Jenkins reported on the traffic study on 6th Street SW near the ice house. He stated from May 27th thru June 3rd, 11,000 vehicles drove thru the area. He stated there was a 29% violation rate moving toward the radar and a 66% violation rate moving away from the radar.

Chief Jenkins said there were seventy letters sent to different properties concerning vehicle abatements. He said about one-third had complied with the letter.

FIRE DEPARTMENT REPORT

Fire Chief Shannon Taylor presented the fire report for May 2022. The Fire Department received 16 calls.

GRASS ABATEMENTS

Mrs. Becky Matkov, owner of the old Grimsley house, spoke concerning the letter she received concerning the grass in the field next to the house being too high. She said she was appealing the decision of the enforcement official that she must cut the grass along with the pine saplings in the field. She said she wanted the old field to grow up in pine trees. She asked the Council to forebear making them cut the trees down. Councilmembers wanted a chance to view the field so any action was postponed until the next meeting.

Fire Chief Taylor reviewed with the Council the properties that had been sent grass abatement notices and had failed to abate the nuisance. They were as follows:

Number	Address	Type	Notes
1	1511 2 nd Ave NW	Grass	Repeat
2	1537 Temple Ave. N	Grass	Litigation
3	528 6 th St. NE	Grass	Vacant
4	713 5 th Ave NE	Grass	Requested extension
5	Lot – 10 th Street and 3 rd Avenue NE	Grass	Appeal
6	Parcel – 22 nd Street NW	Grass	Repeat
7	413 10 th Street NW	Grass	Vacant

Councilmember Williams moved the enforcement official be authorized to abate the grass nuisances on above parcels 1, 3, 6 and 7. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

GARDEN CLUB CONTRACT

Mayor Northam presented to the Council the contract with the Fayette Garden Club to provide maintenance of the shrubbery, flowers and flowerbeds in downtown. Councilmember Campbell moved the contract be approved. Upon the motion being seconded by Councilmember Nichols, it was unanimously approved.

“BACK TO SCHOOL” SALES TAX HOLIDAY

Mayor Northam stated the “Back to School” Sales Tax Holiday is July 15th – July 17th.

APPROVAL OF FINANCIAL STATEMENT

Councilmember Campbell moved the City’s financial statement be approved. Upon the motion being seconded by Councilmember Nichols, 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 Williams, the same was unanimously approved.

APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

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

REPORT OF MAYOR

Mayor Northam said the City received a recycling grant from ADEM for a cardboard compactor.

Mayor Northam reported the City received a “Good Root” grant from the APCO Foundation to replace the trees that died near the Fayette Civic Center.

Mayor Northam stated ADEM visited the community recently to do a Brownfield inventory.

Mayor Northam stated a representative from ADECA would be visiting Fayette on June 23, 2022.

Mayor Northam reported Mr. Matt McCaa is the new Waste Water operator.

REPORT OF CITY CLERK

City Clerk Dawn Clapp reported for the month of May, the City received \$274,526.00 in non-designated sales tax and the ½¢ sales tax for the hospital generated \$44,804.00 for a combined total of \$319,331.00. She reported the City received \$9,773.00 in alcohol taxes. She also reported the City received \$22,615.00 in online sales tax.

REPORT OF JUNIOR MAYOR

Junior Mayor Shanti Enis reported the Junior City Council would be having new members coming on board in August.

REPORT OF COUNCILMEMBER WILLIAMS

Councilmember Williams said he was grateful for O'Neal Manufacturing Services opening in Fayette.

Councilmember Williams thanked Waste Water Superintendent Matt Buckner for the job he does for the Waste Water Department.

ADJOURNMENT

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

Mayor

Attest:

City Clerk