

The City Council of the City of Tuskegee met in regular session on Tuesday, March 8, 2016 at 6:00 P.M. in the L.M. Gregg Auditorium at the Municipal Complex located at 101 Fonville Street, Tuskegee, Alabama.

1. **CALL TO ORDER.** Mayor Johnny Ford.
2. **INVOCATION.** Repeated Lord's Prayer in Unison.
3. **PLEDGE OF ALLEGIANCE.** Repeated in Unison.
4. **ROLL CALL.** Fartima B. Clark, City Clerk.

PRESENT

Mayor Johnny Ford
Mayor Pro-Tempore Lawrence F. Haygood, Jr.
Council Member Ala Whitehead
Council Member Georgette White Moon
Council Member Frank Christopher Lee, II

The record reflects that all members of the Council were present for this meeting.

5. **APPROVAL OF AGENDA.**

Motion was made by Council Member Whitehead to accept and approve the agenda as circulated. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

6. **APPROVAL OF MINUTES.** February 29, 2016.

Motion was made by Council Member Whitehead to accept and approve the minutes as circulated with any necessary changes and corrections. Council Member Lee seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

7. **CITIZEN'S COMMUNICATIONS:**

1. Rev. William Lennard RE: 13th Carver Festival, April 30th downtown Tuskegee, AL
2. Lenora Goode RE: Thanks from the New Crew Mardi Gras / Political Signs
3. French Taylor, Jr. RE: Property Maintenance (improvement tax)
4. Noah Hopkins RE: Improvements for Downtown on the Square / Boarded Buildings
5. Anthony Lee RE: Absent Property Owners

8. **MAYOR'S COMMUNICATIONS.** Mayor Johnny Ford.

- A. City Council Work Session.
- B. 2016 ALM Voting Delegates Authorization Form.

Motion was made by Mayor Pro-Tempore Haygood to allow Mayor Johnny Ford to serve as the voting Delegate and Mayor Pro-Tempore Lawrence Haygood, Jr. serve as 1st alternate voting delegate and Council Member Frank Christopher Lee, II serve as the 2nd voting alternate voting delegate at the 2016 ALM Convention in Huntsville, Alabama. Council Member Whitehead seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- C. 2016 AMIC Notice of Annual Membership Meeting: Proxy Voting.

Motion was made by Mayor Pro-Tempore Haygood to allow Mayor Ford to serve as the voting delegate on May 14, 2016 at the 2016 AMIC Annual Membership Meeting. Council Member Whitehead seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- D. Commendations:
 - 1. BTW High School Basketball Teams
 - 2. Notasulga High School Basketball Teams

E. Announcements.

9. **SGA /OTHER AGENCIES, ETC. COMMUNICATIONS.** NONE.

10. **CITY MANAGER'S COMMUNICATIONS.** James W. Harper, City Manager.

A. Council Updates / Concerns.

B. Street Maintenance Report.

C. Financial Report. (Council's Report)

D. Housing Demolition: 304 Bibb St., 1805 A & B West MLK Hwy., 2002 West MLK Hwy. & 107 Short St.

Motion was made by Mayor Pro-Tempore Haygood to rescheduled the public hearing on the housing demolition for Tuesday, March 22, 2016 at 6:45 PM. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

E. MOU / Agreements:

- 1. Tuskegee Solar Services LLC (Thomas Reed, Jr.)

Motion was made by Mayor Pro-Tempore Haygood to accept and approve the MOU for Tuskegee Solar Services LLC removing the \$1,000.00 right to refusal and be sure to match the property descriptions on schedules A & B. Council Member Whitehead seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- 2. City of Tuskegee & Macon County E911 Board.

Motion was made by Council Member Moon to accept and approve the MOU for the City of Tuskegee and Macon County E911 Board for compensation for the 911 supervisor and dispatchers. Mayor Pro-Tempore Haygood seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

F. Soul Inn Compliance Update.

G. CDBG / TAP Grant Update. (Diane White)

H. Announcements:

- o *All Public Officials, Current/Former Employees and Retirees, All Board and/or Commission Members who meet the filing requirements should file the 2015 Statement of Economic Interest Forms (SEI) by May 2, 2016. (www.ethics.alabama.gov)*

11. **ORDINANCES:**

- A. Ordinance No. 2016-5. Amending Tobacco Ordinance No. 2015-8: adding little cigars sold like cigarettes in packs of 20. (Adopt)

Motion was made by Mayor Pro-Tempore Haygood to accept Ordinance No. 2016-8 as stated. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

ORDINANCE NO. 2016-5
AMENDING ORDINANCE 2015-8
TOBACCO PRODUCTS

BE IT ORDAINED by the City Council of the City of Tuskegee, Alabama as follows:

SECTION 1. Section 13, Article Three, Chapter 13 (50-59), of the Code of Ordinance, City of Tuskegee, Alabama as amended by Ordinance No. 87-6, adopted May 26, 1987, and Ordinance No. 88-4, adopted November 24, 1987, Ordinance No. 90-12 adopted September 25, 1990, Ordinance No. 98-4 adopted April 15, 1998, Ordinance No. 2003-1 and Ordinance 2015-8 are hereby amended to read as follows:

13-51 Levy of Taxes In City

In addition to the taxes now imposed by law, every person who sells, stores or delivers cigarettes, cigars, smoking tobacco, chewing tobacco, snuff, rolling papers for use of tobacco products shall pay a license tax to the City and a license tax is hereby fixed and levied for the sale, storage or delivery of cigarettes, cigars, smoking tobacco, chewing tobacco, snuff, rolling papers for use of tobacco products in the corporate limits of the City and Police Jurisdiction which license tax shall be as follows:

- A. Cigarettes:
 - 1. Eighteen cents (.18) per package (1 to 20 cigarettes per pack)
 - 2. Eighteen cents (.18) per package (21 to 29 cigarettes per pack)
 - 3. Eighteen cents (.18) per package (30 and above cigarettes per pack)
 - 4. Eighteen cents (.18) per package (little cigars sold like cigarettes in pack of 20)

- B. Cigars:
 - 1. Five cents (.05) single cigars
 - 2. Five cents (.05) small cigars – Fifteen cents (.15) per 3 unit pack, twenty-five cents (.25) per 5 unit pack and thirty cents (.30) per 6 unit pack

- C. Smoking & Chewing Tobacco:
 - 1. Eighteen cents (.18) pipe, smoking or chewing tobacco (5 ounces (oz.) or less)
 - 2. Eighteen cents (.18) pipe, smoking or chewing tobacco (more than 5 oz. and less than 10 oz.)
 - 3. Eighteen cents (.18) pipe, smoking or chewing tobacco (more than 10 oz.)

- D. Snuff & Smokeless Tobacco:
 - 1. Eighteen cents (.18) small snuff and/or any form smokeless tobacco (can, box, tumbler or any container 5 oz. or less)
 - 2. Eighteen cents (.18) small snuff and/or any form smokeless tobacco (can, box, tumbler or any container 6 oz. or more)

- E. Rolling Papers:
 - 1. Eighteen cents (.18) small package of rolling papers
 - 2. Eighteen cents (.18) large package of rolling papers

SECTION 2. This Ordinance continues the Eighteen cents (.18) tax on each item set forth in Section A, B, C, D & E above. In addition to license tax prescribed in Ordinance 90-12, 86-4, 87-6, Ordinance 98-4, when collected by the City shall continue to be used for health purposes. This Ordinance further defines that Cigarette Stamps will be affixed on all tobacco products as set forth in Section A above, and prescribed in Ordinances 87-6, 88-4, Ordinance 90-12 and Ordinance 98-4.

SECTION 3. Any Ordinance heretofore adopted by the City Council of the City of Tuskegee, Alabama which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION 4. If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 5. This Ordinance shall become effective upon its passage and publication or as otherwise provided by law.

ADOPTED AND APPROVED by the City Council of the City of Tuskegee, Alabama, this 8th day of March, 2016.

CITY OF TUSKEGEE, ALABAMA

Johnny Ford, Mayor

ATTEST:

James W. Harper, City Manager

12. **RESOLUTIONS:**

A. Resolution No. 2016-26. Celebrating & Remembering the life of Ronald Green, Sr., deceased.

Motion was made by Mayor Pro-Tempore Haygood to accept the resolution as stated celebrating & remembering the life of Ronald Jerome Green, Sr. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried

A Tribute to the Honorable Ronald Green

On behalf of the City Government and the people of Tuskegee we wish to pause and pay tribute to the life of the Honorable Ronald Green.

As Mayor, I had the honor of serving as Mayor during the tenure of the Honorable Ron Green when he served as Chairman of the Macon County Commission. He made us proud because he brought a sense of class and poise to the Office of County Commission Chair. He was not only respected here in Tuskegee but was well liked and respected across the state and was elected as the first African American to become the President of the Association of County Commissioners. The two of us he as President of the Counties and yours truly as the first African American President of the Alabama League of Municipalities we represented Tuskegee and Macon County with pride across the State of Alabama. Ronald Green had a gift with words and often left his audience in awe or scanning a dictionary to find the meaning of the colorful words that he often used in his speeches such as "sagacious". Ronald Green's funeral was on Monday, March 07, 2016 at the Tuskegee University Chapel but he will not be forgotten. The City of Tuskegee was honored to adopt the following Resolution in his memory at the Council meeting on March 8th, 2016:

RESOLUTION NO. 2016-26

Celebrating & Remembering the Life of Ronald Jerome Green, Sr.

WHEREAS, of all beautiful things in life, the most beautiful, is character, and he who possesses a beautiful character is worthy of notice. A beautiful life is the fruit of a beautiful character. He, of whom we speak, is Ronald Green with a lasting gratitude for his exemplary life, his tireless and unselfish labor among us; the good he did the inspiration we imbibed; we dedicate this hour; and

WHEREAS, Ronald Green was born in 1946 to Jerry Andrew Green and Johnny Lee Roney Green (both deceased) in Salt Lake City, Utah and at a young age moved to Tuskegee. He was baptized at St. Joseph's Catholic Church in 1952. After high school he attended Tuskegee Institute until he was drafted in 1969 into the United States Army. The same year he married the former Linda Cherry. On returning from military service he returned to Tuskegee Institute where he graduated in 1972 and went on to receive two Master's degrees. For ten years, Ron served as a Juvenile Court Administrator for the 5th Judicial Circuit. Later he was elected Chairman of

the Macon County Commission. Beginning in 1988 he began his career with the Alabama Department of Transportation where he served for twenty-two years; and

WHEREAS, as Mayor and on behalf of the City Council of the City of Tuskegee, we recognize a life well lived; and

NOW, THEREFORE BE IT RESOLVED by me as the Mayor of the City of Tuskegee and on behalf of the City Council of the City of Tuskegee as follows: (1) that the above recitals are true and correct; (2) that we mourn the death of Ronald J. Green, Sr. and express sympathy to his wife, Linda, his children, Ronald, Jr., and Karmyce (Anthony) Quinn, his grandchildren, his step-father Melvin Lewis, Sr., his siblings, his host of cousins, extended family and many friends; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to spread this Proclamation and transmit a duly authenticated copy to the family of Ronald J. Green, Sr.

In witness I have hereunto set my hands and caused this seal to be affixed.



Johnny Ford, Mayor

So long ...and good night Mr. Chairman...we will see you in the morning.

- B. Resolution No. 2016-27. Celebrating and Remembering the Life of former First Lady Nancy Regan, deceased.

Motion was made by Mayor Pro-Tempore Haygood to accept and approve Resolution No. 2016-27 as stated celebrating & remembering the life of former first lady Nancy Regan, deceased. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- C. Resolution No. 2016-28. Celebrating & Remembering the life of Ms. Mary McGowan, deceased.

Motion was made by Mayor Pro-Tempore Haygood to accept and approve Resolution No. 2016-28 as stated celebrating & remembering the life of Mary Alyce Dickerson McGowan, deceased. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

RESOLUTION NO. 2016-28

Celebrating & Remembering the Life of Mary Alyce Dickerson McGowan

WHEREAS, of all beautiful things in life, the most beautiful, is character, and she who possesses a beautiful character is worthy of notice. A beautiful life is the fruit of a beautiful character. She, of whom we speak is Mary Alyce Dickerson McGowan; and with a lasting gratitude for her exemplary life, her tireless and unselfish labor among us; the good she did, the inspiration we imbibed; we dedicate this hour; and

WHEREAS, Mary Dickerson was born to the late Floyd and Alberta Dickerson in Headland, Alabama the youngest of four children all of whom preceded her in death. As young child her family moved to Montgomery where she graduated from high school and attended Frazier-Commercial School and where she had her first job working for the Pullman Porter's Association. She later moved to Tuskegee and was employed with the VA for thirty years. In Tuskegee, she met and married Johnnie Gray McGowan and they had two children Joseph (deceased) and Walter and raised their niece Charlotte (deceased).

WHEREAS, Mary McGowan was a faithful and dedicated member of the St. Joseph Catholic Church where she lived by example; and

WHEREAS, Mary McGowan leaves to cherish her memories her husband, Johnnie Gray, her son, Walter Edgar (Lowri); one stepson, Herbert (Jacqueline); her grandchildren and great-grandchild, her brother-in-law Dock (Bobbie) McGowan and a host of other relatives and special friends; and

WHEREAS, as Mayor and on behalf of the City Council of the City of Tuskegee, we recognize a life well lived.

NOW, THEREFORE BE IT PROCLAIMED by me as the Mayor of the City of Tuskegee and on the behalf of the City Council of the City of Tuskegee as follows: (1) that the above recitals are true and correct; (2) that we mourn the death of Mary McGowan and express sympathy to her children and her extended family and friends; and

In witness I have hereunto set my hands and caused this seal to be affixed.



Johnny Ford, Mayor

D. Resolution No. 2016-29. Accepting and Approving the MOU for Tuskegee Solar Services LLC.

Motion was made by Mayor Pro-Tempore Haygood to accept and approve Resolution No. 2016-29 as stated accepting and approving the MOU for the Tuskegee Solar Services LLC. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

E. Resolution No. 2016-30. Accepting and Approving the MOU for City of Tuskegee & Macon County E911 Board for compensation for the 911 supervisor and dispatchers.

Motion was made by Mayor Pro-Tempore Haygood to accept and approve Resolution No. 2016-30 as stated accepting and approving the MOU for the City of Tuskegee and Macon County E911 Board for compensation for the 912 supervisor and dispatchers. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

F. Resolution No. 2016-31. Celebrating & Remembering the life of Belinda Johnson, deceased.

Motion was made by Mayor Pro-Tempore Haygood to accept and approve Resolution No. 2016-31 as stated celebrating & remembering the life of Belinda Johnson, deceased (school bus driver for the Macon County School System). Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried

13. **CITY ATTORNEY'S REPORT.**

Attorney Gray stated that he is continually work to work on litigated matters in which the city is involved and attended a mediation recently in once case that is almost resolved and drafted settlement agreement and release in another case and reviewed various memorandum of understandings for council consideration and council have adopted resolutions this evening on those with respect to E911 Board, FEMA at the last meeting and Tuskegee Solar Services, LLC, also have had various discussions and telephone conferences and have given advice to the city manager and other department heads.

Motion was made by Council Member Whitehead to accept and approve the City Attorney's report as presented. Council Member Lee seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

14. **OTHER BUSINESS.**

There being no further matters to come before the Council at this time, Council Member Moon moved to adjourn at 7:45 PM. Mayor Ford declared the meeting adjourned.

CITY OF TUSKEGEE, ALABAMA

Johnny Ford, Mayor

ATTEST:

Fartima B. Clark, City Clerk