

The City Council of the City of Tuskegee met in regular session on Tuesday, June 13, 2017 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 Lawrence F. Haygood, Jr.
2. **INVOCATION.** Melvin Adams.
3. **PLEDGE OF ALLEGIANCE.** Repeated in Unison.
4. **ROLL CALL.** Fartima B. Clark, City Clerk.

**PRESENT**

Mayor Lawrence F. Haygood, Jr.  
Mayor Pro-Tempore Annie M. Brown  
Council Member Frank Christopher Lee, II  
Council Member Ala Whitehead  
Council Member Shirley W. Curry

**ALL MEMBERS OF THE COUNCIL WERE PRESENT.**

5. **APPROVAL OF AGENDA.**

Motion was made by Council Member Whitehead to accept and approve the amended agenda with the following additions: under item 12.) Resolutions at d.) Proclamation for Mayor Ford. Council Member Curry seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

6. **APPROVAL OF MINUTES.** (May 9, 2017 & May 19, 2017)

A. Minutes from May 9, 2017:

Motion was made by Council Member Whitehead to accept and approve the minutes for May 9, 2017 as circulated with any necessary changes and/or corrections. Council Member Lee seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

B. Minutes from May 19, 2017:

Motion was made by Council Member Lee to accept and approve the minutes for May 19, 2017 as circulated with any necessary changes and/or corrections. Council Member Curry seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

7. **CITIZEN'S COMMUNICATIONS:**

1. Dr. Elaine C. Harrington RE: Thanks /Shout-Out to Tuskegee Virtual TV
2. Mattie Blizzard RE: Sink Hole in her back yard that is 7 ½ feet down under
3. Bernette Jones RE: 2606 Barrow Street water running down the street & District 1 Community Meeting
4. Melvin Adams RE: Drug Activity on 4<sup>th</sup> Street; Pot holes on Wheeler Street; drain by his church
5. Larry Ivy RE: 1702 Watkins Avenue (street need paving)
6. Willie Scroggins RE: Street paving & cars parked on side of the street

8. **MAYOR'S COMMUNICATIONS.** Mayor Lawrence F. Haygood, Jr.

- A. City Council Work Session.
- B. Proclamation: Parks & Recreation Month (July)
- C. Announcements.

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

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

A. Council Updates / Concerns:

- T-100 Film Presentation. (Joe Turnham)
- Exit 38: Site Development Update (SCADC, UBT, COT)
- Sick/Annual Leave Donation –Sharing Policy
- Emergency Fire Truck Purchase (Pumper Truck)
- Resolution No. 2017-56 Authorizing Krebs Engineering to construct roadwork at Exit 38

B. Street Maintenance Report.

C. Financial Report. (Frankie L. Williams)

Motion was made by Mayor Pro-Tempore Brown to accept and approve the Financial Report as circulated and presented by Ms. Frankie L. Williams, Finance Director. Council Member Curry seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

D. Head Start Report: (Dr. Nannette Phillips)

1. Executive Director's Report. (May 2017)
2. Revenue & Expenditure Report including Credit Card Report. (May 2017)
3. Monthly Summary of Meals and Snacks Provided through USDA. (May 2017)
4. Enrollment and Attendance Report. (May 2017)
5. Teaching Strategies GOLD Spring/Overall Assessment Results.

Motion was made by Council Member Whitehead to accept and receive the Head Start report circulated and presented by Dr. Nannette Phillips, Director. Council Member Curry seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

6. School Readiness Goals and Plan.

Motion was made by Council Member Curry for Council to accept and approve item 6) School Readiness Goals and Plan for Head Start. Mayor Pro-Tempore Brown seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

7. 2017-2018 School Calendar.

Motion was made by Council Member Whitehead for Council to accept and approve item 7) 2017-2018 School Calendar for Head Start. Mayor Pro-Tempore Brown seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

8. FY18 Budget Justification/Refunding to include Slot Conversion.

Motion was made by Mayor Pro-Tempore Brown for Council to accept and approve item 8) FY18 Budget Justification/Refunding to include Slot Conversion for Head Start. Council Member Curry seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

9. Cost-of-Living Adjustment (COLA) 1% + Differential COLA Increase.

Motion was made by Mayor Pro-Tempore Brown for Council to accept and approve item 9) Cost-of-Living Adjustment (COLA) 1%+ Differential COLA Increase for Head Start. Council Member Curry seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

E. Announcements:

- *Annual Employee Outing, Friday, June 16, 2017 at Abbott Park from 12 noon- until*

11. **ORDINANCES.** NONE.

12. **RESOLUTIONS:**

A. Resolution No. 2017-53. Emergency Fire Truck Purchase (Pumper Truck).

Motion was made by Council Member Whitehead for Council to accept and received resolution number 2017-53 as stated for Emergency purchase of Fire Pumper Fire Truck. Mayor Pro-Tempore Brown seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

**RESOLUTION NO. 2017-53**

**A Resolution Declaring the Emergency Purchase of a Class A Pumper Fire Truck**

**WHEREAS**, the Code of Alabama (2013) 41-16-53 requires that the City of Tuskegee declare the necessity for an Emergency Purchase due to an emergency which effects Public Safety; and

**WHEREAS**, the City of Tuskegee's Fire Department experienced an incident on May 22, 2016 which caused irreparable damage to the Fire Department's Class A Pumper Fire Truck, a 1985 Pierce; and

**WHEREAS**, with only one Class A Pumper, a 2005 E- One, to respond to all fire emergencies, public safety is at risk. The City of Tuskegee Fire Department responds to 350 – 400 public safety emergencies each year. This creates a situation where the Fire Department does not have the equipment with the capacity to provide effective response; and

**WHEREAS**, typical delivery time for a new Class A Pumper Fire Truck is ten (10) to fifteen (15) months; and

**WHEREAS**, the City of Tuskegee has found a manufacturer that is able to provide a truck, which will meet all of the Tuskegee Fire Department's requirements, that can be delivered within five (5) months.

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Tuskegee does hereby declare the need for the Emergency Purchase of a new Class A Pumper Fire Truck from Rosenbauer America for the cost of \$333,518.00 which will be delivered by November 1, 2017.

**BE IT FURTHER RESOLVED** that the City Manager, James W. Harper is hereby authorized and directed to execute all documents pertaining to same for and on behalf of the City of Tuskegee.

**APPROVED and ADOPTED** this 13<sup>th</sup> day of June, 2017.

CITY OF TUSKEGEE, ALABAMA

/s/ Lawrence F. Haygood, Jr.

Lawrence F. Haygood, Jr., Mayor

ATTEST:

/s/ Fartima B. Clark

Fartima B. Clark, City Clerk

B. Resolution No. 2017-54. Resolution No. 2017-54. Sick/Annual Leave Donation-Sharing Policy.

Motion was made by Mayor Pro-Tempore Brown to accept and adopt resolution number 2017-54 approving Sick/Annual Leave Donation-Sharing Policy. Council Member Whitehead seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

**RESOLUTION NO. 2017-54**

**BE IT RESOLVED**, that the City Council of the City of Tuskegee does hereby adopt **The Leave Sharing and Donation Policy** attached hereto as Exhibit "A" and incorporated herein by reference as if set out verbatim.

**BE IT FURTHER RESOLVED** that the City Manager and the Human Resources staff shall conduct a mandatory workshop for all active employees of the City of Tuskegee to fully explain and orient employees on all aspects of **The Leave Sharing and Donation Policy** and thereafter employees shall be given the option to give written consent to either opt-in as a participant or opt-out of participating in **The Leave Sharing and Donation Policy**. Participation in the workshop/orientation shall be mandatory but participation in the Policy itself shall be fully voluntary on behalf of each employee.

This policy shall become effective as of August 1, 2017.

**ADOPTED AND APPROVED** by the City Council of the City of Tuskegee, Alabama, this 13<sup>th</sup> day of June, 2017.

CITY OF TUSKEGEE

/s/ Lawrence F. Haygood, Jr.

Lawrence F. Haygood, Mayor

ATTEST:

/s/ Fartima B. Clark

Fartima B. Clark, City Clerk

## EXHIBIT A

### **Policy Statement**

The City of Tuskegee recognizes that employees may have a family emergency or a personal crisis that causes a severe impact to them resulting in a need for additional time off in excess of their available sick/annual leave time. To address this need, all eligible employees will be allowed to donate sick/annual leave time from their unused balance to their co-workers in need in accordance with the policy outlined below. This policy is strictly voluntary.

### **Eligibility**

Employees who donate sick/annual leave time must be employed with the City of Tuskegee for a minimum of 1 year.

### **Guidelines**

Employees who would like to make a request to receive donated sick/annual leave time from their co-workers must have a situation that meets the following criteria:

***Family Health Related Emergency-*** Critical or catastrophic illness or injury of the employee or an immediate family member that poses a threat to life and/or requires inpatient or hospice health care. Immediate family member is defined as spouse, domestic partner, child, parent or other relationship in which the employee is the legal guardian or sole caretaker.

***Other Personal Crisis-*** A personal crisis of a severe nature that directly impacts the employee. This may include a natural disaster impacting the employee's primary residence such as a fire or severe storm.

Employees who donate sick/annual leave time from their unused balance must adhere to the following requirements:

- Donation minimum- 4 hours
- Donation maximum- 40 hours or no more than 50 % of your current balance

**Note:** Employees who donate time must have sufficient time in their balance and will not be permitted to exhaust their balances due to the fact that they may experience their own personal need for time off. Employees cannot borrow against future sick/annual leave time to donate.

Employees who receive donated sick/annual leave time may receive no more than 480 hours (12 weeks) within a rolling 12-month period.

Employees who are currently on an approved leave of absence cannot donate sick/annual leave time.

**Value of Leave Time (Example)**

The method to be used is the hour-for-hour basis, where the leave is paid at the receiving employee's wage rate. Under this method, the employer should consider the possibility of higher paid employees using leave donated at a lower rate of pay and how the employer will fund that discrepancy.

**Procedure**

Employees who would like to make a request to receive donated sick/annual leave time are required to complete a Donation of Sick/Annual leave time Request Form which includes authorization to present their request for the sole purpose of soliciting donations.

Employees who wish to donate sick/annual leave time to a co-worker in need must complete a Donation of Sick/Annual leave time Form.

All forms should be returned to the Human Resources.

**Approval**

Requests for donations of sick/annual leave time must be approved by Human Resources, the employee's immediate Supervisor and the City Manager.

If the recipient employee has available sick/annual leave time in their balance, this time will be used prior to any donated sick/annual leave time. Donated sick/annual leave time may only be used for time off related to the approved request. Sick/annual leave time donated that is in excess of the time off needed will be returned to the donor.

C. Resolution No. 2017-56. Appointing Krebs Engineering to construct the roadwork at Exit 38.

Motion was made by Council Member Whitehead to accept and adopt resolution number 2017-56 as stated appointing Krebs Engineering to construct the roadwork at Exit 38. Council Member Curry seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

**RESOLUTION NO. 2017-56**

*A Resolution for engineering services for DRA roadwork portion of the project*

**WHEREAS**, the City of Tuskegee directly contacted known qualified firms (through SCADC) in order to obtain proposals for the provision of engineering services for Exit 38 Development - Roadwork, also known as DRA Project No. AL-50441, and

**WHEREAS**, based on the City's rating of all proposals received, using the City's rating system, Krebs Engineering, Inc. has been deemed most qualified for the services called for and the proposed contract price is considered appropriate and reasonable, and

**WHEREAS**, Krebs Engineering, Inc. is not debarred from working on federally funded projects per the SAM.GOV search results attached hereto, and

**WHEREAS**, it has been determined that it is in the best interest of the City of Tuskegee to enter into a contract with Krebs Engineering, Inc.

**NOW, THEREFORE, LET IT BE RESOLVED** by the Mayor and the Council of the City of Tuskegee, Alabama as follows:

**SECTION 1.** That, based on the City's understanding of procurement policy of ADECA, the acceptance of the proposal of Krebs Engineering Inc., for the provision of professional services for DRA Project No. AL-50441, has been determined to be in the best interest of the City of Tuskegee, and that the proposed fee

has been accepted as reasonable based on the complexity of the project, ADECA's acceptable fee scale and the amount and nature of the local match to be provided by the UBT.

**SECTION 2.** That the City of Tuskegee enter into an agreement with Krebs Engineering, Inc. for the provision of engineering services pending ADECA approval, with said agreement attached hereto.

**SECTION 3.** That this action is based on the current interpretation of ADECA procurement policy with is acknowledged by this resolution and ADECA policy on file.

**SECTION 4.** That James Harper, in his capacity as City Manager, is hereby authorized and directed to execute said contract on behalf of the City of Tuskegee.

**ADOPTED AND APPROVED** this 13<sup>th</sup> day of June, 2017.

CITY OF TUSKEGEE  
/s/ Lawrence F. Haygood, Jr.  
Lawrence F. Haygood, Jr., Mayor

ATTEST:

/s/ Fartima B. Clark  
Fartima B. Clark, City Clerk

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

Atty. Davis stated that he wanted to make a recommendation and follow up on a good deal of conversation and comments that have been made at this meeting and other meetings. Atty. Davis stated that it is necessary for him to recommend to the Council that they must take action to minimize its liability particularly in the streets. He stated that it is going to be necessary that Council close several streets to the public and make those streets only accessible by the people that live there and have to have ingress and egress from their homes but from the general public that streets that are by every estimation not safe not passable not able to be addressed by the City because of lack of funds will have to be closed. There will have to be some type of barrier and signage that will be posted; and Council need to identify a list of streets that must be closed and publicize to the public. Atty. Davis stated that Council must take action and do something. Finally Atty. Davis stated that the same things needed to happen as it relates to the City's sidewalks.

14. **CITIZENS COMMUNICATIONS (1 minute each):**

1. Atty. Ernestine Sapp RE: Trash on Bibb Street
2. Dr. Elaine C. Harrington RE: Organizational Movement for T-100

15. **OTHER BUSINESS.** NONE.

16. **ADJOURNMENT.**

There being no further matters to come before the Council at this time, Council Member Whitehead moved to adjourn at 8:15 PM. Mayor Haygood declared the meeting adjourned.

CITY OF TUSKEGEE, ALABAMA

Lawrence F. Haygood, Jr., Mayor

ATTEST:

Fartima B. Clark, City Clerk