

The City Council of the City of Tuskegee met in regular session on Tuesday, October 13, 2015 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.** Rev. William Lennard.
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 Georgette White Moon  
Council Member Frank Christopher Lee, II

**ABSENT**

Council Member Ala Whitehead

5. **APPROVAL OF AGENDA.**

Motion was made by Council Member Moon to accept and approve the amended agenda with the following additions: Macon County Health Care Authority under Citizens Communications and Brief Update on the UBT Town Meeting under announcements. Mayor Pro-Tempore Haygood seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

6. **APPROVAL OF MINUTES:** *(September 22, 2015, October 2, 2015 & October 6, 2015)*

A. Minutes from September 22, 2015:

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

B. Minutes from October 2, 2015:

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

C. Minutes from October 6, 2015:

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

7. **CITIZEN'S COMMUNICATIONS:**

1. Noah Hopkins / Cindy Thompkins  
RE: Thanking the City of Tuskegee for its Support to the Macon County Health Care Authority; University of Alabama Third Year Medical Student Program; Hours have been extended at the Thomas Reed Ambulatory Center 7:30 AM – 6:00PM M-Thurs & 7:30 – 4:30 F
2. James Harris RE: One-time cost of living increase to retirees
3. Lenora Goode  
RE: What is the definition of debt service amount and what makes us the debt service?
4. Dr. Deloris Alexander, Associate Professor Tuskegee University  
RE: Strategic Plan Focus Group Meeting to be held on October 21-22, 2015 from 12:00 noon – 2:00 PM at the Kellogg Center (suggestions, ideas & thoughts) regarding strategic plan at Tuskegee University
5. Brent Craig, Marlon Butler & Kenneth Butler RE: Proposal for Red Plane Studios Media Company

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

- A. City Council Work Session.
- B. Announcements.

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

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

- **6:30 PM Public Hearing – Rezoning Property at 102 Foye Street, Tuskegee, Alabama from R1 Single Family Dwelling to R3 Multiple Family Dwelling on one parcel.**

6:30 PM Motion was made by Mayor Pro-Tempore Haygood to start the public hearing on the Planning Commission's recommendations to rezone property at 102 Foye Street, Tuskegee, Alabama from R1 – Single Family Dwelling to R3 Multiple Single Family Dwelling on one parcel. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

There were no citizens to speak for or against the Planning Commission's Recommendation to rezone property at 102 Foye Street, Tuskegee, Alabama from R R1 – Single Family Dwelling to R3 Multiple Single Family Dwelling on one parcel.

6:33 PM Motion was made by Mayor Pro-Tempore Haygood to end the public hearing on the Planning Commission's recommendations to rezone property at 102 Foye Street, Tuskegee, Alabama from R1 – Single Family Dwelling to R3 Multiple Single Family Dwelling on one parcel. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- **6:45 PM Public Hearing – Application for Alcoholic Beverage License for the Yellow Store**

6:45 PM Motion was made by Mayor Pro-Tempore Haygood to start the public hearing on the application for alcoholic beverage license for the Yellow Store. Council Member Lee seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

There were no citizens present to speak for or against the application for an alcoholic beverage license for the Yellow Store.

6:48 PM Motion was made by Mayor Pro-Tempore Haygood to end the public hearing on the application for alcoholic beverage license for the Yellow Store. Council Member Lee seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- A. Council Updates / Concerns.
- B. Street Maintenance Activities.
- C. Financial Report.
- D. Recommendation from Planning Commission to rezone property at 102 Foye Street, Tuskegee from R1 Single Family Dwelling to R3 Multiple Single Family Dwelling on one parcel.

Motion was made by Council Member Moon to accept and approve the Planning Commission's recommendation to rezone property at 102 Foye Street, Tuskegee, Alabama from R1 – Single Family Dwelling to R3 Multiple Single Family Dwelling on one parcel. Council Member Lee seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- E. Yellow Store: Application for Alcoholic Beverage License

Motion was made by Mayor Pro-Tempore Haygood to approve the application for alcoholic beverage license for the Yellow Store. Council Member Lee seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- F. Announcements.

11. **ORDINANCES:**

- A. Ordinance 2015-7. Approving the FY 2016 Budget.

Motion was made by Mayor Pro-Tempore Haygood to approve the FY 2016 Budget with the understanding that no hiring should take place unless it's absolutely necessary; and Council will revisit the budget at the last meeting in January to complete pay increases as indicated for employees. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

**CITY OF TUSKEGEE  
BUDGET ORDINANCE NO. 2015-7**

**WHEREAS**, the City Manager of the City of Tuskegee has submitted to the City Council a proposed Annual Budget of the revenues of said City and expenses of conducting the affairs thereof for the ensuing fiscal year beginning October 1, 2015, and ending September 30, 2016, which has been compiled from detailed information obtained from the departments and offices of the City; and

**WHEREAS**, a public hearing was held on October 6, 2015, concerning such Proposed Budget; providing an opportunity for all interested taxpayers and citizens to be heard for or against any item or amount therein; and

**WHEREAS**, the City Council of the City of Tuskegee, Alabama is of the opinion that the Proposed Budget should be approved and adopted as the City's Annual Budget for the ensuing fiscal year:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TUSKEGEE, ALABAMA, THAT:**

**Section 1:** The following amounts are hereby appropriated in the General Fund for the operation of the city government and its' activities for the fiscal year beginning October 1, 2015 and ending September 30, 2016, in accordance with the chart of accounts heretofore established for this city:

| <u>ACCOUNT</u> | <u>DEPARTMENT OR FUNCTION</u> | <u>APPROPRIATION</u>             |
|----------------|-------------------------------|----------------------------------|
| 011-122        | Mayor and City Council        | 116,849                          |
| 011-106        | City Managers' Office         | 258,061                          |
| 011-106        | City Clerk                    | 79,824                           |
| 011-111        | Human Resources               | 68,682                           |
| 011-121        | Information Technology        | 150,959                          |
| 011-108        | Finance                       | 326,889                          |
| 011-119        | Municipal Court               | 231,522                          |
| 011-105        | Community Development         | 205,818                          |
| 011-102        | Economic Development          | 64,059                           |
| 011-103        | Airport                       | 221,345                          |
| 011-101        | Building Inspection           | 71,026                           |
| 011-120        | Parks and Recreation          | 297,211                          |
| 011-109        | Fire Department               | 1,447,422                        |
| 011-113        | Police Department             | 1,869,284                        |
| 011-107        | Fleet Services                | 305,475                          |
|                | Public Works:                 |                                  |
| 011-115        | Administration                | 43,669                           |
| 011-118        | Streets                       | 487,061                          |
| 011-116        | Sanitation                    | 897,483                          |
| 011-117        | Senior Citizens Program       | 392,341                          |
| 011-100        | General Administration        | 1,435,042                        |
| 011-100        | Debt Service                  | 780,220                          |
| 011-100        | Reserve Fund                  | <u>45,758</u>                    |
|                | <b>Total Appropriations</b>   | <b><u><u>\$9,796,000</u></u></b> |

**Section 2:** It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning October 1, 2015 and ending September 30, 2016, to meet the appropriations as set forth in Section 1.

| <u>DESCRIPTION</u>                       | <u>AMOUNT</u>                                |
|--|--|
| Cigarette Tax                            | 80,000                                       |
| Gasoline Tax                             | 60,000                                       |
| Sales and Use Tax                        | 2,350,000                                    |
| Ad Valorem Taxes (Real & Vehicle)        | 300,000                                      |
| Lodging Tax                              | 28,500                                       |
| Beer Tax                                 | <u>58,500</u>                                |
|  | Locally Levied Taxes <b><u>2,877,000</u></b> |
| Financial Institutions Excise Tax        | -----  |
| A.B.C. Sales Tax                         | 20,000                                       |
| Motor Vehicle Tax                        | 87,000                                       |
| State of Alabama Trust Fund Distribution | <u>86,000</u>                                |

|  |                                |                           |
|--|--------------------------------|---------------------------|
|  | State Shared Taxes             | <b>193,000</b>            |
| Franchise Fees and Taxes                 |                                | 1,630,000                 |
| Privilege Licenses                       |                                | 580,000                   |
| Wine Tax                                 |                                | 800                       |
| Construction Permits                     |                                | 55,000                    |
| Other Permits                            |                                | 4,000                     |
| Occupational License (1% and 2%)         |                                | <u>2,405,000</u>          |
|  | Licenses and Permits           | <b>4,674,000</b>          |
| Intergovernmental                        |                                | 128,790                   |
| Court Fines and Costs                    |                                | <b>314,250</b>            |
| Charges for Services – Refuse Collection | 1,095,000                      |                           |
| Other Charges for Services               |                                | 21,950                    |
| Other Sources of Revenue                 |                                | <u>491,210</u>            |
|  | <b>Total Estimated Revenue</b> | <b><u>\$9,796,000</u></b> |

**Section 3:** All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect.

**Section 4:** Copies of this Budget Ordinance shall be furnished to the local newspaper, library and other public places for inspection by the general public. A copy will also be available at the City of Tuskegee website-[www.tuskegeealabama.gov](http://www.tuskegeealabama.gov).

**Section 5:** The Mayor is hereby authorized to sign this Ordinance and the City Manager to attest. This Ordinance shall become effective upon adoption this the 13<sup>th</sup> day of October 2015, by the City Council of the City of Tuskegee, Alabama.

CITY OF TUSKEGEE, ALABAMA

ATTEST:

\_\_\_\_\_  
Johnny Ford, Mayor

\_\_\_\_\_  
James Harper, City Manager

- B. Ordinance 2015-8. Planning Commission’s Recommendation to amend the Zoning Ordinance to rezone property at 102 Foye Street, Tuskegee, AL

12. **RESOLUTIONS:**

- A. Resolution No. 2015-123. Rescinding Resolution No. 2005-48, City Manager as City Clerk

Motion was made by Mayor Pro-Tempore Haygood to accept the resolution as stated rescinding resolution number 2005-48, the City Manager serves as the City Clerk. Council Member Moon seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

**RESOLUTION NO. 2015-123**

**WHEREAS**, in 2005, the City Council, having recently adopted the Manager-Council form of government, at the City Manager’s recommendation, adopted a resolution assigning the duties and responsibilities of the City Clerk to the City Manager; and

**WHEREAS**, the City Council now deems it in the best interest of the City of Tuskegee to rescind Resolution No. 2005-48 and assign and restore to the City Clerk the duties and responsibilities of the City Clerk.

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

1. That Resolution 2005-48 assigning the duties and responsibilities of the City Clerk to the City Manager is hereby rescinded, rendered null, void and of no effect;
2. That the City Clerk shall attend the meetings of the Council and shall keep a record of its proceedings (minutes); have custody of the city seal, city rules, ordinances, and resolutions of the Council and shall keep record of them when adopted by the Council; shall serve as the election official for the city elections; and perform such other duties as set forth in accordance with the Alabama law and as directed by the City Council;
3. That Fartima Bowen Clark was hereby appointed on July 17, 2013 as the City Clerk of the City of Tuskegee and charged with the responsibilities and duties of said position.

**ADOPTED AND APPROVED** by the City Council of the City of Tuskegee, Alabama, this 13<sup>th</sup> day of October, 2015.

CITY OF TUSKEGEE, ALABAMA

ATTEST:

\_\_\_\_\_  
Johnny Ford, Mayor

\_\_\_\_\_  
James W. Harper, City Manager

B. Resolution No. 2015-125. Celebrating & Remembering the Life of Sgt. Willie “Sarge” Whitehead, Sr.

Motion was made by Mayor Pro-Tempore Haygood to accept the resolution as stated Celebrating and Remembering the Life of Sgt. Willie “Sarge” Whitehead, Sr., deceased. Council Member Lee seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

### **RESOLUTION NO. 2015-125**

**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 Willie “Sarge” Whitehead, Sr.; and 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**, as Mayor and on behalf of the City Council of the City of Tuskegee, we recognize a life well lived. Willie “Sarge” Whitehead, Sr. was the son of the late Lillie Bell and Pete Whitehead. He entered the Military at age 17 where he furthered his education. He received a Bachelor of Science Degree and later a Master of Science Degree from Troy University. “Sarge” served in three wars and retired from dedicated service in the United States Army after 26 years. He later taught ROTC at D.C. Wolfe and Tuskegee Institute High School. He retired after 18 years with the Macon County School District. He served in World War II, the Korean War and the Vietnam War, and retired with the rank of Command Sergeant Major; and

**WHEREAS**, "Sarge" served as Vice President of Victoryland Race Track since 1983; he was a dedicated brother of Phi Beta Sigma Fraternity and above all, "Sarge" was an active Trustee of Butler Chapel AME Zion Church, where he was a member since childhood; and

**WHEREAS**, "Sarge" Whitehead was a dedicated paramount to the community. He served as Mayor Pro-Tempore during Mayor Johnny Ford's first administration from 1972-1976. He was a political activist and community leader in Tuskegee and received numerous awards and honors. "Sarge" was the founder of the Tuskegee Breakfast Club; and

**NOW, THEREFORE BE IT PROCLAIMED** by me as the Mayor of the City of Tuskegee and 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 Willie "Sarge" Whitehead, Sr. and express sympathy to his loving wife, Honorable Ala Whitehead and their four children: Renee Marsh (Stanley); Billy Rochelle Sr.; Orlando Whitehead, Sr. Willie Whitehead, Jr. (Marsha); Grandchildren: Ninshi Rochelle-Parson (Eugene), Nakita Rochelle, Billy Rochelle, Jr., Bria Rochelle, Nizihiti Jones, Orlando Whitehead, Jr., Willie Whitehead, III and Wesley Whitehead; Great Granddaughter: Geanee Parson; and other extended family and friends; and Dedicated Caregivers: Wilbert Turner and Syderia Alexander.

**BE IT FURTHER PROCLAIMED**, that the City Clerk is hereby authorized and directed to spread this Proclamation and transmit a duly authenticated copy to the family of Willie "Sarge" Whitehead, Sr.

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



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Johnny Ford, Mayor

- C. Resolution No. 2015-126. Commending Louis Farrakhan and celebrating 20<sup>th</sup> Anniversary of the Million Man March

Motion was made by Council Member Lee to accept the resolution as stated commending Louis Farrakhan and celebrating the 20<sup>th</sup> Anniversary of the Million Man March. Mayor Pro-Tempore Haygood seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

- D. Resolution No. 2015-127. Republic of China.

Motion was made by Council Member Lee to accept the resolution as stated regarding the Republic of China. Mayor Pro-Tempore Haygood seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

### **RESOLUTION 2015-127**

#### **THE REPUBLIC OF CHINA - TAIWAN NATIONAL DAY**

**WHEREAS** October 10, 2015 marks the 104<sup>th</sup> anniversary of the Republic of China - Taiwan; and

**WHEREAS**, "Double Ten" Day marks the establishment of the Republic of China - Taiwan, Asia's first republic, resulting from the pursuit of democracy led by Dr. Sun Yat-sen, the Founder of this great republic; and

**WHEREAS**, like the people of the United States of America, the people of the Republic of China -Taiwan have long valued democracy, liberty, equality, and high moral integrity; and

**WHEREAS**, our nations have maintained close ties for many years, and close ties between the City of Tuskegee and the Republic of China - Taiwan; and

**WHEREAS**, as Mayor of the City of Tuskegee, it is an honor to recognize the accomplishments of the great people of the Republic of China - Taiwan, both in Taiwan, and here in the City of Tuskegee and in Alabama, and to extend to them best wishes for continued success and prosperity.

**NOW, THEREFORE**, I, Johnny Ford, Mayor of the City of Tuskegee, do hereby proclaim the Tenth day of October, Two Thousand Fifteen as

**THE REPUBLIC OF CHINA - TAIWAN NATIONAL DAY**  
in the City of Tuskegee

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Tuskegee, Alabama to be imprinted this Tenth day of October, Two Thousand Fifteen.



\_\_\_\_\_  
Johnny Ford, Mayor

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

Attorney Gray stated that he continually on a regular basis stays in contact with the City Manager and the City Clerk with respect to claims as well as the litigated and non-litigated cases of the City. Atty. Gray stated that he has the reports for Council on the pending cases of the City.

Motion was made by Mayor Pro-Tempore Haygood to receive 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.**

Motion was made by Council Member Moon to appoint Mayor Ford as the voting delegate for the 2015 Congress Cities and Exposition Meeting for the National League of Cities (NLC) to be held in Nashville, Tennessee on November 7, 2015. Mayor Pro-Tempore Haygood seconded the motion and all members voted aye. Mayor Ford declared the motion carried.

There being no further matters to come before the Council at this time, Councilwoman Moon moved to adjourn at 7:30 PM. Mayor Ford declared the meeting adjourned.

CITY OF TUSKEGEE, ALABAMA

\_\_\_\_\_  
Johnny Ford, Mayor

ATTEST:

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Fartima B. Clark, City Clerk