

City Hall
Fayette, Alabama
July 26, 2022

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on July 26, 2022, 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 and Aliska Hughes-Monroe. Also present were City Clerk Dawn Clapp, Assistant Police Chief Mark Allison, City Attorney Dale Lawrence, Waste Water Superintendent Matt Buckner and Junior City Council Mayor Shanti Enis. Councilmember Jerry Nichols was absent.

The opening prayer was given by Mr. Rick McCabe.

The Pledge of Allegiance was led by Mr. Rick McCabe.

Mayor Rod Northam announced a quorum was present and the meeting was open for the transaction of business.

APPROVAL OF MINUTES

Councilmember Hughes-Monroe moved the minutes of the regular meeting held on July 12, 2022, be approved. Upon it being seconded by Councilmember Whiteside, it was unanimously approved.

FAYETTE AREA CHAMBER OF COMMERCE

Mayor Northam introduced the new Executive Director of the Fayette Area Chamber of Commerce, Mrs. Emily Montague. Mrs. Montague and her family moved to Fayette in 2020. Her husband works for Air Evac.

SEWER RATE INCREASE

Mayor Northam presented to the Council an ordinance increasing sewer rates. He said he shared the information concerning the proposed sewer rate increases with ADEM and they approved the City's proposed sewer rate increases. If the sewer rate increases are adopted by the Council then ADEM will approve the City receiving a \$1,000,000.00 forgivable loan and a \$2,000,000.00 loan with an interest rate of 1.9% amortized over twenty years for repairs and upgrades at the Waste Water plant.

Mayor Northam proposed Ordinance No. 2022-04 to the Council for their consideration and adoption. No action was taken and the Ordinance will be voted on at the next meeting. Ordinance 2022-04 is as follows:

ORDINANCE NO. 2022-04

AN ORDINANCE AMENDING ORDINANCE 2009-04, AS PREVIOUSLY AMENED AND AMENDING §16-97 -MONTHLY USER CHARGE RATES, DIVISION 5, USER CHARGE SYSTEM OF ARTICLE II. SEWERS OF CHAPTER 16. WATER AND SEWERS.

BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF FAYETTE, ALABAMA, as follows:

SECTION 1. Section 3 of Article IV of the User Charge Ordinance, Ordinance No. 1995-03, as amended by Ordinance 2002-02, as amended by Ordinance 2008-07, and as amended by Ordinance 2009-04, be and the same is hereby stricken in its entirety and the following substituted therefor, viz:

"Section 3. The following monthly user charge rates shall be paid for operation maintenance, replacement, and debt service:

a. Residential and Small Commercial:

First 2,000 Gallons, minimum –

from October 1, 2022 to September 30, 2023- \$21.00;

from October 1, 2023 to September 30, 2024 -\$25.00;

from October 1st 2024 to September 30, 2025 -\$29.00;

from October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1st- Sept.30th) thereafter- the minimum rate will increase and decrease based upon the Consumer Price Index –W, US City average, over the past 12 months ending June of each year;

2,001 – 10,000 gallons, - per/1,000 Gallons-

from October 1, 2022 to September 30, 2023- \$2.10;

from October 1, 2023 to September 30, 2024 -\$2.50;

from October 1st 2024 to September 30, 2025 -\$2.90;
from October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1st- Sept. 30th) thereafter- the minimum rate will increase or decrease based upon the Consumer Price Index-W, US City average, over the past 12 months ending June of each year;

Over 10,000.00 gallons – per /1,000 Gallons

from October 1, 2022 to September 30, 2023- \$1.75;

from October 1, 2023 to September 30, 2024 -\$2.00;

from October 1st 2024 to September 30, 2025 -\$2.25;

from October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1 – Sept. 30th) thereafter- the minimum rate will increase and decrease based upon the Consumer Price Index –W, US City average, over the past 12 months ending June of each year;

b. Large Commercial and Industrial:

First 10,000 Gallons, minimum –

from October 1, 2022 to September 30, 2023- \$58.99;

from October 1, 2023 to September 30, 2024 -\$68.99;

from October 1st 2024 to September 30, 2025-\$78.99;

from October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1st- Sept.30th) thereafter- the minimum rate will increase and decrease based upon the Consumer Price Index –W, US City average, over the past 12 months ending June of each year;

Over 10,000.00 gallons – per /1,000 Gallons

from October 1, 2022 to September 30, 2023- \$1.05;

from October 1, 2023 to September 30, 2024 -\$1.30;

from October 1st 2024 to September 30, 2025-\$1.45;

from October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1 – Sept. 30th) thereafter- the minimum rate will increase and decrease based upon the Consumer Price Index –W, US City average, over the past 12 months ending June of each year;

SECTION 3. That Section 16-97, *Monthly User Charge Rates*, Division 5. *User Charge System* of ARTICLE II. Sewers of CHAPTER 16. WATER AND SEWERS of the CODE OF ORDINANCES OF THE CITY OF FAYETTE, ALABAMA is hereby amended by striking such article in its entirety and substituting the following therefor:

“Section 16-97. Monthly User Charge Rates. The following monthly user charge rates shall be paid for operation maintenance, replacement, and debt service:

a. Residential and Small Commercial:

First 2,000 Gallons, minimum –

from October 1, 2022 to September 30, 2023- \$21.00;

from October 1, 2023 to September 30, 2024 -\$25.00;

from October 1st 2024 to September 30, 2025 -\$29.00;

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from October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1 – Sept. 30th) thereafter- the minimum rate will increase and decrease based upon the Consumer Price Index –W, US City average, over the past 12 months ending June of each year;

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall be effective of October 1, 2022.

Adopted this the ____ day of August, 2022.

Mayor

ATTEST:

City Clerk

RESOLUTION 2022-10

Mayor Northam presented Resolution 2022-10 to the Council for their consideration. Resolution 2022-10 is as follows:

RESOLUTION NO. 2022-10

A RESOLUTION AUTHORIZING THE CITY OF FAYETTE TO JOIN THE STATE OF ALABAMA AND OTHER LOCAL GOVERNMENTS AS PARTICIPANTS IN CURRENT AND FUTURE OPIOID SETTLEMENTS

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Alabama, and the City of Fayette, Alabama.

WHEREAS, the City of Fayette has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Alabama and some Alabama local governments have filed lawsuits against opioid manufacturers, distributors, and retailers (“Opioid Litigation”);

WHEREAS, the State of Alabama has entered into various Settlement Agreements and are likely to enter into additional agreements in the future which include the claims for the State of Alabama’s local governments;

WHEREAS the City of Fayette finds the terms of the current Settlement Agreements acceptable and in the best interest of the community and anticipates the terms of the future Settlement Agreements to be similarly acceptable;

WHEREAS, the State of Alabama has prepared and presented Settlement Sign-On Agreements to the local governments and the City of Fayette finds the terms of the Sign-On Agreement acceptable and in the best interest of the community;

WHEREAS, the current and future Settlement Agreements and Sign-On Agreements will detail the allocation of Settlement Funds, which the City of Fayette finds acceptable and in the best interest of the community;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, ALABAMA,

Section 1. That the City of Fayette finds that participation in the various Opioid Settlements, Settlement Agreement and Sign-On Agreement is in the best interest of the City of Fayette and its citizens because such a plan would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

Section 2. That the City of Fayette hereby expresses its support for the Settlement of various Opioid claims and allocation and use of Settlement Funds as generally described in the Settlement Agreement and Sign-On Agreement.

Section 3. That the City of Fayette’s Mayor (“Mayor”) is hereby expressly authorized to execute the Settlement Sign-On Agreements and the Mayor is hereby authorized to execute any formal agreements necessary to implement the Settlements and plan for the allocation and use of Settlement Funds.

Section 4. That the Mayor is hereby expressly authorized to execute any formal agreement and related documents evidencing the City of Fayette’s agreement to the settlement of claims and litigation related to the Opioid Epidemic.

Section 5. That the Mayor is authorized to take such other action as necessary and appropriate to effectuate the City of Fayette's participation in any Settlement related to the Opioid Epidemic.

Section 6. This Resolution is effective upon adoption, the welfare of the City of Fayette, Alabama requiring it.

ADOPTED this the ___ day of July, 2022.

Rod Northam, Mayor of the City of Fayette, Alabama

ATTEST:

Its City Clerk, Dawn Clapp

Councilmember Campbell moved the Council adopt Resolution 2022-10. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

DESIGN DASH

Mayor Northam stated he had talked with Design Dash, a part of Design Alabama. He said Design Dash would come into town for a one day event and help design and plan a site specific design for a certain area of the City. The Mayor's suggestion was to get their assistance in coming up with a design for the area where the Farmers Market is proposed to be located.

ALABAMA RECYCLING FUND GRANT

Mayor Northam said the City had been awarded an Alabama Recycling Fund Grant for a cardboard box compactor. Councilmember Whiteside moved the Council accept the grant and authorize the Mayor to sign the grant agreement on behalf of the City. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

ART MUSEUM BOARD APPOINTMENTS

Mayor Northam said he received a letter from the Art Museum Board requesting Mrs. Austyn Jones Freeman and Mr. Vincent Williams be appointed to the Art Museum Board. There are currently two vacancies on the Board due to the passing of Mrs. Morris Anne Perry and Mr. Jackie Williams.

FINANCIALS

Mayor Northam reviewed with the Council the City financials, Municipal Court financials, Waste Water financials and Park & Recreation financials. He said the Aquatic Center had a fantastic month.

REPORT OF MAYOR

Mayor Northam stated O'Neal Manufacturing had officially opened in Fayette.

Mayor Northam stated the unemployment rate for June for Fayette County was 3.4%.

Mayor Northam stated the last day for the Aquatic Park to be open to the public is August 7th.

Mayor Northam stated the Arts Festival will be held on September 10, 2022.

Mayor Northam stated the Frog Level Festival will be held on October 7-8, 2022.

REPORT OF JUNIOR CITY COUNCIL MAYOR

Junior City Council Mayor Shanti Enis said a "Movie Night" on the Courthouse lawn would be held on July 30th. She also reported Junior City Council Recognition Night would be held on August 1st.

REPORT OF COUNCILMEMBER HUGHES-MONROE

Councilmember Hughes-Monroe reminded everyone about Toy Bowl Football and Cheerleader sign-up.

EXECUTIVE SESSION

Councilmember Williams 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 Whiteside, it was unanimously approved.

Councilmember Campbell moved the Council come out of executive session. Upon the motion being seconded by Councilmember Hughes-Monroe, 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 Campbell and seconded by Councilmember Hughes-Monroe, it was unanimously approved.

Mayor

Attest:

City Clerk