

City Hall  
August 9, 2022

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on August 9, 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, Aliska Hughes-Monroe and Jerry Nichols. Also present were City Clerk Dawn Clapp, Police Chief Danny Jenkins, Fire Chief Shannon Taylor, Waste Water Superintendent Matt Buckner, outgoing Junior City Council Mayor Shanti Enis and incoming Junior City Council Mayor Benjamin Olive.

The opening prayer was given by Mr. Jeff Crowley, Director of the Fayette Housing Authority.

The Pledge of Allegiance was led by Mr. Jeff Crowley, Director of the Fayette Housing Authority.

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

#### APPROVAL OF MINUTES

Councilmember Whiteside moved the minutes of the regular meeting held on July 26, 2022, be approved. Upon it being seconded by Councilmember Campbell, it was unanimously approved.

#### JUNIOR CITY COUNCIL

Mayor Northam thanked the Junior City Council Mayor Shanti Enis for her service. Junior Mayor Enis stated it was an honor to be able to serve and a great learning experience in seeing how city government works. She introduced the new incoming Junior City Council officers. The new officers are as follows: Junior Mayor Benjamin Olive, Junior Mayor Pro Tempore Emily Huang and Secretary-Treasurer Semira King.

#### PAVING PROJECT STATUS

Mr. Luke Porter reported on the Street Paving Project. He said the contractor still had not completed striping of the streets.

#### GUTHRIE SMITH PARK LIFT STATION

Mr. Luke Porter reported to the Council on the Guthrie Smith Park Lift Station. He had previously reported the owner of the low bidder, Double Diamond Construction Company, Inc., recently had some significant health issues arise and had asked to be released from his bid and the required bonds. Mr. Porter reported he had talked with the second lowest bidder, C. D. Roberts Contracting, Inc., and they were willing to do the project for the amount of the low bid - \$320,220.00.

Mr. Porter stated he had spoken with City Attorney Dale Lawrence and the way the process would work is that Double Diamond Construction Company, Inc., would enter into the contract with the City to do the project and then the contract would be assigned, with the City's consent, to C. D. Roberts Contracting, Inc. He said the Council would have to approve the assignment of the contract.

#### HIGHWAY 18 & HIGHWAY 171 INTERSECTION PROJECT

Mr. Luke Porter updated the Council on the Highway 18 & Highway 171 Intersection Project. He said the project would be advertised for bid and let in September. He said he did not anticipate the utilities having to be moved.

#### POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for July 2022. The report was as follows: 24 incidents investigated; 10 accidents; 89 traffic citations; 297 traffic warnings and 15 arrests.

Chief Jenkins reported Officer James Sanders had resigned to take a position with the Northport Police Department.

Chief Jenkins reviewed the 2<sup>nd</sup> Avenue SW traffic study with the Council.

VEHICLE AND RUBBISH ABATEMENTS

Police Chief Jenkins reported on the abatements of vehicles and rubbish. He said fifteen notices had been sent out and that as a result two properties had been brought into compliance.

FIRE DEPARTMENT REPORT

Fire Chief Shannon Taylor presented the fire report for July 2022. The Fire Department received 13 calls.

GRASS ABATEMENTS

Fire Chief Taylor reported the current grass abatements had been resolved by the City cutting the grass.

AIRPORT APRON RECONSTRUCTION PROJECT

Mayor Northam discussed the Airport Apron Reconstruction Project with the Council. The lowest bid received was from S. T. Bunn Construction Company, Inc., in the amount of \$1,437,244.86. The City's Airport Consultant Natalie Hobbs recommended this bid be accepted. The City's match would be approximately \$81,000.00. Councilmember Nichols 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 Airport Apron Reconstruction Project to the lowest responsible bidder, S.T. Bunn Construction Company, Inc., in the amount of \$1,437,244.86.

Upon the motion being seconded by Councilmember Hughes-Monroe, it was unanimously approved.

RESOLUTION 2022-11

Mayor Northam presented Resolution 2022-11 to the Council for their consideration. Resolution 2022-11 is as follows:

**RESOLUTION NO. 2022-11  
A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE  
STATE OF ALABAMA, DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS  
REQUESTING FUNDS TO  
REPLACE THE SR-159 SEWER PUMPING STATION**

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**WHEREAS**, the City of Fayette, proposes to apply for \$350,000.00 of FY2023 Appalachian Regional Commission (ARC) funds to replace the SR-159 Sewer Pumping Station to maintain reliable sewer service and future industrial growth in this area.

**NOW, THEREFORE**, be it resolved by the Fayette City Council as follows:

**THAT, ROD NORTHAM, MAYOR**, is hereby authorized to execute and submit an application with appropriate assurances to the State of Alabama, Department of Economic and Community Affairs, requesting Fiscal Year 2023 ARC funds in the amount of \$350,000.00 to replace the SR-159 Sewer Pumping Station and

**THAT, THE CITY OF FAYETTE** will provide a local cash match of **\$180,975.00** in support of this project.

**READ AND ADOPTED** this the **9th** day of **August 2022**.

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Rod Northam, Mayor of the City of Fayette, Alabama

ATTEST:

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Its City Clerk, Dawn Clapp

Councilmember Nichols moved the Council adopt Resolution 2022-11. Upon the motion being seconded by Councilmember Whiteside, the same was unanimously approved.

RESOLUTION 2022-12

Mayor Northam presented Resolution 2022-12 to the Council for their consideration. Resolution 2022-12 is as follows:

**RESOLUTION 2022-12**  
**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION FOR THE UPGRADING OF EQUIPMENT, OPERATION AND MAINTENANCE OF TRAFFIC CONTROL SIGNALS AT THE INTERSECTION OF STATE HIGHWAY 171 AND STATE HIGHWAY 18 WITHIN THE CITY OF FAYETTE**

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**BE IT RESOLVED**, by the City Council of the City of Fayette, Alabama that the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for:

- Upgrading of equipment, operation and maintenance of traffic control signals at the intersection of AL 171 @ AL 18 within the City of Fayette.

Which agreement is before the Council and that the agreement be executed in the name of the City, by the Mayor for and on behalf of the City and that it be attested by the City Clerk and the seal of the City affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept of record by the City Clerk.

**ADOPTED** this the \_\_\_\_\_ day of August, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Councilmember Campbell moved the Council adopt Resolution 2022-12. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

ORDINANCE 2022-04

Mayor Northam asked the Council if they were ready to take action on Ordinance 2022-04. Ordinance 2022-04 had been proposed at a previous meeting and is as follows:

**ORDINANCE NO. 2022-04**  
**AN ORDINANCE AMENDING ORDINANCE 2009-04, AS PREVIOUSLY AMENDED 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 1<sup>st</sup> 2024 to September 30, 2025 -\$29.00;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1<sup>st</sup>- Sept.30<sup>th</sup>) 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 1<sup>st</sup> 2024 to September 30, 2025 -\$2.90;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1<sup>st</sup>- Sept. 30<sup>th</sup>) 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 1<sup>st</sup> 2024 to September 30, 2025 -\$2.25;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1 – Sept. 30<sup>th</sup> ) 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 1<sup>st</sup> 2024 to September 30, 2025-\$78.99;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1<sup>st</sup>- Sept.30<sup>th</sup>) 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 1<sup>st</sup> 2024 to September 30, 2025-\$1.45;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1 – Sept. 30<sup>th</sup> ) 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 1<sup>st</sup> 2024 to September 30, 2025 -\$29.00;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1<sup>st</sup>- Sept.30<sup>th</sup>) 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 1<sup>st</sup> 2024 to September 30, 2025 -\$2.90;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1<sup>st</sup>- Sept. 30<sup>th</sup>) 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- \$1.75;

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

from October 1<sup>st</sup> 2024 to September 30, 2025 -\$2.25;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1– Sept. 30<sup>th</sup> ) 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 1<sup>st</sup> 2024 to September 30, 2025-\$78.99;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1<sup>st</sup>- Sept.30<sup>th</sup>) 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 1<sup>st</sup> 2024 to September 30, 2025-\$1.45;

from October 1<sup>st</sup> 2025 to September 30, 2026 and each fiscal year (Oct. 1 – Sept. 30<sup>th</sup> ) 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

Councilmember Nichols moved the Council adopt Ordinance 2022-04. Upon the motion being seconded by Councilmember Whiteside, the same was unanimously approved.

#### ART MUSEUM BOARD APPOINTMENTS

At the previous meeting, Mayor Northam had presented to the Council a letter from Art Museum Board Chairman Anne Perry Uhlman requesting Mrs. Austyn Jones Freeman and Mr. Vincent Williams be appointed to the Art Museum Board. The Board has two vacancies due to the death of Mr. Jackie Williams and Mrs. Morris Anne Perry. Councilmember Whiteside moved to appoint Mrs. Austyn Jones Freeman and Mr. Vincent Williams to the Art Museum Board. Upon the motion being seconded by Councilmember Williams, the same was unanimously approved.

#### PURCHASE OF THE PROPERTY AT NW CORNER OF INTERSECTION OF HIGHWAY 18 AND HIGHWAY 171

Mayor Northam asked the Council did they want to take up the matter of purchasing the property located at the intersection of Highway 18 and Highway 171. The property is located on the NW corner of the intersection. Police Chief Jenkins recommended the City purchase the property because of its proximity to the Police Department and for parking. Mayor Northam said FBH Corp. (formerly Citizens Bank of Fayette) had offered to sell the property to the City for \$50,000.00. Councilmember Williams moved the City purchase the property for \$50,000.00. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

#### WATER PARK CONFERENCE

Mayor Northam stated Mr. Chris Champion had requested he be allowed to attend a water park conference at a cost of \$2,500.00. Councilmember Hughes-Monroe moved to approve Mr. Chris Champion attending the water park conference at a cost of \$2,500.00. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

#### CITY INSURANCE

Mayor Northam stated he would like to discuss changing the City's insurance to a 4-tier health and dental plan. Currently the City has a 2-tier health and dental plan. He said by having more tiers it gives the employees the chance to obtain a plan that more closely aligns with their current family situation. The cost to the City for the change would be \$1,100.00 per year. He said with the additional tiers, some of the employees' monthly insurance payments would decrease; however, the family plan would increase by \$6.85 per month. Currently twenty employees have a family plan. The consensus of the Council was to stay with the 2-tier health and dental plan.

#### APPROVAL OF FINANCIAL STATEMENT

Councilmember Campbell moved the City's financial statement be approved. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

APPROVAL OF MUNICIPAL COURT FINANCIAL STATEMENT

Councilmember Campbell moved the Municipal Court financial statement be approved. Upon the motion being seconded by Councilmember Whiteside, the same was unanimously approved.

APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

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

REPORT OF MAYOR

Mayor Northam thanked the Junior City Council for their work to make Movie Night successful.

Mayor Northam stated the Farmers Market would continue through October. It is every Tuesday from 4:00 p.m. to 6:00 p.m.

Mayor Northam stated Tiger Night would be held on Friday, August 12<sup>th</sup>.

Mayor Northam said the City will accept the ADEM recycling grant on August 18, 2022.

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

Mayor Northam stated the Frog Level Festival would be held on October 7<sup>th</sup> and October 8<sup>th</sup>.

REPORT OF CITY CLERK

City Clerk Dawn Clapp reported for the month of July, the City received \$276,193.00 in non-designated sales tax and the ½¢ sales tax for the hospital generated \$45,662.00 for a combined total of \$321,854.00. She reported the City received \$10,982.00 in alcohol taxes. She also reported the City received \$22,074.00 in online sales tax.

REPORT OF JUNIOR CITY COUNCIL MAYOR

Junior City Council Mayor Benjamin Olive said he looked forward to the Junior City Council having a full year to operate.

REPORT OF COUNCILMEMBER CAMPBELL

Councilmember Campbell stated the Aquatic Center had a great year.

REPORT OF COUNCILMEMBER HUGHES-MONROE

Councilmember Hughes-Monroe reminded everyone about Park & Recreation program signups.

ADJOURNMENT

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

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk