

City Hall  
September 13, 2022

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on September 13, 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, Junior City Council Mayor Benjamin Olive and City Attorney Dale Lawrence.

The opening prayer was given by Bro. Emmett Morgan.

The Pledge of Allegiance was led by Bro. Emmett Morgan.

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 August 23, 2022, be approved. Upon it being seconded by Councilmember Nichols, it was unanimously approved.

#### PROCLAMATION HONORING MRS. PEARL YOUNG

Mayor Northam presented a Proclamation to the family of Mrs. Pearl Young. The Proclamation is as follows:

## CITY OF FAYETTE, ALABAMA PROCLAMATION

*WHEREAS, our community was saddened to learn of the tragic death of one of its former residents, Mrs. Pearl Young, who along with nine others, lost her life in the mass shooting at the Tops Markets in Buffalo, New York on May 14, 2022; and,*

*WHEREAS, Mrs. Young was born in Fayette in 1945, the youngest of five siblings, and graduated from West Highland High School in 1963; and,*

*WHEREAS, Mrs. Young married Oliver Young, Jr., and afterwards they settled in Buffalo, New York where they raised their three children - James, Pamela and Damon; and,*

*WHEREAS, Mrs. Young was a devout Christian who attended Good Samaritan Church of God where she enjoyed serving and teaching Sunday School; and,*

*WHEREAS, Mrs. Young, while in her mid-thirties and raising three children, attended the University of Buffalo graduating with a bachelor's degree in social sciences in 1981; and,*

*WHEREAS, even at the age of 77, Mrs. Young continued to serve as a substitute teacher in the Buffalo Public Schools as she had done for the previous twenty years; and,*

*WHEREAS, Mrs. Young lived a truly meaningful and productive life serving her family, her church, her community and her Lord and providing an example and witness to all who knew her;*

*NOW THEREFORE, BE IT PROCLAIMED, by Mayor Rod Northam and the City Council of the City of Fayette, Alabama, that*

## PEARL YOUNG

be, and she is hereby commended and honored for her life of unselfish service and dedication to her family, church, community and Lord and that the Mayor and City Council express sympathy to her family in their loss.

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Fayette to be affixed this 13th day of September, 2022.*

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*Rod Northam, Mayor*

Ms. Pamela Pritchett thanked the Mayor and Council for honoring her mother.

GUTHRIE SMITH PARK LIFT STATION

Mr. Luke Porter reported to the Council on the Guthrie Smith Park Lift Station. Mayor Northam presented the Novation Agreement between Double Diamond Construction Company, Inc., C.D. Roberts Contracting and the City to the Council for their consideration. Councilmember Nichols moved the City enter into the Novation Agreement. Upon the motion being seconded by Councilmember Williams, the same was unanimously approved.

POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for August 2022. The report was as follows: 27 incidents investigated; 17 accidents; 90 traffic citations; 259 traffic warnings and 32 arrests.

Chief Jenkins stated the Police Department now has a prescription drug disposal box at the Police Department for people who need to dispose of prescription drugs.

VEHICLE ABATEMENTS

Police Chief Jenkins reported that some of the property owners have now begun to remove the vehicles from their property. He said all properties that received a notice to abate will be rechecked.

FIRE DEPARTMENT REPORT

Fire Chief Shannon Taylor presented the fire report for August 2022. The Fire Department received 23 calls.

GRASS ABATEMENTS

Fire Chief Taylor reported on the grass abatements. He recommended the following properties for abatement:

<u>Address</u>	<u>Type</u>	<u>Notes</u>
413 10 <sup>th</sup> Street NW	Grass	Repeat
528 10 <sup>th</sup> Street NE	Grass	Repeat
Parcel 22 <sup>nd</sup> Street NW	Grass	Repeat

Councilmember Nichols moved the grass nuisances on the above properties be abated. Upon the motion being seconded by Councilmember Whiteside, the same was unanimously approved.

ORDINANCE 2022-05

Mayor Northam introduced Ordinance 2022-05 to the Council. The Ordinance will be voted on at the next meeting. Ordinance 2022-05 is as follows:

**ORDINANCE NO. 2022-05**

**AN ORDINANCE AMENDING ORDINANCE 1996-18, AS PREVIOUSLY AMENDED AND AMENDING §16-102 -REQUIREMENTS FOR DISCHARGE OF HOLDING TANK WASTE PRODUCED FROM RESIDENTIAL OR BUSINESS SEPTIC TANKS AND §16-103 - REQUIREMENTS FOR DISCHARGE OF HOLDING TANK WASTE PRODUCED FROM INDUSTRIAL TANKS, DIVISION 6, HOLDING TANKS OF ARTICLE II. SEWERS OF CHAPTER 16. WATER AND SEWERS OF THE CODE OF ORDINANCES FOR THE CITY OF FAYETTE.**

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

**SECTION 1.** Paragraphs (D) and (E) of Section II of the Ordinance ESTABLISHING REQUIREMENTS AND FEES FOR THE DISCHARGE OF HOLDING TANK WASTE INTO THE CITY OF FAYETTE SEWER SYSTEM, Ordinance No. 1996-18, and as amended by Ordinance 1998-03, be and the same is hereby stricken in its entirety and the following substituted therefor, viz:

"(D) The rate for discharge of holding tank waste produced from residential or business septic tanks shall be as follows:

- From October 1, 2022 to September 30, 2023- \$18.00 per one thousand gallons;
- From October 1, 2023 to September 30, 2024 - \$21.00 per one thousand gallons;
- From October 1<sup>st</sup> 2024 to September 30, 2025 - \$24.00 per one thousand gallons;
- 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;

"(E) There shall be a minimum charge as set forth below per discharge of holding tank waste produced from residential or business septic tanks into the City sewer system, to-wit:

- From October 1, 2022 to September 30, 2023- \$18.00;
- From October 1, 2023 to September 30, 2024 - \$21.00;
- From October 1<sup>st</sup> 2024 to September 30, 2025 - \$24.00;
- 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 charge will increase or decrease based upon the Consumer Price Index–W, US City average, over the past 12 months ending June of each year;

**SECTION 2.** Paragraphs (D) of Section III of the Ordinance ESTABLISHING REQUIREMENTS AND FEES FOR THE DISCHARGE OF HOLDING TANK WASTE INTO THE CITY OF FAYETTE SEWER SYSTEM, Ordinance No. 1996-18, and as amended by Ordinance 1998-03, be and the same is hereby stricken in its entirety and the following substituted therefor, viz:

"(D) The rate for discharge of holding tank waste produced from industrial tanks shall be as follows:

- From October 1, 2022 to September 30, 2023- \$24.00 per one thousand gallons;
- From October 1, 2023 to September 30, 2024 - \$28.00 per one thousand gallons;
- From October 1<sup>st</sup> 2024 to September 30, 2025 - \$32.00 per one thousand gallons;
- 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;

The City Council reserves the right to increase the industrial tank discharge rate per one thousand gallons on a case by case basis.

"(E) There shall be a minimum charge as set forth below per discharge of holding tank waste produced from industrial tanks into the City sewer system, to-wit:

- From October 1, 2022 to September 30, 2023- \$24.00;
  - From October 1, 2023 to September 30, 2024 - \$28.00;
  - From October 1<sup>st</sup> 2024 to September 30, 2025 - \$32.00;
  - 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 charge will increase or decrease based upon the Consumer Price Index–W, US City average, over the past 12 months ending June of each year;
- The City Council reserves the right to increase the minimum charge for discharge of holding tank waste produced from industrial tanks on a case by case basis.

**SECTION 3.** That Paragraphs (d) and (e) of Section 16-102, *Requirements for discharge of holding tank waste produced from residential or business septic tanks*, Division 6. *Holding Tanks* of ARTICLE II. Sewers of CHAPTER 16. WATER AND SEWERS of the CODE OF ORDINANCES FOR THE CITY OF FAYETTE, ALABAMA is hereby amended by striking such paragraphs in their entirety and substituting the following therefor:

"(d) The rate for discharge of holding tank waste produced from residential or business septic tanks shall be as follows:

- From October 1, 2022 to September 30, 2023- \$18.00 per one thousand gallons;
- From October 1, 2023 to September 30, 2024 - \$21.00 per one thousand gallons;
- From October 1<sup>st</sup> 2024 to September 30, 2025 - \$24.00 per one thousand gallons;
- 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;

"(e) There shall be a minimum charge as set forth below per discharge of holding tank waste produced from residential or business septic tanks into the City sewer system, to-wit:

- From October 1, 2022 to September 30, 2023- \$18.00;
- From October 1, 2023 to September 30, 2024 - \$21.00;
- From October 1<sup>st</sup> 2024 to September 30, 2025 - \$24.00;
- 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 charge will increase or decrease based upon the Consumer Price Index–W, US City average, over the past 12 months ending June of each year;

**SECTION 4.** That Paragraph (d) of Section 16-103, *Requirements for discharge of holding tank waste produced from industrial tanks*, Division 6. *Holding Tanks* of ARTICLE II. Sewers of CHAPTER 16. WATER AND SEWERS of the CODE OF ORDINANCES FOR THE CITY OF FAYETTE, ALABAMA is hereby amended by striking such paragraph in its entirety and substituting the following therefor:

"(d) The rate for discharge of holding tank waste produced from industrial tanks shall be as follows:

- From October 1, 2022 to September 30, 2023- \$24.00 per one thousand gallons;
- From October 1, 2023 to September 30, 2024 - \$28.00 per one thousand gallons;
- From October 1<sup>st</sup> 2024 to September 30, 2025 - \$32.00 per one thousand gallons;
- 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;

The City Council reserves the right to increase the industrial tank discharge rate per one thousand gallons on a case by case basis.

"(e) There shall be a minimum charge as set forth below per discharge of holding tank waste produced from industrial tanks into the City sewer system, to-wit:

- From October 1, 2022 to September 30, 2023- \$24.00;
- From October 1, 2023 to September 30, 2024 - \$28.00;
- From October 1<sup>st</sup> 2024 to September 30, 2025 - \$32.00;
- 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 charge will increase or decrease based upon the Consumer Price Index–W, US City average, over the past 12 months ending June of each year;

The City Council reserves the right to increase the minimum charge for discharge of holding tank waste produced from industrial tanks on a case by case basis.

**SECTION 5.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 6.** This ordinance shall be effective of October 1, 2022.

Adopted this the \_\_\_\_\_ day of September, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

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

RESOLUTION 2022-16

Mayor Northam presented Resolution 2022-16 to the Council for their consideration. Resolution 2022-16 is as follows:

**RESOLUTION 2022-16**

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

**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 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.

This agreement amends the previous agreement approved at the council meeting on August 9, 2022, so that now the City of Fayette will be responsible for maintaining the signal but not operating it. ALDOT will handle all timings and operation.

**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 September, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

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

Councilmember Campbell moved the Council adopt Resolution 2022-16. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved.

#### PARADE PERMIT

Mayor Northam presented to the Council a parade permit request for the FCHS Homecoming parade to be held on September 23rd. Councilmember Whiteside moved the permit be granted. Upon the motion being seconded by Councilmember Hughes-Monroe, it was unanimously approved.

#### HANGAR RELOCATION PRICE INCREASE APPROVAL

Mayor Northam asked the Council to approve the hangar relocation price increase from \$21,750 to \$25,000. Councilmember Nichols moved to approve the price increase for the hangar relocation. Upon the motion being seconded by Councilmember Whiteside, the same was unanimously approved.

#### WATER WORKS BOARD RATE INCREASE FOR SEWER BILLING

Mayor Northam presented a letter from the Water Works Board stating it would be increasing the monthly amount it charged the City for performing the sewer billing. The Board said its monthly fee would increase to \$2,500 per month, effective the October 2022 billing cycle, then \$2,750 per month effective the October 2023 billing cycle and \$3,000 per month effective the October 2024 billing cycle. After 2024, the Board would re-evaluate the cost of its billing service every two years.

#### PROPOSED HOLIDAY SCHEDULE FOR 2022-2023

Mayor Northam presented the proposed 2022-2023 holiday calendar to the Council. It is as follows:

Columbus Day -- Monday, October 10, 2022  
Veteran's Day -- Friday, November 11, 2022  
Thanksgiving -- Thursday, November 24, 2022 and Friday, November 25, 2022  
Christmas -- Friday, December 23, 2022; Monday, December 26, 2022  
New Year's Day -- Monday, January 2, 2023  
Martin Luther King Day -- Monday, January 16, 2023  
Presidents Day -- Monday, February 20, 2023  
Good Friday -- Friday, April 7, 2023  
Memorial Day -- Monday, May 29, 2023  
Juneteenth -- Monday, June 19, 2023  
Independence Day -- Tuesday, July 4, 2023  
Labor Day -- Monday, September 4, 2023  
Personal Day

Councilmember Hughes-Monroe moved the Council approve the 2022-2023 Holiday Schedule as presented. Upon the motion being seconded by Councilmember Campbell, it was unanimously approved.

#### CHALLENGE COINS

Councilmember Williams moved the Council approve the purchase of 300 challenge coins. Upon the motion being seconded by Councilmember Hughes-Monroe, it was unanimously approved.

### APPROVAL OF FINANCIAL STATEMENT

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

### APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

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

### REPORT OF MAYOR

Mayor Northam reported he had declared the week of September 11-17 "Assisted Living Week" in the City of Fayette.

Mayor Northam stated ALDOT would be sending an appraiser to determine how much to offer the City for taking a portion of the City's property at the Highway 18 and Highway 171 intersection.

Mayor Northam stated the Gas Board had recommended Judge Merrell Nolen be reappointed to the Fayette Gas Board.

Mayor Northam stated the Fayette Community Gospel Choir will have a concert at the Civic Center on Sunday, October 2<sup>nd</sup>.

Mayor Northam stated the Frog Level Festival would be held on October 7<sup>th</sup> -8<sup>th</sup>. He stated there will also be a "fly-in" on Saturday.

### REPORT OF CITY CLERK

City Clerk Dawn Clapp reported for the month of August, the City received \$271,614.00 in non-designated sales tax and the ½¢ sales tax for the hospital generated \$44,389.00 for a combined total of \$316,003.00. She reported the City received \$7,124.00 in alcohol taxes. She also reported the City received \$21,679.00 in online sales tax.

### REPORT OF JUNIOR CITY COUNCIL MAYOR

Junior City Council Mayor Benjamin Olive reported the Junior City Council will have another movie night around Halloween. He stated they will also be conducting some fundraisers.

### REPORT OF COUNCILMEMBER WHITESIDE

Councilmember Whiteside asked the citizens to come out and support the "fly-in" at the airport.

### REPORT OF COUNCILMEMBER WILLIAMS

Councilmember Williams also encouraged people to go to the "fly-in" at the airport. He stated a shuttle will be provided.

### 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