

City Hall
Fayette, Alabama
September 27, 2022

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on September 27, 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 Ms. Nikay Ryan.

The Pledge of Allegiance was led by Ms. Nikay Ryan.

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

APPROVAL OF MINUTES

Councilmember Nichols moved the minutes of the regular meeting held on September 13, 2022, be approved. Upon it being seconded by Councilmember Campbell, it was unanimously approved.

Councilmember Whiteside moved the minutes of the work session held on September 13, 2022, be approved. Upon it being seconded by Councilmember Nichols, it was unanimously approved.

WATER BOARD FEE INCREASE

Water Works Director Daniel Brasher spoke to the Council concerning the Water Works Board's notification to the City that it would be raising the monthly fee it charged for collecting the City's sewer billings. He said the monthly fee the Water Board charged the City had not been increased since 1992. The fee is currently \$2,200.00 per month. He stated the fee is for the clerk's time, bill printing, computing the numbers, postage and meter reading.

Councilmember Nichols said he did not mind the City paying its fair share but he did not see the current rate as being fair. He asked Mr. Brasher rhetorically if the Water Board would allow the City to do its billing and pay the City \$2,200.00 per month to do this. He also expressed concern about the charges for the fire hydrants.

Councilmember Williams asked Mr. Brasher how many water rate increases the Water Works Board had made in the past eight years. Mr. Brasher said he knew of five increases. Councilmember Williams asked Mr. Brasher if the Board designated one employee to do the sewer billing how many hours would the employee work a month. Mr. Brasher stated forty hours per month.

Mayor Northam said he would like to have a contract and it be negotiated instead of the rate being dictated to the City by the Board. He said the City was concerned because it had just raised its sewer rates and it appeared to the City the Water Board was trying to capture a portion of the City's rate increase.

Councilmember Hughes-Monroe stated she understood a small increase but not the large increase the Water Board was asking.

Mayor Northam stated he thought the City Council and Water Board should meet in a work session to discuss the issues further.

AIRPORT OPEN HOUSE EXPENSE

Mr. Nick Madison spoke concerning the Airport Open House and their request for an appropriation for expenses. He also requested a police officer and car be there along with a fire truck. Mr. Madison asked the City give a thirty cent per gallon discount on AV gas and jet fuel at the Open House. He said they would also like to provide up to 500 gallons of AV gas to some of the exhibit planes that are flying in. Ms. Brenda Walters also spoke concerning the Airport Open House. She stated they would also like to have a few City employees to park cars.

Councilmember Whiteside said there had been \$1,500.00 budgeted for the Open House (Fly-in) and she would like to stay with the budgeted amount. Councilmember Nichols said he would like to give

them an additional \$1,000.00 to make a total of \$2,500.00. Councilmember Nichols moved to give an additional \$1,000.00 for the Open House (Fly-in). Upon the motion being seconded by Councilmember Campbell, the following vote was taken.

AYES: Councilmembers Nichols, Williams, Campbell
NAYES: Councilmembers Hughes-Monroe and Whiteside

Councilmember Hughes-Monroe said she was not against the additional \$1,00.00 but was opposed to reducing the pump price.

Mayor Northam stated the motion passed.

POLICE DEPARTMENT REPORT

Police Chief Jenkins recommended Officer Ronnie Earnest be promoted to Sergeant and receive a step pay increase with the promotion. Officer Earnest is retired from the Tuscaloosa Police Department and has twenty six years of law enforcement experience. Mayor Northam said he approved the Chief's recommendation and would promote Officer Ronnie Earnest to Sergeant. Councilmember Whiteside moved that Officer Earnest's rate of pay be adjusted from Step P-3 to Step S-3 upon promotion to Sergeant. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

Police Chief Jenkins recommended Officer Jordan Roberts receive a step raise from Step P-1 to Step P-2. Councilmember Nichols moved to approve the step raise to Step P-2. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved.

ORDINANCE 2022-05

Mayor Northam presented Ordinance 2022-05 to the Council for their consideration. 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.

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 1st 2024 to September 30, 2025 - \$24.00 per one thousand gallons;
- 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;

"(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 1st 2024 to September 30, 2025 - \$24.00;
- From October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1st- Sept. 30th) 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 1st 2024 to September 30, 2025 - \$32.00 per one thousand gallons;
- 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;

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 1st 2024 to September 30, 2025 - \$32.00;
- From October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1st- Sept. 30th) 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 1st 2024 to September 30, 2025 - \$24.00 per one thousand gallons;
- 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;

"(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 1st 2024 to September 30, 2025 - \$24.00;
- From October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1st- Sept. 30th) 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 1st 2024 to September 30, 2025 - \$32.00 per one thousand gallons;
- 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;

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 1st 2024 to September 30, 2025 - \$32.00;
- From October 1st 2025 to September 30, 2026 and each fiscal year (Oct. 1st- Sept. 30th) 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 27th day of September, 2022.

Mayor

ATTEST:

City Clerk

Councilmember Whiteside moved the Council adopt Ordinance 2022-05. Upon the motion being seconded by Councilmember Nichols, the same was unanimously adopted.

GAS BOARD REAPPOINTMENTS

Mayor Northam stated he had received a request from the Fayette Gas Board recommending the reappointment of Judge Merrell Nolen to another term on the Board. Councilmember Nichols moved the Council reappoint Judge Merrell Nolen to the Fayette Gas Board. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

2023 CITY BUDGET

Mayor Northam presented the 2023 City Budget to the Council for their consideration. He said it included a 3% pay increase for employees. Councilmember Campbell moved the Council approve the 2023 City Budget as presented. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

NOVEMBER COUNCIL MEETING

7th. Mayor Northam said the first council meeting in November will be held on Monday, November

FINANCIALS

Mayor Northam reviewed with the Council the City financials, Municipal Court financials, Waste Water financials and Park & Recreation financials.

REPORT OF MAYOR

Mayor Northam stated the unemployment rate for August for Fayette County was 2.9%.

Mayor Northam stated the City had received two applicants for ACE Coordinator.

Mayor Northam announced a ribbon cutting for O'Neal Industries would be held on September 29th at 2:00 p.m.

Mayor Northam said the Fayette Community Gospel Choir would hold a concert on October 2nd.

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

REPORT OF JUNIOR CITY COUNCIL MAYOR

Junior City Council Mayor Ben Olive stated the Junior Council had passed a new set of by-laws.

REPORT OF COUNCILMEMBER WHITESIDE

Councilmember Whiteside thanked Mr. Kip Madison for his work on the Airport Open House (Fly-in) and thanked Mr. Cory Baker for his work for the City.

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