

City Hall  
Fayette, Alabama  
October 10, 2023

A regular meeting of the City Council of the City of Fayette met at 5:00 o'clock, p.m. on October 10, 2023, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Pro Tempore Eddy Campbell, Councilmembers Tommy Williams, Aliska Hughes-Monroe and Jerry Nichols. Also present were City Clerk Dawn Clapp, Police Chief Danny Jenkins, Fire Chief Shannon Taylor, City Attorney Dale Lawrence and Junior City Council Mayor Emily Huang. Mayor Rod Northam and Councilmember Virettia L. Whiteside were absent.

The opening prayer was given by Mr. John McPeek.

The Pledge of Allegiance was led by Zadie McPeek.

Mayor Pro Tempore Campbell 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 26, 2023, be approved. Upon it being seconded by Councilmember Hughes-Monroe, it was unanimously approved.

#### KENNETH SPINATO'S DEATH

Mr. Roderick Van Daniel, attorney for the Spinato family spoke to the Council concerning the death of Mr. Kenneth Spinato. He stated there were concerns about the investigation of Mr. Spinato's death. He said the family deserved to have their questions answered. Mr. Van Daniel asked for help from the leaders of the community in obtaining answers. He said the family was trying to find the person who killed Mr. Spinato.

#### POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for September 2023. The report was as follows: 36 incidents investigated; 23 accidents; 56 traffic citations; 37 traffic warnings and 29 arrests.

#### FIRE DEPARTMENT REPORT

Fire Chief Shannon Taylor presented the fire report for September 2023. The Fire Department received 39 calls.

#### ORDINANCE 2023-01

Mayor Pro Tempore Campbell presented Ordinance 2023-01 to the Council for their consideration. Ordinance 2023-01 is as follows:

#### **ORDINANCE NO. 2023-01**

#### **AN ORDINANCE AMENDING §8-23 - *COLLECTION CHARGES OF ARTICLE II, GARBAGE AND GARBAGE COLLECTION OF CHAPTER 8, GARBAGE, WEEDS AND LITTER*; AND,**

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

**SECTION 1.** That Section 8-23 -- *Collection Charges*, of Article II, *Garbage and Garbage Collection* of Chapter 8, *Garbage, Weeds and Litter* of the Code of Ordinances for the City of Fayette be, and the same is hereby amended by striking such article in its entirety and substituting the following therefor:

#### **"Section 8-23. Collection Charges:**

The following charges shall be paid to the City of Fayette by every person for the collection, hauling and disposing of Refuse, Rubbish and Bulky Waste:

a. Residential Garbage: **Seventeen and 50/100 Dollars (\$17.50)** per month for each Residential Unit.

b. Residential Rubbish and Bulky Waste: **Six and 00/100 Dollars (\$6.00)** per month for each Residential Unit.

c. Commercial and Industrial: This charge shall be set by contract between commercial or industrial producer and Sanitary Department or contractor.

**Small Business – Small Commercial: Twenty-eight and no/100 Dollars (\$28.00) per month for two cans. Each additional can shall be Ten and no/100 Dollars (\$10.00) per month.”**

d. Exemptions. Any household whose sole source of income is Social Security benefits shall be granted an exemption from the payment of such fee, provided the household seeking to claim the exemption shall present a request for exemption and proof of income to the City no later than the first billing date of any year in which the exemption is desired. The exemption shall apply only so long as the household’s sole source of income a social security and shall be requested each year the exemption is desired.

e. A residential unit may request an additional container for residential refuse and the charge for the additional container shall be **Ten and no/100 Dollars (\$10.00) per month.”**

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

**SECTION 3.** This ordinance shall be effective as of November 1, 2023.

Adopted this the \_\_\_\_\_ day of October, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

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

Councilmember Hughes-Monroe moved the Council unanimously consent to consider Ordinance 2023-01. Upon the motion being seconded by Councilmember Nichols, it was unanimously approved.

Councilmember Hughes-Monroe moved the Council adopt Ordinance 2023-01. Upon the motion being seconded by Councilmember Williams, the same was unanimously adopted.

#### APPROVAL OF FINANCIAL STATEMENT

Councilmember Nichols 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 Nichols 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 Nichols, the same was unanimously approved.

#### REPORT OF CITY CLERK

City Clerk Dawn Clapp reported for the month of September, the City received \$294,079.96 in non-designated sales tax and the ½¢ sales tax for the hospital generated \$47,762.47 for a combined total of \$341,842.43. She reported the City received \$8,398.88 in alcohol taxes. She also reported the City received \$27,149.19 in online sales tax.

#### REPORT OF JUNIOR CITY COUNCIL MAYOR

Junior City Council Mayor Emily Huang reported the Junior City Council would be hosting a 5K Glow Run and Fun Run on October 28, 2023.

#### REPORT OF COUNCILMEMBER WILLIAMS

Councilmember Williams commended Chamber Director Emily Montague and the Chamber for a successful Frog Level Festival. He also thanked the Airport Ambassadors for their work on the Airport “Fly-In”.

REPORT OF COUNCILMEMBER NICHOLS

Councilmember Nichols thanked the Police Department and Fire Department for their help with the Frog Level Festival.

ADJOURNMENT

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

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Mayor

Attest:

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City Clerk