

City Hall
Fayette, Alabama
August 12, 2025

A regular meeting of the City Council of the City of Fayette met at 6:00 o'clock p.m. on August 12, 2025, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Rod Northam, Councilmembers Steve Herring, Eddy Campbell, Tommy Williams, Aliska Hughes-Monroe and Jerry Nichols. Also present were City Clerk Dawn Clapp, Police Chief Danny Jenkins, Fire Captain Brad Porter, City Attorney Dale Lawrence and Junior Mayor Sean White.

The opening prayer was given by Junior Mayor Sean White.

The Pledge of Allegiance was led by Junior Mayor Sean White.

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

PUBLIC HEARING ON REZONING

Mayor Northam stated that this was the day and time set for the public hearing on the request of Ms. Lakeshia Billups to rezone her property located on 5th Street SW, from R-2 Residential District to R-4 Manufactured Home Subdivision District. Ms. Billups appeared in support of her rezoning request. No one appeared in opposition.

PUBLIC HEARING ON MODIFICATION OF PUD

Mayor Northam stated that this was the day and time set for the public hearing on the request of Blue Creek Realty Group, LLC, to modify its Zero Lot Line Development Plan to change how vehicles access Lots 18, 19, 20, 21 and 22. Mr. Brad Bull of Blue Creek Realty Group spoke concerning their request to modify their development plan. Mrs. John Cronkite spoke against the modification of the plan. She said she was concerned about the traffic and safety. Other members of the surrounding neighborhood appeared but did not speak.

APPROVAL OF MINUTES

Councilmember Hughes-Monroe moved the minutes of the regular meeting held on July 22, 2025, be approved. Upon it being seconded by Councilmember Nichols, it was unanimously approved.

MUNICIPAL ELECTION UPDATE

City Clerk Dawn Clapp updated the Council on the upcoming municipal election. She said 27 absentee ballots had been requested and 12 ballots have been returned. She reviewed certain upcoming deadlines concerning the election and the receipt of absentee ballots.

BIDS ON THE ADAPTIVE PLAYGROUND

Park Director Chris Champion reported two bids were received concerning the Adaptive Playground. They were as follows: (1) Strother's Recreation- \$49,380.84; and (2) Playworld -\$55,861.20. Mr. Champion recommended the bid of the low bidder, Strother's Recreation, in the amount of \$49,380.84, be accepted. Councilmember Hughes-Monroe 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 Adaptive Playground to the lowest responsible bidder, Strother's Recreation, in the amount of \$49,380.84.

Upon the motion being seconded by Councilmember Nichols, it was unanimously approved.

POLICE DEPARTMENT REPORT

Police Chief Danny Jenkins presented the police report for July 2025. The report was as follows: 45 incidents investigated; 11 accidents; 63 traffic citations; 59 traffic warnings and 30 arrests.

FLOCK CAMERA REQUEST

Mayor Northam had previously presented the Council with the contract with Alabama Power Company for one Flock Safety License Plate Recognition camera at the rate of \$270.84 per month. At

that time, Councilmembers Wiliams and Hughes-Monroe had asked about the possibility of having a second camera so the national and state system could be accessed.

Police Chief Danny Jenkins said that currently the City has one camera and it is at Guthrie Smith Park. He said by having two cameras it would allow the City to access other cameras across the state and country. He said that it was a good investigating tool. The cost of two cameras would be approximately \$540.00. Councilmember Williams moved the City lease two Flock cameras from Alabama Power and that the Police Chief be authorized to determine the location of the second camera. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

FIRE DEPARTMENT REPORT

Fire Captain Brad Porter presented the fire report for July 2025. The Fire Department received 12 calls.

ORDINANCE 2025-09

Mayor Northam presented Ordinance 2025-09 to the Council for their consideration. Ordinance 2025-09 is as follows:

ORDINANCE NO. 2025-09

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, and as amended by Ordinance 2022-05, 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 \$24.62 per one thousand gallons.

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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 of \$24.62 per discharge of holding tank waste produced from residential or business septic tanks into the City sewer system.

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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.

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, and as amended by Ordinance 2022-05, 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 - \$32.83 per one thousand gallons.

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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 of \$32.83 per discharge of holding tank waste produced from industrial tanks into the City sewer system.

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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 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 \$24.62 per one thousand gallons.

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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 of \$24.62 per discharge of holding tank waste produced from residential or business septic tanks into the City sewer system.

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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.

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 - \$32.83 per one thousand gallons.

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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 of \$32.83 per discharge of holding tank waste produced from industrial tanks into the City sewer system.

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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 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 as of October 1, 2025.

Adopted this the 12th day of August, 2025.

Mayor

ATTEST:

City Clerk

Councilmember Campbell moved the Council give unanimous consent to consider Ordinance 2025-09. Upon the motion being seconded by Councilmember Nichols, the same was unanimously approved. Councilmember Herring moved the Council adopt Ordinance 2025-09. Upon the motion being seconded by Councilmember Nichols, the same was unanimously adopted.

ORDINANCE 2025-10

Mayor Northam presented Ordinance 2025-10 to the Council for their consideration. Ordinance 2025-10 is as follows:

ORDINANCE NO. 2025-10

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 and as amended by Ordinance 2022-04, 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 – \$29.75

2,001 – 10,000 gallons, - per/1,000 Gallons- \$2.98

Over 10,000.00 gallons – per /1,000 Gallons - \$2.31

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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.

b. Large Commercial and Industrial:

First 10,000 Gallons, minimum – \$81.04

Over 10,000.00 gallons – per /1,000 Gallons - \$1.49

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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.

SECTION 2. 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 – \$29.75

2,001 – 10,000 gallons, - per/1,000 Gallons- \$2.98

Over 10,000.00 gallons – per /1,000 Gallons - \$2.31

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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.

b. Large Commercial and Industrial:

First 10,000 Gallons, minimum – \$81.04

Over 10,000.00 gallons – per /1,000 Gallons - \$1.49

Each fiscal year (Oct. 1st- Sept.30th) hereafter- 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.

SECTION 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. This ordinance shall be effective as of October 1, 2025.

Adopted this the 12th day of August, 2025.

Mayor

ATTEST:

City Clerk

Councilmember Williams moved the Council give unanimous consent to consider Ordinance 2025-10. Upon the motion being seconded by Councilmember Campbell, the same was unanimously approved. Councilmember Hughes-Monroe moved the Council adopt Ordinance 2025-10. Upon the motion being seconded by Councilmember Nichols, the same was unanimously adopted.

ORDINANCE 2025-08

Mayor Northam presented Ordinance 2025-08 to the Council for their consideration. Ordinance 2025-08 is as follows:

ORDINANCE NO. 2025-08

AN ORDINANCE TO AMEND CITY ORDINANCE ENTITLED "ZONING ORDINANCE OF THE CITY OF FAYETTE, ALABAMA", ADOPTED AND APPROVED BY THE CITY COUNCIL ON JULY 15, 1996, REFERRED TO AND IDENTIFIED IN SECTION 11, SHORT TITLE OF SAID ZONING ORDINANCE AS THE "ZONING ORDINANCE OF THE CITY OF FAYETTE, ALABAMA".

THE PUBLIC WELFARE REQUIRING IT, and under authority granted by Section 11-52-77, 1975 Code of Alabama, Be It Ordained by the City Council of the City of Fayette, Alabama, as follows:

1. The Zoning Map of the City of Fayette, Alabama, adopted and approved by the City Council on July 15, 1996, is hereby altered, changed, amended and modified as follows:
That the zoning classification of the following described land be reclassified from R-2 Residential District to R-4 Manufactured Home Subdivision District viz:

A lot or parcel of land in the NE portion of the SW ¼ of NE ¼, Section 12, Township 16, Range 13 West, being more particularly described as commencing at a point 70 feet South of the NE corner, which point is the SE corner of the Joe Thomas Savage lot; thence run South 98 feet to a point which is the NE corner of the Gregory Brent lot; thence run in a Northwesterly direction along the North edge of the Brent lot a distance of 148 feet to a stake on the edge of a street; thence run North along the East edge of a street 56 feet to a stake; thence run East a distance of 154 feet to the point of beginning. (Deed Book 2015 at Page 370)

The property is located on 5th Street SW, Fayette, AL.

Tax Parcel Id Number: 32-12-01-12-1-000-012.001

2. All ordinances or parts of ordinances that conflict with this act are hereby repealed.
 3. This Ordinance shall take effect and be in force from and after the date of its publication.
- DONE this the 12th day of August, 2025.

Mayor, City of Fayette

ATTEST:

Clerk, City of Fayette

Councilmember Herring moved the Council adopt Ordinance 2025-08. Upon the motion being seconded by Councilmember Campbell, the same was unanimously adopted.

RESOLUTION 2025-14

Mayor Northam presented Resolution 2025-14 to the Council for their consideration. Resolution 2025-14 is as follows:

RESOLUTION 2025-14

**A RESOLUTION AMENDING THE ZERO LOT LINE DEVELOPMENT PLAN LOCATED ON
23rd STREET NW, FAYETTE, ALABAMA,
AS APPROVED IN RESOLUTION 2023-02**

THE PUBLIC WELFARE REQUIRING IT, and under authority granted by the *Code of Alabama, 1975*, **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, AS FOLLOWS:**

1. The City Council of the City of Fayette hereby grants approval of the application of Blue Creek Realty Group, LLC, to modify the Zero Lot Line Development Plan as approved by the City Council in Resolution 2023-02 on January 27, 2023.

2. The City Council of the City of Fayette hereby grants approval and hereby authorizes the said Zero Lot Line Development Plan known as "The Village" located on 23rd Street NW be modified so as to allow vehicles to access Lots 18, 19, 20, 21 and 22 from 23rd Street NW.

ADOPTED this the _____ day of August, 2025.

Mayor

ATTEST:

City Clerk

No motion was made to approve Resolution 2025-14.

REQUEST TO AUTHORIZE TERMINATION OF THE TENANCY AND EVICTION OF TENANT

Mayor Northam reported to the Council that New Beginnings Aircraft was behind in their lease payments for the big hangar at the airport. He recommended that the City proceed with the eviction

process and terminate the tenancy of the tenant. Councilmember Nichols moved the City proceed with eviction process including terminating the tenancy of the tenant and that the Mayor be authorized to proceed with the eviction action if the tenant did not vacate the premises. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously adopted.

AIRPORT PROJECT

Mayor Northam reported the lowest responsible bidder on the Apron and Hangar with Culvert Repair Project was K&A Builders, Inc., in the amount of \$1,035,653.97. He recommended this bid, be accepted. Councilmember Williams 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 Apron and Hangar with Culvert Repair Project to the lowest responsible bidder, K&A Builders, Inc., in the amount of \$1,035,653.97 and that the Mayor be authorized to execute contracts and any other documents necessary to award the bid and proceed with the project.

Upon the motion being seconded by Councilmember Herring, it was unanimously approved.

PARADE PERMIT FOR MAGNOLIA RANCH 5K RUN

Mayor Northam presented to the Council a request for a parade permit for the Magnolia Ranch 5K run to be held on November 8, 2025. Councilmember Hughes-Monroe moved the permit be granted. Upon the motion being seconded by Councilmember Campbell, the same was unanimously adopted.

BYLER ROAD HISTORICAL MARKER

Mayor Northam reported that the Alabama Department of Tourism had requested permission to place a historical marker concerning Byler Road on the southeast corner of the intersection of Temple Avenue South and 1st Street SE. Councilmember Nichols moved the Council grant permission for the placement of the Byler Road historical marker. Upon the motion being seconded by Councilmember Hughes-Monroe, the same was unanimously approved.

CANVASSING OF ELECTION RESULTS

Mayor Northam stated that the canvassing of the results of the municipal election would take place on September 2, 2025, at 12:00 p.m. at City Hall.

MOTION TO SET PUBLIC HEARING FOR COMPREHENSIVE PLAN

Councilmember Campbell moved the Council set a public hearing concerning the Comprehensive Plan for September 9, 2025, at 6:00 p.m. Upon the motion being seconded by Councilmember Hughes-Monroe, it was unanimously approved.

[Councilmember Hughes-Monroe left the meeting at this point.]

APPROVAL OF FINANCIAL STATEMENT

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

APPROVAL OF PARK & RECREATION FINANCIAL STATEMENT

Councilmember Nichols moved the Park & Recreation financial statement be approved. Upon the motion being seconded by Councilmember Williams, the same was unanimously approved.

REPORT OF MAYOR

Mayor Northam stated Election Day is set for August 26, 2025. He said residents of Ward 1 and Ward 3 will not be voting because the Mayor and the councilmember for their ward are unopposed.

Mayor Northam said the Fayette County Workforce Participation rate for June 2025 was 49.4%.