

**Minutes of the proceedings of the City Council of the City of Graysville,
Alabama of the regular meeting held on June 21, 2018.**

Councilmember James Armstrong gave the invocation.

The regular meeting of the City Council of the City of Graysville was called to order at 6:00 p.m. in the Council Chambers of City Hall by Mayor Clark “Julio” Davis.

Upon roll call those present:

	<i>Clark “Julio Davis</i>	<i>Mayor</i>
	<i>James Armstrong</i>	<i>Councilmember</i>
	<i>Dorothy Hawthorne</i>	<i>Councilmember</i>
	<i>George Helms</i>	<i>Councilmember</i>
	<i>Karen Lauderdale</i>	<i>Councilmember</i>
<i>Absent:</i>	<i>Chris Shaw</i>	<i>Councilmember</i>
	<i>Randy Teeter</i>	<i>Councilmember</i>

Also present was Leslie Klasing, City Attorney; Tommy Greene, Comptroller; a host of local citizens; several city employees and City Clerk, Kathy Dumas.

Councilmember Lauderdale moved to approve minutes of June 7, 2018 as presented. Motion seconded by Councilmember Hawthorne and carried.

Invoices were presented for payment as follows:

CITY:	BILLS	June 21, 2018
CHARTER COMM	\$89.98	INTERNET EXPENSE
WALDREP, STEWART, KEND	\$2,014.07	LEGAL FEES EXPENSE
AL DEPT OF REVENUE	\$24.25	TAG FEE - DUMP TRUCK
STRADA	\$8,344.72	TAP GRANT EXPENSES
CASH	\$115.92	POSTAGE EXP/CASH BOX
JEFFERSON CO SHERIFF'S	\$13,334.34	CONTRACT LAW ENFORCEMENT
ROGER YOUNGBLOOD	\$30.00	INSPECTION FEES
AIRGAS	\$361.81	FIRE CYLINDAR EXPENSE
BIRMINGHAM WATER	\$50.94	FIRE PLUG RENTAL
ALLCOM	\$333.26	FIRE RADIO REPAIRS
ALABAMA FIRE COLLEGE	\$220.00	EDUC EXP FIRE K.KING
HENRY SCHEIN	\$26.24	FIRE RING CUTTER
ESO FIREHOUSE	\$1,990.00	SOFTWARE CONTRACT -EMS REPORTS
KELLYS TIRE	\$10.00	TIRE REPAIRS
DEERE CREDIT INC.	\$1,466.90	LEASE FLAIL MOWER
PINEVIEW LANDFILL	\$1,300.69	LANDFILL FEES
KELLYS TIRE	\$17.00	TIRE REPAIRS

AG-PRO CO	<u>\$597.36</u>	PARTS - LAWN MOWER
TOTAL:	\$30,327.48	
GAS:		
CHARTER COMM	\$89.99	INTERNET EXPENSE
WALDREP, STEWART, KEND	\$2,014.07	LEGAL FEES EXPENSE
CASH	\$57.76	POSTAGE EXP/CASH BOX
FORD CREDIT DEPT	\$1,974.67	LEASE ON TRUCKS
PORT CITY PIPE	\$4,975.12	GAS REGULATORS
SOUTHERN CROSS	\$1,275.86	FLAME PACK REPAIRS
AIRGAS USA, LLC	\$221.80	GAS CYLINDAR REFILLS
SEGAS	\$300.00	GAS PURCHASES
SOUTHEAST GAS	\$21,341.95	GAS PURCHASES
SOUTHERN NATURAL GAS	\$28,944.57	GAS PURCHASES
SHRED-IT USA	<u>\$87.11</u>	PAPER SHRED EXPENSE
TOTAL:	\$61,282.90	
TOTAL CITY/GAS	\$91,610.38	

Councilmember Teeter moved to approve payment of invoices as presented. Motion seconded by Councilmember Hawthorne and carried unanimously.

Mayor Davis stated the 4th of July event will be July 3, 2018 at the ballpark behind the community center with singing, snow cones and fireworks.

Councilmember Lauderdale moved to appropriate \$1,200.00 for the July 3rd event at the ballpark. Motion seconded by Councilmember Teeter and carried.

Mayor Davis also suggested doing the back to school event and movie night together on August 4, 2018.

Councilmember Hawthorne moved to appropriate \$2,000.00 for the back to school and movie night event. Motion seconded by Councilmember Armstrong and carried.

Mayor Davis presented Ordinance Number 931 as follows:

ORDINANCE NO. 931

AN ORDINANCE TO DISPOSE OF SURPLUS MUNICIPAL PROPERTY

WHEREAS, on or about July 7, 2005, the City of Graysville and the First Baptist Church of Graysville (the “First Baptist”) exchanged quitclaim deeds; and

WHEREAS, the quitclaim deed from First Baptist of the City conveyed to the City the property located at 350 2nd Street SW, Graysville, Alabama (the “former municipal pool property”), with such deed having been recorded in the Probate Court of Jefferson County, Alabama; and

WHEREAS, the quitclaim deed from the City to First Baptist purported to convey to First Baptist two parcels, one of said parcels being located at or about 312 South Main Street, Graysville, Alabama, adjacent to the Graysville Community School, the legal description of said property being attached hereto as **Exhibit A** with such deed never having been recorded in the Probate Court of Jefferson County, Alabama; and

WHEREAS, at the time of the quitclaim deed from the City to First Baptist, the City did not own the property described on Exhibit A, but rather subsequently purchased this property from the Jefferson County Board of Education on January 17, 2013; and

WHEREAS, the property described on Exhibit A is not needed for public or municipal purposes; and

WHEREAS, in 2011, First Baptist transferred and conveyed all of its property, both real and personal, to New Beginnings Community Church (the “Church”); and

WHEREAS, the Church has requested that a deed be issued from the City to the Church for the property described on Exhibit A, since the City did not own said property at the time of the initial quitclaim deed from the City to First Baptist and since First Baptist, which subsequently conveyed all of its real and personal property to the Church, has already provided valuable and adequate consideration for said property by transferring to the City the former municipal pool property; and

WHEREAS, the City Council of Graysville, Alabama finds that such consideration which has already been provided by the Church to the City, along with the payment by the Church to the City of an amount adequate to cover the City’s legal expenses for this transaction, to be adequate and sufficient for the conveyance of the property described on Exhibit A to the Church.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Graysville, Alabama, that the Mayor is hereby authorized and directed to execute and deliver a contract for sale of the property described on Exhibit A, along with a deed to the Church for the property described on Exhibit A, and to execute any other related documents required to record and effectuate that instrument.

ADOPTED, this the 21st day of June, 2018.

MAYOR, JAMES CLARK DAVIS

COUNCILMEMBER, JAMES ARMSTRONG

COUNCILMEMBER, DOROTHY HAWTHORNE

COUNCILMEMBER, GEORGE HELMS

COUNCILMEMBER KAREN LAUDERDALE

COUNCILMEMBER, CHRIS SHAW

COUNCILMEMBER, RANDY TEETER

ATTEST:

CITY CLERK, KATHY DUMAS

CERTIFICATE OF CITY CLERK

I, KATHY DUMAS, CITY CLERK OF GRAYSVILLE, ALABAMA, DO HEREBY CERTIFY THAT THE ABOVE IS TRUE AND CORRECT COPY OF ORDINANCE NO. 931 ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAYSVILLE AT ITS MEETING HELD ON THE 21ST DAY OF JUNE, 2018, AND THAT SAID ORDINANCE WAS DULY PUBLISHED IN ACCORDANCE WITH LAW BY POSTING A COPY THEREOF ON THE 22ND DAY OF JUNE, 2018 IN THREE (3) PUBLIC PLACES WITHIN THE CITY LIMITS, ONE OF WHICH WAS THE CITY HALL OF THE CITY OF GRAYSVILLE, ALABAMA

KATHY DUMAS, CITY CLERK

Councilmember Teeter moved to give Ordinance Number 931 immediate consideration. Motion seconded by Councilmember Hawthorne. Roll call votes as follows:

<i>Councilmember Armstrong</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Councilmember Hawthorne</i>	<i>Yes</i>
<i>Councilmember Helms</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

Councilmember Teeter moved to adopt Ordinance Number 931 as presented. Motion seconded by Councilmember Hawthorne. Roll call votes as follows:

<i>Councilmember Armstrong</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Councilmember Hawthorne</i>	<i>Yes</i>
<i>Councilmember Helms</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

Mayor Davis presented request from Fire Department for pay increase.

Following a brief discussion, Councilmember Teeter moved to table request until next regular meeting. Motion seconded by Councilmember Hawthorne and carried.

Councilmember Teeter stated a citizen requested some children at play signs be installed on their street.

Mayor Davis stated some children at play signs will be ordered this week.

Ordinance Number 930 was presented as follows:

ORDINANCE NO. 930

AN ORDINANCE FURTHER AMENDING ORDINANCE #925, PRESCRIBING RATES AND CHARGES FOR SERVICES, GAS AND FACILITIES TO BE FURNISHED BY THE GRAYSVILLE MUNICIPAL GAS SYSTEM.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAYSVILLE, ALABAMA, SUB-SECTION 5-14, CODE OF GRAYSVILLE BE AMENDED, AS FOLLOWS:

SECTION 1. THAT PART, PORTION AND PARAGRAPH OF SECTION ORDINANCE #283, AS AMENDED BY ORDINANCE 293, ORDINANCE #294, ORDINANCE #301, ORDINANCE #308, ORDINANCE #321, ORDINANCE #332, ORDINANCE #336, ORDINANCE #348, ORDINANCE #368, ORDINANCE #390, ORDINANCE #399, ORDINANCE #406, ORDINANCE #416, ORDINANCE #444, ORDINANCE #447, ORDINANCE #507, ORDINANCE #603, ORDINANCE #634, ORDINANCE #643, ORDINANCE #747, ORDINANCE #752, ORDINANCE #818 ORDINANCE #819, ORDINANCE #821, ORDINANCE #866, ORDINANCE #876, ORDINANCE #919 AND ORDINANCE #925 TO BE CHARGED FOR SERVICES, GAS AND FACILITIES FURNISHED BY THE GRAYSVILLE MUNICIPAL GAS SYSTEM, ADOPTED AND APPROVED ON THE 5TH DAY OF FEBRUARY, 1974, THE 7TH DAY OF JANUARY, 1975, THE 18TH DAY OF NOVEMBER, 1975, THE 19TH DAY OF OCTOBER, 1976, THE 7TH DAY OF JULY, 1977, THE 20TH DAY OF DECEMBER, 1977, THE 14TH DAY OF JUNE, 1978, THE 2ND DAY OF JANUARY, 1979, THE 17TH DAY OF JULY, 1979, THE 29TH DAY OF JANUARY, 1980, THE 21ST DAY OF OCTOBER, 1980, THE 20TH DAY OF JANUARY 1981, THE 18TH DAY OF AUGUST 1981, THE 19TH DAY OF JANUARY 1982, THE 1ST DAY OF NOVEMBER, 1983, THE 3RD DAY OF APRIL, 1984, THE 4TH DAY OF SEPTEMBER, 1984, THE 21ST DAY OF OCTOBER, 1986, THE 6TH DAY OF FEBRUARY, 1991, THE 19TH DAY OF FEBRUARY, 1991, THE 17TH DAY OF NOVEMBER, 1992, THE 21ST DAY OF DECEMBER, 1993, THE 3RD DAY OF OCTOBER, 2000, NOVEMBER 7, 2000, JANUARY 18, 2005, JANUARY 25, 2005, MARCH 15, 2005, DECEMBER 2, 2008, JANUARY 19, 2010, MARCH 16, 2017 AND APRIL 5, 2018 BE AND HEREBY IS AMENDED TO READ AS FOLLOWS :

DOMESTIC RATES

MINIMUM MONTHLY CHARGE	\$11.95
0-50 UNITS (100 CF PER UNIT)	\$1.7444
51-200 UNITS (100 CF PER UNIT)	\$1.5157
ALL OVER 200 UNITS (100 CF PER UNIT)	\$1.4675

SECTION 2. THAT A METER SHALL BE INSTALLED UPON EACH CONNECTION OF SAID GAS SYSTEM WHICH SHALL BE READ AT LEAST ONCE IN EACH MONTH BY A DULY AUTHORIZED AGENT OF THE CITY OF GRAYSVILLE WHO SHALL HAVE ACCESS TO THE PREMISES OF EACH CUSTOMER OF SUCH PURPOSE AT ALL TIMES FREE FROM HARASSMENT FROM ANIMALS, AND EACH CUSTOMER BY HAVING OR LEAVING HIS PREMISES CONNECTED TO SAID GAS SYSTEM AND ACCEPTING SERVICE THEREFROM SHALL CONSENT AND AGREE TO SUCH ACCESS.

SECTION 3. THAT IN ORDER TO SECURE THE PROMPT PAYMENT OF ACCOUNTS AND CHARGES FOR SERVICES AND AS A CONDITION PRECEDENT TO

THE RENDERING OF SUCH SERVICES EACH HOMEOWNER SHALL BE REQUIRED TO PAY A DEPOSIT OF **100.00**, AND DEPOSIT FOR RENTAL ACCOUNTS SHALL BE **\$250.00**. ALL COMMERCIAL BUSINESS ACCOUNTS MUST PAY A DEPOSIT TO BE EQUAL TO THE **ESTIMATED USAGE FOR ONE MONTH**. ACCOUNTS THAT ARE DELINQUENT WILL BE FORWARDED TO A COLLECTION AGENCY (SEE SECTION 5).

SECTION 4. THE BILLS FOR SERVICES SHALL BE RENDERED ON THE BASIS OF THE METER READINGS ON THE DAY OF THE MONTH SELECTED THEREFROM. THE RATES SET FORTH ABOVE ARE NET, THE GROSS RATES BEING **110%** THEREOF. IN THE EVENT THAT THE CURRENT MONTHLY BILL IS PAID WITHIN FIFTEEN (15) DAYS FROM THE DATE OF ITS RENDITION. THE NET RATES SHALL APPLY; OTHERWISE THE GROSS RATES SHALL APPLY.

SECTION 5. ANY CUSTOMER FAILING OR REFUSING TO PAY HIS/HER BILL WITHIN TWENTY-FIVE (25) DAYS AFTER THE RENDITION THEREOF SHALL BE DENIED THE USE OF THE SERVICES AND FACILITIES AFFORDED BY SAID SYSTEM. HIS/HER CONNECTION TO SAID GAS SYSTEM SHALL BE CUT OFF UNTIL SUCH TIME AS ALL PAST DUE BILLS ARE PAID. IN ADDITION, A **\$95.00** RECONNECT FEE WILL BE CHARGED DURING WORKING HOURS. A RECONNECT FEE OF AN ADDITIONAL **\$75.00** FOR NIGHTS, WEEKENDS, AND HOLIDAYS. THERE WILL ALSO BE A SERVICE CHARGE FOR ACCOUNTS UNDER THIS SECTION SENT TO A COLLECTION AGENCY AND OR A COLLECTION ATTORNEY FOR COLLECTION EXPENSE. THE COLLECTION DEPARTMENT WILL DETERMINE WHICH ACCOUNTS ARE COVERED UNDER THIS SECTION. ALL ACCOUNTS OVER 90 DAYS WILL BE SENT TO A COLLECTION AGENCY AND/OR COLLECTION ATTORNEY.

SECTION 6. UPON THE PAYMENT OF ALL CHARGES FOR SERVICES AND FACILITIES AFFORDED ANY CUSTOMER BY THE GAS SYSTEM AND THE DISCONTINUANCE OF SUCH SERVICE AT THE CUSTOMERS REQUEST, THE DEPOSIT, IF ANY, SHALL BE APPLIED. PREVIOUS CUSTOMERS WHOSE CONNECTION HAS BEEN SHUT OFF WHERE SERVICE IS SUBSEQUENTLY RESUMED BY SUCH CUSTOMER AT THE SAME PREMISES WILL BE REQUIRED TO PAY A RECONNECT FEE OF **\$95.00** DURING WORKING HOURS AND AN ADDITIONAL **\$75.00** NIGHTS, WEEKENDS AND HOLIDAYS.

SECTION 7. ANY CUSTOMER WHO HAS OR HAS ALLOWED THE GAS METER LOCK OR EARS TO BE BROKEN SHALL BE CHARGED A FEE OF \$80.00 PER OCCURRENCE.

SECTION 8. ANY CUSTOMER REQUESTING A METER RE-READ SHALL BE CHARGED A FEE OF \$10.00 PROVIDED HOWEVER, IF THE RE-READING DETERMINES AN ERROR IN THE ORIGINAL READING, THIS FEE SHALL BE WAIVED.

SECTION 9. A CHARGE OF \$20.00 SHALL BE PAID IN ADVANCE TO COVER THE COST OF A PERMIT FOR THE INSTALLATION OF THE SERVICE

LINE. IF ROAD HAS TO BE CUT, THE COUNTY DETERMINES THE COST OF PERMIT.

SECTION 10. FOR NEW CUSTOMERS, 0-100 FEET OF SERVICE LINE WILL BE \$150.00 AND ALL OVER 100 FEET WILL BE AN ADDITIONAL \$2.50 PER FOOT. A ROCK CLAUSE CHARGE WILL BE DETERMINED BY THE FIELD SUPERVISOR OF UP TO \$50.00 PER FOOT. THE COST OF EXTENDING THE MAIN IS \$15.00 PER FOOT AND THE ROCK CLAUSE ALSO APPLIES. IN THE EVENT THAT THE GAS SYSTEM IS UNABLE TO EXTEND THE MAIN, A CERTIFIED GAS CONTRACTOR WILL BE HIRED AT CUSTOMER'S EXPENSE. ALL GAS CONTRACTORS ARE REQUIRED TO MEET OUR SPECIFICATIONS. SERVICE CALL CHARGES ARE CALLS MADE ON CUSTOMERS SIDE OF METER THAT WILL BE ADDED TO THE MONTHLY BILL. THESE SERVICES ARE LIMITED TO CHECKING FOR LEAKS AND BROKEN LINES. DURING WORKING HOURS 8:00 A.M. UNTIL 5:00 P.M. MONDAY THROUGH FRIDAY THERE WILL BE A \$50.00 CHARGE PER CALL. THERE WILL BE A \$75.00 MINIMUM CHARGE PER SERVICE CALL ON NIGHTS, WEEKENDS, AND HOLIDAYS. A \$150.00 FEE FOR RELOCATING SERVICE LINES AT OWNERS REQUEST. THERE IS A SERVICE CHARGE FOR ALL RETURNED CHECKS AS ESTABLISHED BY NEXCHECK.

IN ADDITION TO THE CHARGES SITED IN THE PREVIOUS PARAGRAPH, CUSTOMERS SHALL BE CHARGED \$200.00 IF IT IS NECESSARY TO CROSS A ROADWAY AND \$100.00 TO CROSS A DRIVEWAY.

SECTION 11. THIS ORDINANCE SHALL BE EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS REQUIRED BY LAW, AND THE RATES AND CHARGES HEREIN PROVIDED SHALL TAKE EFFECT ON ALL GAS CONSUMPTION FOR THE PERIOD BEGINNING **JULY 1, 2018.**

SECTION 12. A COPY OF THIS ORDINANCE SHALL BE PUBLISHED IN THE "BIRMINGHAM NEWS", A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF GRAYSVILLE, AND IN THE SURROUNDING TERRITORY TO BE SERVED BY THE GAS SYSTEM. ANY CUSTOMER SHALL BE FURNISHED A COPY OF THIS ORDINANCE UPON REQUEST, WHETHER SO PUBLISHED OR NOT, OR WHETHER A COPY IS FURNISHED TO A CUSTOMER OR NOT, THIS ORDINANCE SHALL NEVERTHELESS BE EFFECTIVE AS FIXING THE RATES AND CHARGES WHICH ANY CUSTOMER BY ACCEPTING SERVICES FROM SAID GAS SYSTEM, AGREES TO PAY AND THE TERMS AND CONDITIONS OF RENDERING THE SAME.

SECTION 13. ALL ORDINANCE IN CONFLICT WITH THIS ORDINANCE, WHETHER IT BE IN WHOLE OR IN PART ARE HEREBY REPEALED TO THE EXTENT OF SUCH CONFLICT WHETHER IT BE IN WHOLE OR IN PART.

ADOPTED AND APPROVED THIS 21ST DAY OF JUNE,
2018.

JAMES C. DAVIS, MAYOR

Attest:

Kathy Dumas, City Clerk

CERTIFICATE OF THE CITY CLERK

I, Kathy Dumas, City Clerk of the City of Graysville, Alabama, do hereby certify that the above is a true and correct copy of Ordinance No 930 adopted by the City Council of the City of Graysville at its meeting held 15th day of March, 2018 and that said ordinance was duly published in accordance with law by posting a copy thereof on the 21st day of June, 2018 in three (3) public places within the city limits, one of which was the City Hall of the City of Graysville, Alabama.

Kathy Dumas, City Clerk

Councilmember Teeter moved to give Ordinance Number 930 immediate consideration. Motion seconded by Councilmember Lauderdale. Roll call votes as follows:

<i>Councilmember Armstrong</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Councilmember Hawthorne</i>	<i>Yes</i>
<i>Councilmember Helms</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

Councilmember Teeter moved to adopt Ordinance Number 930 as presented. Motion seconded by Councilmember Lauderdale. Roll call votes as follows:

<i>Councilmember Armstrong</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Councilmember Hawthorne</i>	<i>Yes</i>
<i>Councilmember Helms</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

Thereupon on motion of Councilmember Helms, motion seconded by Councilmember Teeter and being unanimously carried the meeting was duly adjourned.

Councilmember James Armstrong

Councilmember Dorothy Hawthorne

Councilmember George Helms

Councilmember Karen Lauderdale

Councilmember Randy Teeter

Mayor Clark "Julio" Davis

City Clerk Kathy Dumas