

**Minutes of the proceedings of the City Council of the City of Graysville,  
Alabama of the regular meeting held on August 6, 2020 by conference call.**

Councilmember Randy Teeter gave the invocation.

The regular meeting of the City Council of the City of Graysville was called to order at 6:00 p.m. by conference call 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>Chris Shaw</i>	<i>Councilmember</i>
<i>Randy Teeter</i>	<i>Councilmember</i>

Also present by conference call was Mr.Charlie Waldrep, Attorney; Mr. Tommy Greene, Comptroller; several local citizens; several city employees and City Clerk, Kathy Dumas and Acting Secretary, Carol Burt.

Minutes of the July 16, 2020 council meeting are incomplete at this time.

Invoices were presented for payment as follows:

---

<b>CITY:</b>		<b>Thursday, August 06, 2020</b>
AFLAC	\$114.70	EMP DEDUCTIONS
ALABAMA FIRE COLLEGE	\$193.95	FIRE EMS BOOK
ALABAMA LEAGUE OF MUN	\$1,228.75	ADM DUES AND SUBS
ALABAMA POWER	\$9,076.22	UTILITIES
ALCSPC	\$540.00	EMP DEDUCTIONS
ALEA	\$300.00	LET ACCESS
AMERICAN UNITED LIFE	\$707.10	EMP DEDUCTIONS
AT&T	\$513.14	FAX MACHINE EXP
BUFFALO ROCK	\$191.87	CCTR OFFICE SUPPLIES
CAM LAR DIRECT	\$131.04	FIRE OFFICE SUPPLIES
CARD SERVICES	\$3,398.29	CREDIT CARD EXP
CASH	\$277.60	NUTRITION CENTER PETTY CASH
CASH	\$113.35	CITY PETTY CASH
CHARLES GILLIAM	\$1,057.00	P&R INFIELD MIX
CHARLIE WALDREP	\$500.00	MUNICIPAL COURT
CHARTER COMM	\$96.98	CCTR CABLE/INTERNET
CHARTER COMM	\$170.91	FIRE CABLE/INTERNET
COLONIAL LIFE	\$470.65	EMP DEDUCTIONS

EASTERN SALES	\$80.75	STREET HYD HOSE
ECONO SIGNS	\$78.33	STREET SIGNS
FIRST NET/ AT&T	\$4,328.00	EMP TELEPHONES
GRAYSVILLE FIRE	\$93.50	FIRE HOUSE FUND
GRAYSVILLE GAS AND WATER	\$692.45	UTILITIES
GRAYSVILLE LIBRARY	\$1,675.68	APPROPRIATIONS
GREG GILCHRIST	\$18.08	REIMB PAINT BRUSHES/HYDRANT
HARRIS LOCAL GOV	\$859.34	ADM COMPUTER MAINT
JACKSON COMMUNICATION	\$150.00	POLICE RADIO MAINT
JASPER FEED	\$499.50	STREET R&M
JEFFERSON CO COMMISSION	\$640.96	TRAFFIC SIGNAL REPAIRS
JEFFERSON CO DEPT. OF HEALTH	\$142.45	STREET DUES AND SUBS
JEFFERSON CO SEWER FUND	\$375.85	SEWER FUND
LEE BARNES	\$500.00	MUNICIPAL COURT
LIBERTY NATIONAL	\$259.32	LIFE INSURANCE/ EMP DEDUCTS
LOCAL GOVERNMENT	\$18,420.00	EMP DEDUCTIONS
LOWE'S	\$456.51	STREET/P&R REPAIRS
M&M TIRE	\$252.00	STREET REPAIRS AND MAINT
MARVIS TIRES	\$1,407.84	POLICE TIRES FOR POLICE CAR5
MAYOR DAVIS	\$585.48	MILEAGE TRAVEL EXP
MOBILE COMM AMERICA	\$270.00	POLICE RADIO PROGRAMMING
MOSES HILL	\$90.00	PROFESSIONAL SERVICES
NATIONAL LIABILITY	\$1,895.75	PREPAID INSURANCE
O'REILLY	\$229.10	POL/ST/EQ. SERV REPAIRS
PINEVIEW	\$1,203.06	LANDFILL FEES
REGIONS	\$319.06	CREDIT CARD EXP
RICOH	\$584.94	ADM COPIER EXP
RONNIE SAINT	\$60.00	PROFESSIONAL SERVICES
SAYRE AUTO	\$487.69	SANITATION/STREET R&M
SIARUM COMMUNICATION	\$248.70	TELEPHONE SERVICE
UNIFIRST	\$264.18	EMP UNIFORMS
UNITED WAY	\$10.00	EMP DEDUCTIONS
VERIZON	\$45.30	FIRE TABLETS
VIKING BUS	\$53.23	POLICE KEY CABINET
WALDREP STEWART	\$585.00	TAP GRANT EXP
WARRIOR TRACTOR	\$1,982.92	SALES TAX REIMB
	<b>\$58,926.52</b>	

**GAS:**

AFLAC	\$43.42	EMP DEDUCTIONS
ALABAMA NATURAL GAS ASSOC	\$2,302.00	GAS DUES AND SUBS
ALABAMA POWER	\$2,861.78	UTILITIES
AMERICAN UNITED LIFE	\$152.00	L&H INSURANCE
APEL MACHINE AND SUPPLY	\$13,240.17	U.W. CLEMONS SCHOOL SERVICE
AT&T	\$342.36	FAX MACHINE EXP

BROOKLERE	\$65.10	COLLECTION FEE
CARD SERVICES	\$4,107.51	PACKBACKS
CASH	\$58.37	OFFICE SUPPLIES
CHARTER COMM	\$201.97	GAS CABLE/ INTERNET
COLONIAL LIFE	\$498.30	EMP DEDUCTIONS
FIELDS EXTERMINATING	\$125.00	PROFESSIONAL SERVICES
FINANCIAL IMAGING	\$1,831.03	POSTAGE EXP
FIRST NET/ AT&T	\$4,057.57	EMP TELEPHONES
GAS METER ENGINEERS	\$2,447.54	ELKS LODGE MATERIALS
GRAYSVILLE GAS AND WATER	\$305.30	UTILITIES
HARBISON KEY	\$137.00	OFFICE SUPPLIES
JACQUELINE ANDERSON	\$56.00	EMP WITHOLDINGS
JACQUELINE ANDERSON	\$218.00	EMP WITHOLDINGS
JEFFERSON CO SEWER FUND	\$532.74	SEWER FUND
LIBERTY NATIONAL	\$235.54	EMP LIFE INS
LOCAL GOVERNMENT	\$7,576.00	EMP DEDUCTIONS
LOWE'S	\$83.03	OPERATING MATERIALS
M&M TIRE	\$105.00	G1 REPAIRS AND MAINT
NATIONAL LIABILITY	\$1,263.84	PREPAID INSURANCE
PORT CITY PIPE	\$2,594.19	OPERATING MATERIALS
REGIONS	\$313.55	CREDIT CARD EXP
SAYRE AUTO	\$597.07	REAR BRAKE PAD
SIARUM COMMUNICATION	\$124.32	TELEPHONE SERVICE
THE LEGACY CONNECTION	\$323.00	AFTER HOURS
UNIFIRST	\$94.80	EMP UNIFORMS
UNITED WAY	\$10.00	EMP DEDUCTIONS
VERISON	\$120.25	HANDHELDS
VERISON	\$169.02	OPERATING MATERIALS
VIKING BUS	\$329.23	OFFICE SUPPLIES
	<b>\$47,522.00</b>	
<b>TOTAL: CITY &amp; GAS</b>	<b>\$106,448.52</b>	

---

Councilmember Lauderdale moved to approve invoices as presented. Motion seconded by Councilmember Teeter. There was no roll call.

Mayor Davis made recommendation to surplus contents inside the West property at 222 South Main Street.

Councilmember Teeter made a motion to surplus contents inside the 222 South Main Street the West property. Motion seconded by Councilmember Shaw. Roll call votes as follows:

<i>Councilmember Armstrong</i>	<i>Yes</i>
<i>Councilmember Hawthorne</i>	<i>Yes</i>

<i>Councilmember Helms</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Shaw</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

\*\*\*\*\*

Mayor Davis made recommendation to purchase three (3) parcels of land on Highway 78 for \$350,000.00

Councilmember Shaw motioned to purchase the land. Motion seconded by Councilmember Teeter. Roll call votes as follows:

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

\*\*\*\*\*

Mayor Davis made recommendation to purchase a Kenworth Garbage Truck in the amount of \$177,815.86 (purchase is made from a cooperative list and the examiners office stated that purchase can be made without bid).

Councilmember Armstrong motioned to buy the garbage truck. Motion seconded by Councilmember Teeter. Roll call votes as follows:

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

\*\*\*\*\*

Mayor Davis made a recommendation to purchase 200 Industrial Gas Meters in the amount of \$11,671.40.

Councilmember Shaw motioned to purchase the meters. Motion seconded by Councilmember Lauderdale. Roll call votes as follows:

<i>Councilmember Armstrong</i>	<i>Yes</i>
<i>Councilmember Hawthorne</i>	<i>Yes</i>
<i>Councilmember Helms</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>

<i>Councilmember Shaw</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

\*\*\*\*\*

Mayor Davis would like permission to purchase a Mosquito Fogger up 12,500.

Councilmember Shaw motioned to purchase the Fogger. Motion seconded by Councilmember Lauderdale. Roll call votes as follows:

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

\*\*\*\*\*

Resolution Number 2020-26 was presented as follows:

---

## RESOLUTION NUMBER 2020-26

**WHEREAS**, a regular Municipal Election has been called to be held on the 25<sup>th</sup> day of August, 2020, and a runoff election to be held, if necessary on the 6<sup>th</sup> day of October, 2020, and

**WHEREAS**, Section 11-46-27 of the Alabama Code of 1975, as amended, provides, in part, the municipal governing body, not less than 15 days before the holding of any municipal election, shall appoint from the qualified electors of the municipality, officers to hold the election as follows: were voting machines are used, an Inspector, Chief Clerk and a First and Second Assistant for each voting machine,

**WHEREAS**, the compensation for these election officers shall be, as follows:

**INSPECTOR \$225.00, CHIEF CLERK \$200.00, ASSISTANT CLERK \$175.00.**

**NOW THEREFORE**, be it resolved by the City Council of the City of Graysville, Alabama, that the election officers for said election shall be as follows:

**INSPECTOR:** Rosa Johnson

**CHIEF CLERKS:** Dawn Eiland and Printis Spencer

**ASSISTANT CLERKS:** Billy Courington, Lynn Irwin, Rhonda Massey, Kathy McClellan

**ADOPTED AND APPROVED** This 6<sup>th</sup> day of August, 2020.

\_\_\_\_\_  
Mayor, James C. Davis

\_\_\_\_\_  
Councilmember James Armstrong

\_\_\_\_\_  
Councilmember Dorothy Hawthorne

\_\_\_\_\_  
Councilmember George Helms

\_\_\_\_\_  
Councilmember Karen Lauderdale

\_\_\_\_\_  
Councilmember Chris Shaw

\_\_\_\_\_  
Councilmember Randy Teeter

Attest:

\_\_\_\_\_  
City Clerk Kathy Dumas

\_\_\_\_\_  
Councilmember Shaw moved to approve Resolution Number 2020-16 as read. Motion seconded by Councilmember Teeter. Roll call votes as follows:

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

\*\*\*\*\*

Ordinance Number 953 was presented as follows:

\*\*\*\*\*

**ORDINANCE NO. 953**

**AN ORDINANCE PERTAINING TO MOTOR VEHICLES ABANDONED,  
DISMANTLED, PARTIALLY DISMANTLED, WRECKED, JUNKED, INOPERATIVE  
OR DISCARDED OR LEFT ABOUT THE CITY IN PLACES OTHER THAN JUNK  
YARDS OR OTHER APPROPRIATE AREAS**

**WHEREAS**, motor vehicles are or may in the future be abandoned, dismantled, partially dismantled, wrecked, junked, inoperative or discarded or left about the City in places other than junk yards or other appropriate areas; and

**WHEREAS**, such conditions tend to impede traffic in the streets; interfere with the enjoyment of property; reduce the value of private property; invite plundering; create fire hazards; extend and aggravate urban blight; and result in a serious hazard to the public health, safety, comfort, convenience, welfare and happiness of the residents of the City.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAYSVILLE ALABAMA AS FOLLOWS:**

**Section 1.     Short Title**

This Ordinance shall be known and may be cited as the “Inoperative Motor Vehicle Ordinance”.

**Section 2.     Definitions**

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein; when not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

“City” is City of Graysville.

A.               “Abandoned Vehicle” is any motor vehicle which has been left at any place on a street, highway, roadway, public right-of-way, or other public property within the City: (i) for a period of FORTY-EIGHT (48) hours consecutively or (ii) which creates a public safety hazard.

B.               “Motor vehicle” is any vehicle or vessel which is self-propelled or propelled by power other than human power and designed to travel along the ground or upon the water and shall include, but not be limited to, automobiles, buses, motorcycles, golf carts, campers and trailers.

C.               “Junked motor vehicle” is any motor vehicle which does not have lawfully affixed thereto an unexpired license plate or plates, OR the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded.

D.               “Person” shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

E.               “Private property” shall mean any real property within the City which is not public property as defined in this section.

F.               “Public property” shall mean any street or highway which shall include the entire width between the boundary lines of every way publicly used or maintained for the purposes of vehicular travel, and shall also mean any other

publicly owned property or facility.

- G. “Enclosed” shall mean stored within a garage, privacy fence or otherwise not visible from a public street.

**Section 3. Storing, Parking or Leaving Dismantled or Other Such Motor Vehicles Prohibited; And Declared Nuisance, Exceptions**

- A. No person shall park, store, leave or permit the parking, storing, or leaving of any motor vehicle of any kind which is in an abandoned, wrecked, dismantled, inoperative, rusted, junked or partial dismantled condition, unless such motor vehicle is enclosed or otherwise not visible from a public street, whether attended or not, upon private property within the City for a period of time in excess of fourteen (14) days.
- B. No person shall abandon any motor vehicle within the City. It shall be presumed that any motor vehicle which has been left at any place on a street, highway, roadway, public right-of-way or other public property within the City: (1) for a period of time in excess of FORTY-EIGHT (48) hours consecutively; OR (2) which creates a public safety hazard, is an abandoned vehicle.
- C. No person shall park or leave or permit the parking or leaving of any wrecked, inoperative, dismantled, partially dismantled, abandoned or junked motor vehicle, or parts thereof, on any street, highway, roadway, public right-of-way or other public property within the City: (1) for a period of time in excess of FORTY-EIGHT (48) hours consecutively, OR (2) which creates a public safety hazard.
- D. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled motor vehicle, or parts thereof, on private or public property is hereby declared a public nuisance which may be abated as such in accordance with the provisions of this Ordinance. This section shall not apply to any vehicle enclosed or otherwise not visible from a public street on private property or to any vehicle held in connection with a business enterprise, lawfully licensed by the City and properly operated in the appropriate business zone, pursuant to the zoning laws of the City.

**Section 4. Notice to Remove**

Whenever it comes to the attention of the Graysville Police Department of the City of Graysville to enforce this ordinance, that any nuisance as defined in Section 3 of this Ordinance exists in the City of GRAYSVILLE a notice in writing shall be served upon the occupant of the



land where the nuisance exists, or in case there is no such occupant then upon the owner of the property or his agent, notifying them of the existence of the nuisance and requesting its removal in the time specified in this Ordinance.

**Section 5. Responsibility for Removal**

Upon proper notice and opportunity to be heard, the owner of the abandoned, wrecked, dismantled, junked or inoperative vehicle and the owner or occupant of the private property on which the same is located, either or all of them shall be responsible for its removal and disposition by the City; and the owner or occupant of the private property where same is located shall be liable for the expenses incurred.

**Section 6. Notice Procedure**

The Graysville Police Department of the City of Graysville shall give notice of removal to the owner or occupant of the private property where it is located at least fifteen (15) days before the time of compliance. It shall constitute sufficient notice when a copy of same is posted in a conspicuous place upon the private property on which the vehicle is located and duplicate copies are sent by registered mail to the owner or occupant of the private property at his last known address.

**Section 7. Content of Notice**

The notice shall contain the request for removal within the time specified in this Ordinance and the notice shall advise that upon failure to comply with the notice to remove, the City, or its designee, shall undertake such removal with the cost of removal to be levied against the owner or occupant of the property.

**Section 8. Request for Hearing**

The persons to whom the notice are directed, or the duly authorized agents, may file a written request for hearing before the City Council of the City of GRAYSVILLE or its designee, within the fifteen (15) day period of compliance prescribed in Section 6 for the purpose of defending the charges by the City.

**Section 9. Procedure for Hearing**

The hearing shall be held as soon as practicable after the filing of the request and the persons to whom the notices are directed shall be advised of the time and place of said hearing at least five (5) days in advance thereof. At any such hearing, the City and the persons to whom the notices have been directed may introduce witnesses and evidence as either party deems necessary.

**Section 10. Removal of Motor Vehicle From Property**

If the violation described in the notice has not been remedied within the fifteen (15) day period of compliance, or in the event that a notice requesting a hearing is timely filed, a hearing is held and the existence of the violation is affirmed by the City Council of the City of GRAYSVILLE or its designee, the Graysville Police Department shall have the right to take possession of the junked motor vehicle and remove from the premises. It shall be unlawful for any person to interfere with, hinder or refuse to allow such person or persons to enter upon private property for the purpose of removing a vehicle under the provisions of this Ordinance.

**Section 11. Notice of Removal**

Within forty eight (48) hours of the removal of such vehicle, the Graysville Police Department shall give notice to the registered owner of the vehicle, if known, and also to the owner or occupant of the private property from which the vehicle was removed, that said vehicle, or vehicles, has been impounded and stored for violation of this Ordinance. The notice shall give the location of where the vehicle, or vehicles, is stored and the costs incurred by the City for removal.

**Section 12. Disposition of Vehicles**

Upon removing a junked vehicle under the provisions of Section 10, the City shall, after ten (10) days, cause it to be appraised. If the vehicle is appraised at \$75.00 or less, the shall execute an affidavit so attesting and describing the vehicle, including the license plate if any, and stating the location and appraised value of the vehicle. The Graysville Police Department, after complying with the above, may summarily dispose of the vehicle and execute a certificate of sale. If the vehicle is appraised at over \$75.00, the Graysville Police Department shall give notice of public sale not less than ten (10) days before the proposed sale.

**Section 13. Contents of Public Sale Notice**

This section shall be at the discretion of the Graysville Police Department.

**Section 14. Public Sale**

This section shall be at the discretion of the Graysville Police Department.

**Section 15. Redemption of Impounded Vehicles**

This section shall be at the discretion of the Graysville Police Department.

**Section 16. Liability of Owner Or Occupant**

This section shall be at the discretion of the Graysville Police Department.

**Section 17. Penalty**

This section shall be at the discretion of the Graysville Police Department.

**Section 18.**

That all ordinances, or parts of ordinances, in conflict with this Ordinance are hereby repealed.

**Section 19.**

This Ordinance shall take effect as provided by law after passage, approval and publication.

**Adopted and approved this 6<sup>TH</sup> day of August, 2020.**

\_\_\_\_\_  
Mayor James C. Davis

\_\_\_\_\_  
Councilmember James Armstrong

\_\_\_\_\_  
Councilmember Dorothy Hawthorne

\_\_\_\_\_  
Councilmember George Helms

\_\_\_\_\_  
Councilmember Karen Lauderdale

\_\_\_\_\_  
Councilmember Chris Shaw

\_\_\_\_\_  
Councilmember Randy Teeter

Attest:

\_\_\_\_\_  
Kathy Dumas, City Clerk

**CERTIFICATE OF THE CITY CLERK**

I, Kathy Dumas, City of Clerk of Graysville, Alabama, do hereby certify that the above is a true and correct copy of Ordinance No 953 adopted by the City Council of the City of Graysville at its meeting held 6th day of August, 2020 and that said ordinance was duly published in accordance with law by posting a copy thereof on the \_\_\_\_ day of August, 2020 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 Shaw moved to adopt Ordinance Number 953 as presented. Motion seconded by Councilmember Lauderdale. Roll call votes as follows:

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

\*\*\*\*\*

**Ordinance Number 954 was presented as follows:**

\*\*\*\*\*

**ORDINANCE NO. 954**

AN ORDINANCE FURTHER AMENDING ORDINANCE #949, 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, ORDINANCE #925, ORDINANCE #930, AND ORDINANCE #949 TO BE CHARGED FOR SERVICES, GAS AND FACILITIES FURNISHED BY THE GRAYSVILLE MUNICIPAL GAS SYSTEM, ADOPTED AND APPROVED ON THE 5<sup>TH</sup> DAY OF FEBRUARY, 1974, THE 7<sup>TH</sup> DAY OF JANUARY, 1975, THE 18<sup>TH</sup> DAY OF NOVEMBER, 1975, THE 19<sup>TH</sup> DAY OF OCTOBER, 1976, THE 7<sup>TH</sup> DAY OF JULY, 1977, THE 20<sup>TH</sup> DAY OF DECEMER, 1977, THE 14<sup>TH</sup> DAY OF JUNE, 1978, THE 2<sup>ND</sup> DAY OF JANUARY, 1979, THE 17<sup>TH</sup> DAY OF JULY, 1979, THE 29<sup>TH</sup> DAY OF JANUARY, 1980, THE 21<sup>ST</sup> DAY OF OCTOBER, 1980, THE 20<sup>TH</sup> DAY OF JANUARY 1981, THE 18<sup>TH</sup> DAY OF AUGUST 1981, THE 19<sup>TH</sup> DAY OF JANUARY 1982, THE 1ST DAY OF NOVEMBER, 1983, THE 3<sup>RD</sup> DAY OF APRIL, 1984, THE 4<sup>TH</sup> DAY OF SEPTEMBER, 1984, THE 21<sup>ST</sup> DAY OF OCTOBER, 1986, THE 6<sup>TH</sup> DAY OF FEBRUARY, 1991, THE 19<sup>TH</sup> DAY OF FEBRUARY, 1991, THE 17<sup>TH</sup> DAY OF NOVEMBER, 1992, THE 21<sup>ST</sup> DAY OF DECEMBER, 1993, THE 3<sup>RD</sup> 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, APRIL 5, 2018, JUNE 21, 2018, AND MARCH 11, 2020 BE AND HEREBY IS AMENDED TO READ AS FOLLOWS :

## REVENUE STABILIZATION FACTOR

### CALCULATION

The RSF shall be based on the greater of a) Budgeted Net Revenue prior to transfers out OR b) Amount sufficient to meet Coverage ratio of all bond covenants related to gas revenue plus \$100,000.

The RSF shall be calculated monthly based on the following steps:

Step 1. Calculate the coverage ratios required under all existing bond covenants for GAS system.

Step 2. Determine the amount of revenue the city budgeted over expenses for coming fiscal year.

Step 3. Determine whether bond coverage ratio or budgeted revenue over expenses requires a higher level of net revenue. The higher revenue will be the basis for step 4 calculation.

Step 4. Prior to new fiscal year calculate how much the markup over cost of gas needs to be to meet the target net revenue.

Step 5. Monthly calculate the actual gas sales as compared to budgeted gas sales

### EXAMPLE

Budgeted markup over cost of gas = \$1.30

Budgeted sales for month = 1,000 Actual sales for month = 900

Shortfall – 100 X \$1.30 Shortfall = \$1,300.00

Step 6. Calculate what the adjustment for remaining sales must be by dividing shortfall by remaining budgeted sales.

\$1,300.00 divided by (remaining budgeted sales for fiscal year) = Usage Adjustment

Step 7. Determine variance between Actual cost of gas and budgeted cost of gas = Purchase Gas Adjustment.

Step 8. Adjust current months rates by the usage adjustment + purchase gas adjustment.

**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

**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. SERVICE CHARGES WILL BE \$30.00 FOR ALL RETURN CHECKS. .

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 **AUGUST 1, 2020.**

**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 6th DAY OF AUGUST, 2020.

\_\_\_\_\_  
Mayor James C. Davis

\_\_\_\_\_  
Councilmember James Armstrong

\_\_\_\_\_  
Councilmember Dorothy Hawthorne

\_\_\_\_\_  
Councilmember George Helms

\_\_\_\_\_  
Councilmember Karen Lauderdale

\_\_\_\_\_  
Councilmember Chris Shaw

\_\_\_\_\_  
Councilmember Randy Teeter

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 954 adopted by the City Council of the City of Graysville at its meeting held 6th day of August, 2020 and that said ordinance was duly published in accordance with law by posting a copy thereof on the 6<sup>TH</sup> day of AUGUST, 2020 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 Shaw motioned to adopt Ordinance Number 954 as presented. Seconded by Councilmember Teeter. Roll Call votes as follows:

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

Thereupon on motion of all Councilmembers, 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 Chris Shaw

\_\_\_\_\_  
Councilmember Randy Teeter

\_\_\_\_\_  
Mayor Clark "Julio" Davis

\_\_\_\_\_  
Acting City Clerk Carol Burt