



# City of Clay

P.O. Box 345  
Clay, Al 35048-0345

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## CITY COUNCIL MINUTES September 7, 2010

The City Council of the City of Clay, Alabama met in regular session on Tuesday, September 7, 2010, at 7:00 p.m. at the Community Center with Mayor Ed McGuffie presiding and City Clerk Bobby Christmas serving as recorder.

Mayor McGuffie called the meeting to order and City Clerk Bobby Christmas opened in prayer.

The Clay Chalkville Middle School Dance Group led everyone in reciting the Pledge of Allegiance to the flag of the United States.

Roll call of those present was answered by the following:

Councilman L. B. Feemster

Councilwoman Becky Johnson

Mayor Ed McGuffie

Councilwoman Jackie Hambrick

Councilman Charles Webster

Absent: Councilman Kevin Small

Mayor McGuffie called for a motion to approve the pre-council and regular minutes of August 16, 2010. Councilman Feemster made a motion to approve the pre-council and regular minutes, which was seconded by Councilman Webster and approved by unanimous voice vote.

Mayor McGuffie called for a motion to approve tonight's Meeting Agenda. Councilman Feemster made a motion to approve the meeting agenda which was seconded by Councilman Webster and approved by unanimous voice vote.

Mayor McGuffie called for a motion to approve the Consent Agenda. Councilwoman Johnson made a motion to approve the Consent Agenda, which was seconded by Councilwoman Hambrick and approved by unanimous voice vote.

Under **Scheduled Public Comments**, Mayor McGuffie introduced Case Annex 2010 – 02 Annex Property at 2412 Glenmore Court. Mayor McGuffie called for anyone to speak in favor of this case and there was no response. Mayor McGuffie called for anyone to speak in opposition to this case and there was no response.

Mayor McGuffie called for a bid opening for the management of the turf at the ballpark. Mr. Lynn Burch, Building Inspections Superintendent, was recognized and reported that 17 invitations to bid were sent out and there were three responses. He explained that the three bids would be opened tonight and the specifications and references would be reviewed before an award can take place. Mr. Burch announced the first bid was from KES LLC which he reported bid \$28,497.25 for one year. The second bid was from Lawn Guard and the bid was reported as \$20,922.00 for one year. The last bid was from Turf Management and the bid was reported as \$19,152 for one year. Mayor McGuffie stated that the bids would be checked out and an announcement would be made at the next meeting.



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Under **Reports from Standing Committees** Mayor McGuffie recognized Councilman Feemster for a report from the **Public Safety Committee**. Councilman Feemster reported there were two items from the Public Safety Committee meeting in August. One item pertained to the radar signs currently in service and the Committee agreed they are doing some good. The Committee recommended two radar signs for Clay Palmerdale Road which they agreed was mile-for-mile the most dangerous road in the city because it is narrow and because of the curves and hills. Councilman Feemster introduced some radar signs available from Traffic Logix that are smaller and cheaper. Councilman Feemster made a motion to purchase two signs at \$1,899 per sign plus \$150 for shipping and handling for both signs and \$700 for hardwire installation to be funded from the 7 cent Gas Fund. Councilman Webster asks if any information had been received on the existing signs to see if they were doing the job for which Councilman Feemster responded there was no information available. Councilwoman Hambrick seconded the motion which was approved by voice vote with Councilman Webster being the only no vote.

Councilman Feemster stated the second item from the Public Safety Committee pertained to bon fires which the Committee recommended not having bon fires. He reported that the City Council in the Pre-Council meeting had agreed to review this and possibly make a decision at the next City Council meeting.

Councilwoman Hambrick was recognized for a report from the **Committee on Community Development, Environmental, Historical, Library and Seniors**. Councilwoman Hambrick announced they had been working on a tree project and two grants had been submitted toward this project. She stated the project would enhance one of the main gateways into the city by planting trees and have a directional sign on Deerfoot Parkway between Cougar Drive and Old Springville Road. She announced that \$4,386.00 in contributions had been received from businesses and individuals. She stated additional funding would be necessary and made a motion that the city pay no less than \$4,819.00 to help fund this project. Councilman Feemster seconded the motion which was approved by a unanimous voice vote. Later, City Attorney Russell Steen, questioned the motion which Councilwoman Hambrick made stating the city pay no less than \$4,819.00. Councilwoman Hambrick made a corrected motion to state that the city pay no more than \$4,819.00 to help fund this project. The motion was seconded and approved by a unanimous voice vote.

Councilwoman Hambrick reported that the Library had been a huge success. She stated they would like to enhance the front of the property by sodding the front yard and put beds around the two oak trees. Councilwoman Hambrick made a motion that the City pay \$2,890 or less to Keith Landscaping to complete this project for the front of the Library. The motion was seconded by Councilman Feemster and was approved by a unanimous voice vote.

Councilwoman Hambrick asks the Seniors for a report and Mr. Guy Scott announced that there was a trip scheduled to the Hundai plant in Montgomery on Friday.

Under **Committee on Annexation, Business, Census, Planning & Zoning and Schools**, Councilwoman Johnson was recognized and reported on the following: (1) She announced that the voting on a grant for tennis courts at the middle school was in round two; (2) She reported that the Clay Elementary School Child Nutrition Program had won gold for this program. She stated Clay Elementary School was the first recipient in the Jefferson County School District for this award; (3) Councilwoman Johnson announced that the School Committee meets on the first Tuesday night of the month. She requested that anyone who wants to be a part of this committee let her know; and (4) she



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announced that this Saturday, September 11, there would be a school supply drive and there would be a drop off point at City Hall and the Fish Peddler. Also, she stated donations would be accepted. Councilwoman Johnson made a motion that \$200 be put into a school supply fund to go toward supplies for the four local schools. Councilman Webster approved the motion which was approved by a unanimous voice vote.

Under the **Committee on Building Inspections, Sanitation, Streets and Utilities** Councilman Small was absent and there was no report from this committee.

Councilman Webster was recognized for a report from the **Parks and Recreation Committee**. Councilman Webster reported on the following: (1) the purchase of the final property at Cosby Lake had been finalized by the City which will help to complete the walking trail around the lake; (2) He reported that the Park Board had a meeting Thursday at 6:00 p.m. at Cosby Lake to review information from the landscape architects to design a master plan for Cosby Lake.

Councilman Feemster asks if the port-a-let had been moved which Councilman Webster stated he would check with Mike Stanley, Park Director.

Under **Reading of Petitions, Applications, Complaints, Appeals, Communications, etc.** Mayor McGuffie announced there was nothing to report.

Under the **City Clerk's Report**, City Clerk Bobby Christmas reported on the balances in the 4 & 5 Cent Gasoline Fund = \$161,129.17; 7 Cent Gasoline Fund = \$76,732.31; AmFund Account = \$770,674.56; Capital Improvement Fund = \$116,802.71; Concession Stand = \$1,452.29; Contractors Bond = \$43,298.60; General Fund = \$521,767.40; Library Fund = \$1,602.21; Park and Recreation Fund = \$677.67; and Senior Citizens Fund = \$3,924.98.

Under **Resolutions, Ordinances, Orders and Other Business** Mayor McGuffie recognized Councilwoman Johnson who made a motion to take Case Annex 2010 – 01 off the table which was seconded by Councilman Feemster.

Mayor McGuffie called for a motion to enter into Unanimous Consent. Councilwoman Johnson made a motion to suspend the regular rules of order and enter into Unanimous Consent which was seconded by Councilwoman Hambrick.

That the motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Council members Feemster, Hambrick, Johnson, Webster and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Ordinance 2010 – 05, An Ordinance to Annex and Zone property at 6423 Clay Palmerdale Road; which was read by City Clerk Bobby Christmas.

Councilman Feemster made a motion to approve Ordinance 2010 – 05 which was seconded by Councilwoman Hambrick.



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That the motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Council members Feemster, Hambrick, Johnson, Webster and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Ordinance 2010 – 07, An Ordinance to Annex Property at 2412 Glenmore Court, which was read by City Clerk Bobby Christmas.

Councilwoman Johnson made a motion to approve Ordinance 2010 – 07 which was seconded by Councilman Feemster.

That the motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Council members Feemster, Hambrick, Johnson, Webster and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Resolution 2010 – 31, A Resolution Declaring Weeds to be a Public Nuisance and to Eliminate a Nuisance Upon Private Property, which was read by City Clerk Bobby Christmas.

Councilman Feemster made a motion to approve Resolution 2010 – 31 which was seconded by Councilwoman Hambrick.

That the motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Council members Feemster, Hambrick, Johnson, Webster and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Resolution 2010 – 32, A Resolution Authorizing the Elimination of a Nuisance upon Private Property, which was read by City Clerk Bobby Christmas.

Councilman Feemster made a motion to approve Resolution 2010 – 32 which was seconded by Councilwoman Johnson.

That the motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Council members Feemster, Hambrick, Johnson, Webster and Mayor McGuffie



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Nays: None

Mayor McGuffie called an end to Unanimous Consent and asks for any **Public Comments**.

Mr. George Post was recognized and questioned the covenant that applied to the annexation of the property at 6423 Clay Palmerdale Road under Ordinance 2010 – 05 approved above. Mr. Steen, City Attorney, stated the Council would have to go back into Unanimous Consent to make a motion concerning this Ordinance.

Councilwoman Johnson made a motion to suspend the regular rules of order and enter into Unanimous Consent which was seconded by Councilman Feemster.

That the motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Council members Feemster, Hambrick, Johnson, Webster and Mayor McGuffie

Nays: None

Councilwoman Johnson stated she would like to withdraw her motion for Ordinance 2010 – 05 above and make a new motion to annex property at 6423 Clay Palmerdale Road as Light Industrial with the present covenant in place. Councilman Feemster seconded the motion.

That the motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Council members Feemster, Hambrick, Johnson, Webster and Mayor McGuffie

Nays: None

Mayor McGuffie called an end to Unanimous Consent.

Ms. Terra Cole was recognized and identified herself as representing the Clay Chalkville Middle School Dance Team and gave some background on the accomplishments of the dance team. She announced that they were trying to raise \$17,000 for this team to go to Nationals in Orlando, Florida in February 2011. She also reported on the different fund raisings they have been involved in for the last several weeks and the amount of money they had raised from these fund raisers. Ms. Cole requested that the City of Clay consider donating \$100 per dance team member which would amount to \$1,700 and pay their initial registration.

It was announced that there would be a Car Show on October 9 and invited everyone to come out and support it.

Councilwoman Johnson made a motion to donate \$1,700 to this Clay Chalkville Middle School Dance Team. The motion was seconded by Councilman Webster and approved by a unanimous voice vote.



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Mayor McGuffie called for any **Mayor and/or Council Comments** and there was no response.

Mayor McGuffie announced that the next City Council meeting would be September 20, 2010.

Councilman Webster made a motion to adjourn.

The City Council meeting adjourned at 7:46 p.m.

Respectfully Submitted,

Bobby Christmas  
City Clerk / Treasurer