



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

CITY COUNCIL MINUTES
August 20, 2012

The City Council of the City of Clay, Alabama met in regular session on Monday, August 20, 2012, at 7:00 p.m. at the Clay Community Center. Mayor Ed McGuffie presided and City Clerk Bobby Christmas served as recorder.

Mayor McGuffie called the meeting to order and Councilman Small opened in prayer and 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:

Councilwoman Jackie Hambrick
Councilman Kevin Small
Mayor Ed McGuffie

Councilwoman Becky Johnson
Councilman Charles Webster

Absent: Councilman L. B. Feemster

Mayor McGuffie called for a motion to approve the Pre-Council meeting and Regular Council meeting minutes of August 6, 2012.

Councilman Small made a motion to approve the Pre-Council meeting minutes and Regular Council meeting minutes of August 6, 2012, which was seconded by Councilwoman Johnson and approved by a unanimous voice vote.

Mayor McGuffie requested that the agenda be amended to add Councilman Webster's introduction of new Park Superintendent, Will Collins, during Scheduled Public Comments and called for a motion to approve tonight's amended Meeting Agenda.

Councilwoman Johnson made a motion to approve the amended meeting agenda which was seconded by Councilman Small and approved by a unanimous voice vote.

Mayor McGuffie called for a motion to approve the Consent Agenda.

Councilwoman Hambrick made a motion to approve the Consent Agenda which was seconded by Councilman Small and approved by a unanimous voice vote.

Under **Scheduled Public Comments**, Mayor McGuffie called on Councilman Webster who introduced the new Park Superintendent, Will Collins. Mr. Collins discussed his background, education, experience, and thanked everyone for this opportunity.

Mayor McGuffie introduced a Public Hearing to amend the Business License Ordinance. Mayor McGuffie explained that this Public Hearing is not to keep a business out of the City, but to determine which fee schedule is appropriate for this type of business. He further explained that at the last meeting Councilwoman Johnson made a motion to discuss moving the business out of their current category and to set a new fee for this type of business license.

Mayor McGuffie asked for any representatives of the pawn shop to speak, and called on John Hyatt of Remax Realty Brokers. Mr. Hyatt stated that he represents the building owners. He stated that Pee Wee's Pawn Shop of Pelham has taken an interest in opening a second location in the City of Clay. Mr.



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Hyatt explained that the owners of Pee Wee's Pawn Shop would like Pawn Brokerage to be removed from the category that includes Adult Entertainment and established in a category of its own. Mayor McGuffie asked for anyone else to speak in favor of this and there was no response.

The Mayor called for anyone speaking against this and recognized Ms. Carol Foster of Lizmore Lane. Ms. Foster asked if this is the best business for the City of Clay. Ms. Foster said that she disagreed with a Councilperson's previous statement that pawn shops are like consignment shops. Ms. Foster went on to describe pawn shops and consignment shops. She stated that a pawn shop is not much different from check cashing businesses. She further explained that Pee Wee's Pawn Shop is not accredited by the Better Business Bureau. Ms. Foster asked how the shop plans to regulate stolen items. She expressed her concerns about safety, and her belief that the City of Clay needs more service businesses.

Mayor McGuffie recognized Mr. Edwin Camp who identified himself as living at 7060 Old Mill Trace. Mr. Camp explained that after the January 23 tornado his house was robbed. He stated that he later found the stolen items at a pawn shop. Mr. Camp asked the Council to consider other types of businesses that may try to move in the City of Clay if the Pawn Shop moves into the city.

Mayor McGuffie recognized Mr. Scott Watkins who identified himself as living at 6478 Countryvale Drive. Mr. Watkins stated that he agreed with the two previous speakers. He stated that the business has not received the recommendation of the Planning and Zoning Commission. Mr. Watkins urged the Council to adhere to the city's long range plan.

Mayor McGuffie recognized Mr. Chris Cole who stated that his wife owns Secret Treasures Consignment Shop. Mr. Cole stated that he agrees with Ms. Foster and that pawn brokers have more in common with Cash Connection than consignment shops.

Mayor McGuffie recognized Mr. Andy Driggers who identified himself as living at 5517 Garden Valley Lane. Mr. Driggers stated that if the fee was reduced for this business it should also be reduced for other businesses. He asked if the license fee will be a negotiating point for any businesses wishing to locate to the City of Clay. Mr. Driggers also stated that pawn brokers are not zoned for any district according to the City of Clay Zoning Ordinance.

Mayor McGuffie recognized Mr. Steve Sebastian who identified himself as living at 4841 Highland Trace Drive. Mr. Sebastian stated that he is the Chairman of the Planning and Zoning Commission. He asked the Council to allow the Planning and Zoning Commission to review the zoning for pawn brokers before any decision is made.

Mayor McGuffie recognized Ms. Erica Neal who stated that she represents Pee Wee's Pawn Shop. She stated that she understood many of the concerns voiced during the Public Hearing. Ms. Neal explained that Pee Wee's Pawn Shop follows rules and that they are not looking for stolen goods. She further explained that national statistics show that one-tenth of one percent of pawn shop merchandise is stolen. She explained that pawn shops offer collateralized loans. Ms. Neal urged residents to visit pawn shops.

Mayor McGuffie recognized Mr. Steve Sebastian who expressed his concern that internet sales would not generate any money for the City of Clay.

Councilwoman Johnson made a motion to table Ordinance 2012 - 07 to give the Planning and Zoning Commission an opportunity to review the zoning for pawn brokers which was seconded by Councilwoman Hambrick and approved by a unanimous voice vote.



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Councilwoman Johnson clarified that the City Council is not voting on whether or not to allow this business in the City of Clay.

Councilwoman Johnson amended her previous motion to tabling the vote on Ordinance 2012 - 07 for 30 days which was seconded by Councilman Small and approved by a unanimous voice vote.

Under **Reports from Standing Committees** Councilman Feemster was not present for a report from the **Public Safety Committee**.

Councilwoman Hambrick was recognized for a report from the **Committee on Community Development, Environmental, Historical, Library and Seniors**. Councilwoman Hambrick thanked all of the residents in attendance. She announced that the seniors have been awarded a \$160,000.00 Jefferson County Community and Development Block grant. Senior Activity Center Director Linda Love stated that Councilwoman Hambrick is responsible for the instigation of the grant.

Under **Committee on Annexation, Business, Census, Planning & Zoning and Schools**, Councilwoman Johnson reported that today was the first day of school. She announced that the Elementary and Middle schools were very appreciative of the donation from the City of Clay. Councilwoman Johnson called on Clay-Pinson Chamber of Commerce Director Ronnie Dixon who announced upcoming political forums. The Clay political candidates' forum would be held on Tuesday August 21 at the Grayson Valley Country Club and the Pinson political candidates' forum would be held on August 23 at the Solid Rock Baptist Church in Pinson. He also announced the regular Chamber luncheon would be held on August 21 at noon at the Grayson Valley Country Club. Mr. Dixon announced that the Butterbean Festival is six weeks away. Councilwoman Johnson encouraged residents to shop local.

Under **Committee on Building Inspections, Sanitation, Streets and Utilities** Councilman Small stated that the money set aside for extra police patrol has made an impact in the city.

Councilman Small made a motion to set aside \$5,000.00 per month for the next four months for Deputy Scott to use for scheduling extra police patrol as needed which was seconded by Councilwoman Johnson and approved by a unanimous voice vote.

Councilman Webster requested a patrol schedule from Deputy Scott. Councilman Small stated that one would be available. Councilman Small announced that the paving projects were scheduled to begin the following week and that abatement would be discussed during unanimous consent. Councilwoman Hambrick observed that a lot of people staying at Cosby Lake after dark. Councilman Small answered that at least 10 different times the police have engaged people at Cosby Lake after dark.

Councilman Webster was recognized for a report from the **Committee on Parks and Recreation**. He stated that Building Inspections Superintendent Lynn Burch has been in contact with the Alabama Forestry Commission for information about chipping the remaining tornado debris at the ballpark. Councilman Webster also announced that cleanup around Cosby Lake should be underway as soon as the Public Works Department finishes putting down gravel.

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



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Under the **City Clerk's Report**, City Clerk Bobby Christmas pointed out the handout from Section 11-46-55 of the Code of Alabama concerning an election meeting and reported the account balances in the 4 & 5 Cent Gasoline Fund = \$74,780.07; 7 Cent Gasoline Fund = \$155,396.86; Capital Improvement Fund = \$138,984.68; Contractors Bond = \$58,375.76; General Fund = \$466,595.65; Library Fund = \$7,461.04; and Senior Citizens Fund = \$8,006.42.

Under **Resolutions, Ordinances, Orders and Other Business** Mayor McGuffie called for a motion to enter into unanimous consent.

Councilwoman Hambrick made a motion to suspend the regular rules of order and enter into unanimous consent which was seconded by Councilwoman Johnson.

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

Yeas: Councilmembers Hambrick, Johnson, Small, Webster, and Mayor McGuffie.

Nays: None.

Mayor McGuffie introduced Resolution 2012 – 17, A Resolution to Condemn and Authorize the Demolition of Unsafe Buildings and/or Structures, which was read by City Clerk Bobby Christmas.

Councilman Small made a motion to approve Resolution 2012-17 which was seconded by Councilwoman Johnson.

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

Yeas: Councilmembers Hambrick, Johnson, Small, Webster, and Mayor McGuffie.

Nays: None.

Mayor McGuffie called an end to Unanimous Consent and called for **Public Comments** and recognized Senior Activity Center Director Linda Love who asked about the status of the sign for the Community and Seniors Centers. Mayor McGuffie and Councilwoman Hambrick answered that the job was being bid out.

Mayor McGuffie recognized Mr. Joe Gilliland who identified himself as living at 5544 Brewer Lane. Mr. Gilliland questioned the Mayor about his brother. Mayor McGuffie told Mr. Gilliland that this meeting was not the appropriate forum and that the issue is currently being investigated.

Mayor McGuffie called for any **Mayor / Council comments** and announced that the next regular City Council meeting would be Tuesday September 4, 2012, at 7:00 p.m.

Councilwoman Hambrick made a motion to adjourn which was seconded by Councilman Webster and approved by a unanimous voice vote.

The City Council adjourned at 8:05 p.m.

Respectfully submitted,

Bobby Christmas
City Clerk