



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

CITY COUNCIL MINUTES
February 6, 2012

The City Council of the City of Clay, Alabama met in regular session on Monday, February 6, 2012, at 7:00 p.m. at the Clay Senior 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:

Councilman L. B. Feemster
Councilwoman Becky Johnson
Councilman Charles Webster

Councilwoman Jackie Hambrick
Councilman Kevin Small
Mayor Ed McGuffie

Absent: None

Mayor McGuffie called for a motion to approve the Pre-Council meeting and Regular Council meeting minutes of January 17, 2012. Councilman Feemster made a motion to approve the Pre-Council meeting minutes and Regular Council meeting minutes of January 17, 2012, which was seconded by Councilman Small and approved by a unanimous voice vote.

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

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

Under **Scheduled Public Comments**, Mayor McGuffie introduced a public hearing on A2011-01, Annexation of Department of Youth Services Chalkville Campus, of which the City Clerk read a synopsis. The Mayor called for anyone to speak in favor of this case and there was no response. The Mayor called for anyone wishing to speak in opposition to this case and there was no response.

Mayor McGuffie introduced a public hearing on A2011-02, Annexation of 659 Brandy Drive, of which the City Clerk read a synopsis. The Mayor called for anyone to speak in favor of this case and there was no response. The Mayor called for anyone wishing to speak in opposition to this case and there was no response.

Mayor McGuffie introduced a public hearing on A2011-03, Annexation of 6524 Kathy Circle, of which the City Clerk read a synopsis. The Mayor called for anyone to speak in favor of this case and there was no response. The Mayor called for anyone wishing to speak in opposition to this case and there was no response.

Mayor McGuffie introduced a public hearing on Z2012-01, Zoning for Dollar General, of which the City Clerk read a synopsis. The Mayor called for anyone to speak in favor of this case and there was no response. The Mayor called for anyone wishing to speak in opposition to this case and there was no response. Councilwoman Johnson made a motion to adopt Z2012-01, Zoning for Dollar General, which was seconded by Councilman Small and approved by a unanimous voice vote.

Under **Reports from Standing Committees** Councilman Feemster was recognized for a report from the **Public Safety Committee**. Councilman Feemster discussed the following items: (1) an interfaith tornado relief fund has been established at Southpoint Bank under the name The Clay Chalkville Christian Relief Inc. A committee of local churches will dispense the funds. (2) Hands on Birmingham, a sector of the United Way, have begun to help with the tornado relief effort in Clay. A major volunteer push will happen on Saturday. (3) The city has entered recovery mode. As such those affected by the storms will now be referred to as "survivors" and the "Storm Center" will now be referred to as the "Recovery Center."



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Councilwoman Hambrick was recognized for a report from the **Committee on Community Development, Environmental, Historical, Library and Seniors**. Councilwoman Hambrick made a motion for the City to support a letter written to the Alabama Environmental Council to attain recycling trailers at no cost to the city. This motion was seconded by Councilman Feemster and approved by a unanimous voice vote.

Under **Committee on Annexation, Business, Census, Planning & Zoning and Schools**, Councilwoman Johnson applauded the citizens of Clay in their response to the tornado relief effort. She also announced that since the tornado the city has sold over 250 business licenses. Councilwoman Johnson also stated that Clay Elementary School won First Place at the Jefferson county Science Olympiad competition and will travel to Jacksonville State University to participate in the state competition.

Councilman Small was recognized for a report from the **Committee on Building Inspections, Sanitation, Streets and Utilities** and thanked the community for “stepping up” as well as the employees who have put in extra hours at work. He also thanked the cities of Adamsville, Birmingham, Gardendale, Homewood, Hoover, Hueytown, Irondale, Midfield, and Walker County for supplying manpower and equipment to help with the vegetative debris removal. He announced that 6,652 cubic yards have been removed to date. He also announced that Mayor Bell volunteered the use of two of Birmingham’s air curtains which will aid in burning the vegetative debris.

Councilman Webster was recognized for a report on the **Committee on Parks and Recreation**. He reported that the date for the fish rodeo would soon be announced, and that he was looking for volunteers to help sod the practice fields. He also stated that CMEX planned to have a fish fry to feed the tornado relief volunteers on Saturday.

Mayor McGuffie thanked Disaster Relief and Disaster Training for coordinating the early volunteer effort, and announced that people had come from all over the country to assist in the relief efforts.

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

Under the **City Clerk’s Report**, City Clerk Bobby Christmas reported the account balances in the 4 & 5 Cent Gasoline Fund = \$89,420.19; 7 Cent Gasoline Fund = \$105,099.56; Capital Improvement Fund = \$349,663.00; Concession Stand = \$3,634.21; Contractors Bond = \$43,375.76; General Fund = \$122,388.76; Library Fund = \$3,057.51; and Senior Citizens Fund = \$4,524.93.

Under **Resolutions, Ordinances, Orders and Other Business** Mayor McGuffie called for a motion to enter into unanimous consent. Councilman Feemster made a motion to suspend the regular rules of order and enter into unanimous consent which was seconded by Councilman Small.

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

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

Nays: None

Mayor McGuffie introduced Ordinance 2012-01, An Ordinance to Annex the Department of Youth Services Chalkville Campus, which was read by City Clerk Bobby Christmas.

Councilwoman Johnson made a motion to approve Ordinance 2012-01 which was seconded by Councilwoman Hambrick.

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, Small, Webster and Mayor McGuffie

Nays: None



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Mayor McGuffie introduced Ordinance 2012-02, An Ordinance to Annex the Property at 659 Brandy Drive, which was read by City Clerk Bobby Christmas.

Councilwoman Johnson made a motion to approve Ordinance 2012-02 which was seconded by Councilwoman Hambrick.

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, Small, Webster and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Ordinance 2012-03, An Ordinance to Annex the Property at 6524 Kathy Circle, which was read by City Clerk Bobby Christmas.

Councilwoman Johnson made a motion to approve Ordinance 2012-03 which was seconded by Councilman Feemster.

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, Small, Webster and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Resolution 2012-03, A Resolution Declaring a State of Local Emergency Proclamation, which was read by City Clerk Bobby Christmas.

Councilman Feemster made a motion to approve Resolution 2012-03 which was seconded by Councilman Webster.

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, Small, Webster and Mayor McGuffie

Nays: None

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

Mr. Ben Mercer of 5568 Spanish Trace was recognized and expressed his desire to publicly thank the emergency responders, churches, and volunteers that came to his aid after the tornado struck Paradise Valley.

Mayor McGuffie recognized Mr. Davis Lawley. Mr. Lawley introduced himself as a candidate for District Court Place 3, known as the Juvenile Court of Jefferson County. He announced that he has experience as a drug court prosecutor, drug task force, juvenile court prosecutor, and has spent the last year with the Department of Human Resources as Assistant Attorney General. Mr. Lawley asked the citizens of Clay to consider voting for him for District Judge Place 3 in the Primary.

Ms. Kim Hartley spoke on behalf of her brother, Lee Cleveland, who is running for Circuit Judge Place 6. She announced that Mr. Cleveland has been practicing law in Birmingham for over 25 years and holds degrees from University of South Carolina and University of Alabama, as well as teaching at Birmingham School of Law. She asked that citizens of Clay consider voting for him for District Judge Place 6.

Mr. Larry Melton of National Disaster Response Team asked if there was to be any federally mandated cleanup. Mayor McGuffie explained that Clay has been declared by FEMA for Individual Assistance and urged all individuals affected by the storm to meet with FEMA. He also explained that Clay officials are waiting on a declaration from FEMA regarding Public Assistance to help the city with the costs incurred during the future cleanup effort.



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Mr. George Allcorn requested a summary of the damage from the tornado. Mayor McGuffie went over the fact sheet compiled by City Clerk Bobby Christmas, and announced that approximately 700 homes were damaged by the storms.

Mr. Dennis Larkes expressed his gratitude to the Sheriff's department for their assistance during the recovery.

Councilman Feemster announced a checklist to protect consumers from fraudulent contractors available on the city's website. Councilman Feemster, Mayor McGuffie, and Mr. Larry Melton discussed typical fraudulent activities utilized by contractors.

Mayor McGuffie called for any more Public Comments and there was no response.

Mayor McGuffie called for any **Mayor / Council comments** and Councilman Feemster thanked local churches and businesses who have offered their assistance. Councilwoman Johnson stated that this is the first real disaster that the city has faced and that she is proud of how the Mayor has handled this.

Mayor McGuffie announced that the next regular City Council meeting would be Monday, February 20, 2012, at 7:00 p.m.

Councilman Feemster made a motion to adjourn which was seconded by Councilman Small and approved by a unanimous voice vote.

The City Council adjourned at 7:48 p.m.

Respectfully submitted,

Bobby Christmas
City Clerk