



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

CITY COUNCIL MINUTES

August 17, 2015

The City Council of the City of Clay met in regular session on Monday, August 17, 2015, at 6:30 p.m. at Clay City Hall. Mayor Webster presided over the meeting and City Manager Ronnie Dixon, served as recorder.

Mayor Webster called the meeting to order. Councilor Bo Johnson led in prayer and Mayor Webster led everyone in reciting the Pledge of Allegiance.

Roll call of those present was answered by the following:

Councilor Baker, Councilor Becky Johnson Councilor Bo Johnson, Councilor Thackerson, and Mayor Webster

Absent: Councilor Small

Mayor Webster called for a motion to approve the Pre and Regular Council meeting minutes of August 3, 2015.

Councilor Johnson made a motion to approve the Pre and Regular Council meeting minutes of August 3, 2015, which was seconded by Councilor Bo Johnson and approved by unanimous voice vote.

Mayor Webster called for a motion to approve tonight's Meeting Agenda.

Councilor Johnson made a motion to approve tonight's Meeting Agenda, which was seconded by Councilor Bo Johnson and approved by a unanimous voice vote.

Mayor Webster called for a motion to approve tonight's Consent Agenda.

Councilor Johnson made a motion to approve tonight's Consent Agenda, which was seconded by Councilor Bo Johnson. The motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Councilors Baker, Johnson, Johnson, Thackerson, and Mayor Webster.

Nays: None

Under **Mayor and Council Comments**, **Mayor Webster** introduced Proclamation 2015-02, A Proclamation Recognizing the Clay 8U All-Stars, which was read by Ronnie Dixon.

Councilor Baker made a motion to approve Proclamation 2015-02, which was seconded by Councilor Thackerson. The motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Councilors Baker, Johnson, Johnson, Thackerson, and Mayor Webster.

Nays: None



CITY OF CLAY

CITY COUNCIL MINUTES

August 17, 2015

The Council then presented Proclamation 2015-02 to the team.
Mayor Webster announced that football is starting.

Councilor Baker reviewed his earlier projected costs for a police force.

Councilor Becky Johnson announced schools are back in session and suggested that anyone over 60 visit the Seniors Center.

Councilor Bo Johnson reviewed the upcoming and recently opened businesses in Clay, including Daylight Donuts and Wing-a-Fish.

Councilor Small was not present for a report.

Councilor Thackerson was recognized for a report. He asked about the timeline for sod at Cosby Lake.

Councilor Baker made a motion to rescind the motion made on August 3, 2015, to amend the title of Ordinance 2014-04 to remove earmarks on property taxes, which was seconded by Councilor Bo Johnson. The motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Councilors Baker, Johnson, Johnson, Thackerson, and Mayor Webster.

Nays: None

The Council chose to schedule a Public Hearing for earmarking the property tax on September 21, 2015, at 5:30 pm.

Under **Reading of Petitions, Applications, Complaints, Appeals, Communications, etc.**, Mayor Webster announced that there were none.

Under the **City Manager's Report**, Mr. Dixon reported that he will have a preliminary budget on September 8, 2015. He also reviewed the cost increase for health insurance. Mr. Dixon then informed the Council that one of the deputies will be deployed until October 2016, and the Sheriff's Office will provide another deputy in the meantime. He then informed the Council that the Supreme Court has declared most sign ordinances unconstitutional regarding political signs, religious signs, and real estate signs. He explained that the Planning and Zoning Commission will likely review the ordinance and make recommendations for changes.

Mr. Dixon reported the account balances in the General Fund = \$716,309.46; Contractors Bond = \$190,781.80; Capital Improvement Fund = \$346,105.84; 4 & 5 Cent Gasoline Fund = \$120,346.86; 7 Cent Gasoline Fund = \$59,591.61; Road Project Fund = \$250,000.00;



CITY OF CLAY

CITY COUNCIL MINUTES

August 17, 2015

Contingency Fund = \$300,000.00; BBT Fund= \$37,963.84; Ballpark Revenue = \$100,484.54; and Ballpark Expense = (\$87,024.28).

Under the **Public Hearing**, Mayor Webster asked if there was anyone present who wished to speak for or against the weed abatement. There was no response.

Under **Resolutions, Ordinances, Orders and Other Business** Mayor Webster called for a motion to enter into Unanimous Consent.

Councilor Johnson made a motion to suspend the regular rules of order and enter into Unanimous Consent, which was seconded by Councilor Bo Johnson. The motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Councilors Baker, Johnson, Johnson, Thackerson, and Mayor Webster.

Nays: None

Mayor Webster introduced Resolution 2015-42, A Resolution Authorizing the Elimination of a Nuisance Upon Private Property, which was read by City Manager Ronnie Dixon.

Councilor Bo Johnson made a motion to approve Resolution 2015-42, which was seconded by Councilor Thackerson. The motion was put before the Council and a roll call vote was conducted with the results as follows:

Yeas: Councilors Baker, Johnson, Johnson, Thackerson, and Mayor Webster.

Nays: None

Mayor Webster called an end to Unanimous Consent and called for **Public Comments** and recognized Ms. Cheryl Gaston of 5109 Alex Way. Ms. Gaston asked about the City of Clay Parking Ordinance. She explained that there are three people who live in the house and they have four cars. She expressed concern about receiving a ticket for parking on the street when there is not enough room for all of the cars to park in the driveway. Mayor Webster explained that the Ordinance is state law and the tickets have been given because the homeowners' associations have contacted the City about on street parking. Councilor Baker explained that in many cases emergency vehicles were unable to drive on roads because of on street parking and the Council adopted the Ordinance to help make the city safer. The Council suggested Ms. Gaston go to her Homeowners' Association meeting to discuss this further.

Mayor Webster recognized Mr. George Post of 6297 Mountain View Drive North East. Mr. Post commented on the All-Stars Proclamation and commended Coach Jason Kincaid.

Mayor Webster recognized Mr. Rick Barlock of 518 Yorkshire Drive. Mr. Barlock spoke about the earmarks being removed from the property tax. He explicated his belief that the property tax funds should be put toward a school and/or public safety.



CITY OF CLAY

CITY COUNCIL MINUTES

August 17, 2015

Councilor Johnson stated that the City has increased spending on the three schools located in the city limits to help the schools be the best they can be and plans to add more deputies. Mayor Webster further stated that the schools are attracting families to move into Clay. Councilor Baker said he has not been a part of meetings to add additional deputies and he thinks using the property tax income would be best for starting a police force. Councilor Thackerson stated that he has not been a part of those conversations either, but he believes the actions of the Council show that they are in favor of better schools and more public safety. Mayor Webster explained that when this Council took office in 2012, there was one deputy in Clay and they have added three more deputies since then.

Mayor Webster recognized Mr. Charles Agnew of 6340 Yellowhammer Drive. Mr. Agnew complimented Mayor Webster on the sign in front of City Hall.

Mayor Webster recognized Mr. Randy Smith of 6500 Mobley Lane. Mr. Smith asked for clarification on the wood yard he is operating out of his home. Mr. Dixon explained that he spoke with Mr. Smith's attorney the previous week about the fact that the wood yard is a zoning ordinance violation and that the property must be cleaned to be in compliance with the zoning ordinance. Mr. Dixon told Mr. Smith that because he is licensed as a peddler he may sell wood on private property if he has the property owner's permission, but that he may not store the wood overnight on the private property – it must go back to his "commissary" in a legal zone. Mayor Webster told Mr. Smith that the City has been receiving complaints about the property since November of 2014.

Mayor Webster recognized Mr. Barlock who stated that he is encouraged by comments of a police force. Mr. Dixon asked Mr. Barlock if the Homeowners' Association is responsible for the overgrown property behind the fences on Yorkshire Drive that back up to Sterling Glen. Mr. Barlock answered that the property belongs to the homeowners and explained that the homeowner's association has informed the owners of their responsibility for this in the past.

Councilor Bo Johnson explained the reasoning behind his motion to remove the earmarks. He told the Council that his intent was to allow more money to be freed to give to the schools or public safety or any pressing issue rather than having tax payers' dollars sitting idle until the City is in a position to start their own school system or police force.

Mayor Webster announced that the next City Council meeting will take place on Tuesday, September 8, 2015, at 6:30. Pre Council will begin at 6:00 p.m.



CITY OF CLAY

CITY COUNCIL MINUTES

August 17, 2015

He reminded everyone that the Public Hearing to discuss the creation of a Clay police force will be held on September 21 at 5:30 pm.

Councilor Thackerson made a motion to adjourn which was seconded by Councilor Johnson and approved by a unanimous vote.

The City Council adjourned at 7:30 pm.

Respectfully submitted,

Ronnie Dixon
City Manager