



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

CITY COUNCIL MINUTES
June 20, 2011

The City Council of the City of Clay, Alabama met in regular session on Monday, June 20, 2011, at 7:00 p.m. at the Clay Community Center. Mayor McGuffie presided and City Clerk Bobby Christmas served as recorder.

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

Councilman Feemster 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 Kevin Small

Absent. Councilman Charles Webster

Mayor McGuffie called for a motion to approve the Pre-Council meeting and Regular Council meeting minutes of June 6, 2011. Councilman Small made a motion to approve the Pre-Council meeting minutes and Regular Council meeting minutes of June 6, 2011, which was seconded by Councilwoman Johnson and approved by 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 by Councilwoman Hambrick and approved by unanimous voice vote.

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

Under **Scheduled Public Comments**, Mayor McGuffie introduced Proclamation 2011-03 A Proclamation to Recognize Local Miss Alabama 2011 Contestants and the Newly Crowned Miss Alabama from Clay which was read by City Clerk Bobby Christmas. Councilwoman Johnson made a motion to adopt Proclamation 2011-03 which was seconded by Councilman Small and approved by a unanimous voice vote. Mayor McGuffie presented Proclamation 2011-03 and a bouquet of flowers to Miss Courtney Porter, Miss Alabama, and photographs were made with Miss Porter, the Mayor and the Council.

Miss Porter expressed appreciation to the Council for their support and stated that Clay has and always will be her home. She paid tribute to her mother for her support and talked about the Boys and Girls Clubs which is her platform.



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Mayor McGuffie recognized Mr. Lynn Burch, Building Inspections Superintendent, and Mr. Joel Eliason, Nimrod Long and Associates, for the opening of the bids for the Cosby Lake Park Phase 1 Bridges. Mr. Burch received the bids from the City Clerk and verified that they were properly received and sealed. Councilman Feemster requested that Mr. Eliason outline the scope of the work. Mr. Eliason explained that this was for Phase 1 of the Cosby Lake improvements to construct a bridge over the spillway and a boardwalk over the opposite end of the lake. He further explained that there were two alternates being (1) the cost to provide all labor materials and equipment to install a five foot wide concrete sidewalk, guardrail and landscaping at the residential right-of-way and (2) the cost to provide all labor, materials and equipment to install a rail fence. Mr. Eliason and Mr. Burch announced the following bids:

<u>Contractor:</u>	<u>Bond:</u>	<u>Base Bid:</u>	<u>Bid Alt # 1:</u>	<u>Bid Alt # 2:</u>
Coston	Yes	\$213,940.00	\$24,290.00	\$ 7,749.00
Richardson	Yes	\$174,000.00	\$84,000.00	\$10,500.00
Battle Miller	Yes	\$175,700.00	\$89,480.00	\$18,450.00
KW Raines	Yes	\$227,871.00	\$86,611.40	\$11,808.00
Nature Bridges	Yes	\$174,869.18	\$54,378.44	\$ 6,025.00

Mayor McGuffie noted that there were eleven invitations to bid sent out and the above five contractors responded. He stated these bids would be researched and awarded at the next meeting.

Councilman Feemster asks if the alternate bids were free standing and whether another contractor other than the low bidder for the base bid could do the alternate bids. Mayor McGuffie stated this would be researched and determined before awarding the bids.

Under **Reports from Standing Committees** Councilman Feemster was recognized for a report from the **Public Safety Committee**. He stated that there had been complaints about activities at Cosby Lake after dark to include shooting fireworks. He stated he has asked Deputy Scott and the reserve deputies to spend more time at the lake after dark and especially during the coming 4th of July holidays.

Clay Deputy Terry Scott was recognized and reported that there had been few burglaries in the city recently. He asks everyone to call and report anything that did not look right in their neighborhoods to the Sheriff's Department Dispatch number. Also, Deputy Scott stated he hoped to have some information soon on Neighborhood Watch and other programs that could benefit the citizens of Clay.

Councilwoman Hambrick was recognized for a report from the **Committee on Community Development, Environmental, Historical, Library and Seniors**. She encouraged everyone to bring their children to the Summer Reading Program being sponsored by the Library. Also, she announced that an auction would be held on July 30 at 2:30 p.m. to raise funds to build a fence around the Wear Cemetery where Mr. Samuel Wear, a Revolutionary War veteran, is buried. She requested donations from everyone for this fund raiser.



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Under **Committee on Annexation, Business, Census, Planning & Zoning and Schools**, Councilwoman Johnson was recognized and reported that there would be a community wide singing at the Community Center Saturday night at 6:00 p.m. Also, school is out for the summer causing lighter traffic around the schools.

Councilwoman Johnson introduced Mr. Ronnie Dixon as the Interim Executive Director for the Clay Pinson Chamber of Commerce. Mr. Dixon stated he was excited to represent the Chamber of Commerce and there were a lot of opportunities in our region. He stated he would not favor Clay or Pinson over the other and wanted to represent this area to bring growth. He stated the current focus was on the Butterbean Festival which is next on the calendar and would be Labor Day weekend. Mr. Dixon reported that the Chamber of Commerce luncheon would be tomorrow at the Community Center and there would be a speaker on the environmental impact of the Northern Beltline.

Councilman Small was recognized for a report from the **Committee on Building Inspections, Sanitation, Streets and Utilities**. Councilman Small reported that a representative from the State of Alabama Fisheries inspected Cosby Lake and has recommended purchasing some grass carp fish to help clean up the algae in the lake. Councilman Small further stated that it was recommended that a mesh system be installed at the spillway to keep the fish from jumping over the spillway. Councilman Small made a motion to set aside up to \$1,000 to build a mesh system at the spillway to retain the fish. Councilwoman Hambrick seconded the motion which was approved by a unanimous voice vote.

Councilman Small reported that he receives a stack of completed work orders periodically from the Public Works Department showing how much they are doing around the city. Also, Councilman Small told about an encounter he had with a citizen who has made some suggestions to him that he thought were some good ideas. He asks everyone to let their neighborhood associations know that the Council members are available to attend their meetings.

Councilman Webster was not present for a report from the **Parks and Recreation Committee**.

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

Under the **City Clerk's Report**, City Clerk Bobby Christmas reported that the account balances in the 4 & 5 Cent Gasoline Fund = \$46,636.32; 7 Cent Gasoline Fund = \$69,969.40 AmFund Account = \$527,000.00; Capital Improvement Fund = \$83,181.60; Concession Stand = \$7,306.65; Contractors Bond = \$43,375.76; General Fund = \$526,802.47; Library Fund = \$7,443.63; and Senior Citizens Fund = \$11,751.57.

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 Councilwoman Small.



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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, Small and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Proclamation 2011 – 03, A Proclamation to Recognize Local Miss Alabama 2011 Contestants and the Newly Crowned Miss Alabama from Clay, which was read by City Clerk Bobby Christmas.

Councilwoman Johnson made a motion to approve Proclamation 2011 – 03 which was seconded by Councilman Small.

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, Small and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Resolution 2011 – 15, A Resolution Providing for the City of Clay's Participation in the "Sales Tax Holiday" as Authorized by Act No. 2006-574, which was read by City Clerk Bobby Christmas.

Councilwoman Johnson made a motion to approve Resolution 2011 – 15 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, Small and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Resolution 2011 – 16, A Resolution to Award Bids for the Construction of a Concession Stand at the Athletic Complex, which was read by City Clerk Bobby Christmas.

Councilman Small made a motion to approve Resolution 2011 – 16 which was seconded by Councilwoman Johnson.

Councilman Feemster questioned the labor for framing or block laying and the items where the bids were not awarded. Mr. Burch stated that initially the labor for laying block was going to be by volunteers but they had backed out. Councilman Feemster stated his concern that the work is completed based on the budget amount approved for this project.



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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, Small and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Ordinance 2011 – 03, An Ordinance Amending Ordinance 2010-01 An Ordinance to Adopt Various Standardized Building Codes, which was read by City Clerk Bobby Christmas.

Councilman Feemster made a motion to approve Ordinance 2011 – 03 which was seconded by Councilman Small.

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, Small and Mayor McGuffie

Nays: None

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

Mr. Sid Lassiter was recognized and identified himself as living across from the dam at Cosby Lake. He stated how egregious it is for those living across the road from Cosby Lake and that out of thirteen of the rules posted at the Lake nine are regularly disobeyed. He stated that fireworks including bottle rockets are shot causing embers high in the air and coming down in the neighbor's yards causing a fire hazard. Mr. Lassiter did express his appreciation at the speed with which the port-a-lets were removed from the lake last year. Councilwoman Hambrick requested help from the community to call a Deputy or Council member to report problems.

Mayor McGuffie called for any further Public Comments and there were none.

Mayor McGuffie called for any Mayor and / or Council comments and there were none.

Mayor McGuffie announced that the next City Council meeting would be Tuesday July 5, 2011, due to the July 4 holiday on Monday.

Councilman Small made a motion to adjourn which was seconded by Councilwoman Johnson.

The City Council meeting adjourned at 7:57 p.m.

Respectfully Submitted,

Bobby Christmas
City Clerk