



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

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**CITY COUNCIL MINUTES**  
**November 7, 2011**

The City Council of the City of Clay, Alabama met in regular session on Monday, November 7, 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 Councilwoman Jackie Hambrick 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  
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 October 17, 2011. Councilman Small made a motion to approve the Pre-Council meeting minutes and Regular Council meeting minutes of October 17, 2011, which was seconded by Councilman Feemster and approved by a unanimous voice vote.

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

Under **Scheduled Public Comments**, Mayor McGuffie introduced Zoning Case Z 2011-1A - the rezoning of property at 6511 Roe Chandler Road, 6541 Roe Chandler Road, and 6563 Deerfoot Parkway from Town Center Commercial to Highway Commercial. Councilman Feemster was recognized and explained the reason for rezoning to Highway Commercial, which is a more liberal zoning concerning restrictions on businesses. The Mayor asked if anyone would like to speak either in favor or in opposition to the rezoning and there was no response. Mayor McGuffie called for a motion to approve Z 2011-1A and Councilwoman Johnson made a motion to approve Z 2011-1A, which was seconded by Councilman Small and approved by a unanimous voice vote.



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Under **Reports from Standing Committees** Councilman Feemster was recognized for a report from the **Public Safety Committee**. Councilman Feemster recognized Deputy Terry Scott who reported that they have been successful in slowing drivers down on Old Springville Road. Deputy Scott also reported plans to have a second traffic checkpoint in the city once a Sergeant could become involved. Councilman Feemster emphasized the Fall Safety Campaign on enforcement.

Councilwoman Hambrick was recognized for a report from the **Committee on Community Development, Environmental, Historical, Library and Seniors**. She reported that the Veterans Luncheon on Saturday, November 5, was a great success. She reported that the Clay Christmas Parade will be held on December 10 at 3:00 pm, and encouraged everyone to participate in the parade. Councilwoman Hambrick announced that the Wear Cemetery fence is up, although still without gates and again encouraged public involvement in the Clay Historical Society. She asked for veterans' pictures on behalf of the Historical Society. Councilwoman Hambrick announced an Environmental Workday at Bryant Park on Saturday, November 9, at 9:00 am, to enhance the park with bee friendly plants and reminded participants to bring their own plants.

Under **Committee on Annexation, Business, Census, Planning & Zoning and Schools**, Councilwoman Johnson recognized Heather Cable of Clay Chalkville Middle School who reported that the school raised over \$600.00 in October for the Susan G. Komen Foundation as well as \$2,000.00 for United Way. Ms. Cable announced that the school would host a Veterans Day program on Tuesday November 8; and that on Monday, November 14, Clay Chalkville Middle school would host the Greater Birmingham Math Night. She also announced Walk Through Wednesdays, which allow observers to walk through the schools every Wednesday from 8:00-9:30; and that a beauty pageant will be held on Friday November 11 at 6:30 pm. Councilwoman Johnson reported on the following: (1) Clay Elementary PTA meeting and music program on November 8. (2) Schools will be closed on Friday November 11, in honor of Veterans Day. (3) Conrad's Grill opened last week. (4) Chamber of Commerce Meeting will be held on November 15, where the Mayor will give a State of the City Address. (5) Annexations would be addressed later in the meeting. (6) Councilwoman Johnson made a motion to pay two payments of \$7,500.00 to aid Clay Chalkville High School's drug testing program, which was seconded by Councilman Small and approved by a unanimous voice vote.

Councilman Small was recognized for a report from the **Committee on Building Inspections, Sanitation, Streets and Utilities** and stated that he was invited to Cross Keys neighborhood association meeting on December 13 to discuss roadways. Councilman Small reported that he and Lynn Burch, Building Superintendent, submitted a list of road repairs on County roads to be reviewed by the County.

**Councilman Webster** was not present to report on the **Committee on Parks and Recreation**.

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 reported the account balances in the 4 & 5 Cent Gasoline Fund = \$68,155.01; 7 Cent Gasoline Fund = \$82,119.92; Capital Improvement Fund = \$592,014.52; Concession Stand = \$3,634.21; Contractors Bond = \$43,375.76; General Fund = \$286,909.15; Library Fund = \$4,621.82; and Senior Citizens Fund = \$6,581.25.

Under **Resolutions, Ordinances, Orders and Other Business** Mayor McGuffie called on City Clerk Bobby Christmas for a second summary of Ordinance 2011-06, An Ordinance Prohibiting Smoking in Public Places and Providing Penalties for the Violation Thereof. Councilman Feemster advised removing section 8B, which excludes bars from the Ordinance. Councilman Feemster made a motion to approve Ordinance 2011-06 with a stricken section 8B, which was seconded by Councilwoman Johnson and approved by a unanimous voice vote.

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, and Mayor McGuffie

Nays: None

Mayor McGuffie introduced Resolution 2011 – 27, A Resolution Proposing the Annexation of Certain Territory to the Corporate Limits of the City of Clay, Alabama – Department of Youth Services which was read by the City Clerk.

Councilman Feemster made a motion to approve Resolution 2011 – 27 which was seconded by Councilman Small.

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 – 28, A Resolution Proposing the Annexation of Certain Territory to the Corporate Limits of the City of Clay, Alabama – 659 Brandy Drive which was read by the City Clerk.

Councilwoman Johnson made a motion to approve Resolution 2011 – 28 which was seconded by Councilman Feemster.



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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 – 29, A Resolution Proposing the Annexation of Certain Territory to the Corporate Limits of the City of Clay, Alabama – 6524 Kathy Circle which was read by the City Clerk.

Councilwoman Johnson made a motion to approve Resolution 2011 – 29 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, and Mayor McGuffie

Nays: None

Mayor McGuffie called an end to Unanimous Consent and called for **Public Comments**. Ms. Carol Foster was recognized and expressed concern that a sharp curve on Clayton Road is dangerous and asked if Jefferson County allows speed bumps to be installed on County Roads. Councilman Feemster advised Ms. Foster that Jefferson County will not allow speed bumps on County Roads, but advised Deputy Scott monitor the road for speeding. Ms. Foster also advised Council that AT&T trucks park at the intersection of Clayton Road and Old Springville Road which could possibly cause accidents. Councilman Feemster stated he would put up No Parking signs at this location.

Mr. Joe Gilliland was recognized and inquired about the status of the complaint he had made before the City Council in the September 8, 2011, City Council meeting. Councilman Small questioned Mr. Gilliland about the incident, asked Mr. Gilliland to file a formal complaint and wait for the findings from the Ethics Committee. Mayor McGuffie informed Mr. Gilliland that the complaint was submitted to the Ethics Commission in Montgomery, and the complaint was deemed unworthy of investigation according to City Attorney Russell Steen.

Mr. George Post was recognized and announced the Community Singing event with Mike Booth on November 10 at the Community Center and encouraged attendance.



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

Mayor McGuffie announced that the next regular City Council meeting would be Monday November 21, 2011.

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