



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

CITY COUNCIL MINUTES
February 18, 2013

The City Council of the City of Clay met in regular session on Monday, February 18, 2013, at 7:00 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.

Roll call of those present was answered by the following:

Councilor Baker
Councilor Small

Councilor Halstead
Councilor Thackerson

Councilor Johnson
Mayor Webster

Absent: None

City Manager Ronnie Dixon opened in prayer and Boy Scout Troop 124 led everyone in reciting the Pledge of Allegiance.

Mayor Webster called for a motion to approve the Regular Council meeting minutes of February 4, 2013.

Councilor Small made a motion to approve the Regular Council meeting minutes of February 4, 2013, which was seconded by Councilor Johnson and approved by unanimous voice vote.

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

Councilor Small made a motion to approve tonight's Meeting Agenda, which was seconded by Councilor Baker 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 the Consent Agenda, which was seconded by Councilor Small.

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

Yeas: Councilors Baker, Halstead, Johnson, Small, Thackerson, and Mayor Webster

Nays: None

Under **Scheduled Public Comments**, Mayor Webster introduced the Bid Opening for the Garbage Contract. City Manager Ronnie Dixon opened the bids for the Garbage Contract. He explained that the City sent out six bid invitations and four companies responded. The bids were as follows:

Waste Management:

Bid contains bond, insurance, financial statement, Jefferson County business license, and health department certificate. Proposal includes 95 Gallon Carts, pink carts available if 10% of people request those (at an additional \$25.00 delivery fee), recycle service requires 1200 subscribers before beginning service, not an easily discernible price per month or per quarter.



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Advanced Disposal Services, Solid Waste South East:

Bid contains bond, insurance, and financial statement. Proposal includes 95 Gallon Carts at \$13.07 per residential unit for garbage and trash, recycling is \$3.00 additional per residential unit. Natural disaster coverage is \$175.00 per truck per hour.

WastePro:

Proposal includes \$14.00 per residential unit for weekly garbage pickup. Curbside recycling pick up every other week is \$2.50 per unit. Optional 96 gallon pink garbage carts are a one-time fee of \$58.50. Storms and other natural disasters are \$8.75 per cubic yard. Bid includes bond, financial info, summary, insurance, operating plan, and list of equipment.

BFI Waste Systems dba Allied Waste/Republic Waste

Proposal includes 95 gal cart, weekly garbage pickup is \$12.15 per month. If receptacle does not need to be replaced, price is \$11.10 per month. Recycling pickup every other week in a 95 gallon cart is \$2.50 if the City makes recycling mandatory. Optional recycling is \$4.95. Customers will be billed quarterly. Pink carts are available at no additional charge. Bid includes bond, insurance, financial statement, and health department permits.

Mayor Webster called on Councilor Small who asked about the garbage containers if the City awards the bid to a different company than our current garbage company. Mr. Dixon answered that the carts would be replaced. Mayor Webster called on Councilor Thackerson who asked about tree limb removal. Mr. Dixon answered that tree limb removal is included. Councilor Johnson asked about the length of the contract. Mr. Dixon answered that the contract would be for 3 years.

Mr. Dixon stated that service is scheduled to begin April 1, 2013. The City Council should have a decision to announce at the next meeting.

Mayor Webster introduced the Public Hearing for changes to Article 12 of Zoning Ordinance 2006-07 (Ordinance 2013-02). Mr. Dixon explained that the Planning and Zoning Commission. With input from the Board of Zoning Adjustments made recommendations to eliminate and reword portions of Article 12 of the City's Zoning Ordinance. This section pertains to the actions of the Board of Zoning Adjustments. Councilor Small asked to clarify if voting on this Ordinance should wait until Unanimous Consent portion of the Meeting Agenda. Mayor Webster answered that voting on this Ordinance will take place during Unanimous Consent. Mayor Webster asked if there was anyone present to speak either for or against these changes. There was no response.

Mayor Webster introduced the Public Hearing for the Handicapped Parking Ordinance (Ordinance 2013-03). Mr. Dixon explained that the City does not currently have an ordinance regarding handicapped parking in place. This ordinance defines handicapped parking and outlines penalties and procedures for violations of the handicapped parking.

Mayor Webster then introduced Ms. Carol Foster who identified herself as living at 8061 Lizmore Lane. Ms. Foster asked that her remarks be written verbatim. A copy of her comments is on file in the City Manager's office. Ms. Foster expressed concern of experiencing discrimination in recent months after being denied the opportunity to volunteer on multiple committees.



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Under **Reports from Standing Committees** Mayor Webster reported for the **Finance Committee**. He stated that he had sent an email to all members of the finance committee, including Carol Foster, the previous week. The Finance Committee will meet near the end of the month.

Councilor Baker was recognized for a report from the **Public Safety Committee**. Councilor Baker announced that the Public Safety Committee continues to meet every two weeks at City Hall. He invited anyone interested to attend the meeting. The committee has met with 9-1-1 operators to discuss the cost for 9-1-1 service if the city had its own police department, if the city had its own police force. The cost for the city is approximately \$20,000.00 for someone to provide dispatch service. Mr. Dixon summarized an email he received from Chief Randy Christian, saying that effectively immediately no off duty Deputy Sheriffs may work directly for any city. The Sheriff's Department is working to provide a contract to allow us to continue to use deputies for extra patrol. To protect the Sheriff Department's immunity from lawsuits, a contract must be in place before we can continue to hire deputies with our extra \$7,000.00 per month.

Councilor Halstead was recognized for a report from the **Committee on Community Development and Annexations and the Building Inspections Department**. Councilor Halstead announced the inspections report from the previous week: one building permit, two miscellaneous building permits, eight inspections, and two meter releases as well as other miscellaneous code enforcement tasks were performed. The abatement board meeting will take place on March 4 at 6:00 at City Hall. The first Community Development Meeting took place on February 5. This Committee will meet on the first Tuesday of every month at Cosby Lake House.

Councilor Halstead made a motion to approve the following as members for the Community Development Committee: Carlton Craig, Jackie Davidson, Tom Fox, Jason Hawkins, Don Isbell, Laura Jacobson, James Matthews, Mark Sims, and Tom Thomason. Ms. Brown, owner of Rickey J.'s Bakery is unable to continue to be a member of this committee. The motion was seconded by Councilor Small and approved by unanimous voice vote.

The Pit Stop BBQ still plans to open at the end of March.

Under **Committee on Schools, Seniors Advisory Board Liaison and Planning and Zoning Councilor Ex-Officio**, Councilor Johnson announced the following: (1) CCMS Cheerleaders won the Cheer Sport Competition. (2) CCHS men's basketball team is in the Sweet 16 and will play Wednesday at 1:30. Charter buses will take students to the game. The current team has the best record that CCHS basketball has ever had. (3) The reading program at the elementary schools is getting ready to begin. School Committee will meet on February 26. (4) Chamber of Commerce luncheon will be February 19 at the Grayson Valley Country Club. (5) The Seniors and Library are working together on a craft night with pottery. (6) She called on Senior Center Co-Director Beth Petty who reported the success of the Valentine Banquet.

Councilor Small was recognized for a report from the **Public Work Department and Library Board** and announced that the Library Reading Group will discuss *Killing Lincoln* on February 19. He is preparing information for the sign and outdoor reading area for the Library Board and hopes to have some information to present to the Council at their next meeting. He hopes to finish the sidewalk once the weather cooperates. Public Works Supervisor, Josh Isbell, plans to finish compiling the tree debris when it is not raining. Councilor Small, along with the Mayor Webster and Mr. Dixon, met with Joe Knight and Wayne Sullivan from Jefferson County to discuss road work. It



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was a very productive meeting and the County provided some contract prices for road work that looks to be a significant savings compared to what the City normally pays for road repair.

Councilor Thackerson was recognized for a report on the **Parks and Recreation Board**. He announced baseball and softball teams have begun practices. The Park Board met and discussed the BMX track at their recent meeting. The Park Board is working to compile a price estimate for this. The Park Board would also like to meet with a grant writer to work to find some funding for this track. Julie Mahaffey has resigned from the Park Board, bringing the total members to five. Councilor Baker stated that the baseball and softball league has more participants than it did last year. Mr. Dixon confirmed that there are 26 teams this year. Councilor Baker stated that the Public Safety Committee would also like to meet with the grant writer.

Under Reading of **Petitions, Applications, Complaints, Appeals, Communications, etc.** Mayor Webster recognized City Attorney Alan Summers. Mr. Summers explained that since the last meeting, he has met with Mr. Huynh from the Chevron located at 6412 Old Springville Road regarding the City's Public Hearing for the non-renewal of his business license that took place at the last Council meeting. Mr. Summers presented a written contract which outlines the renewal is conditional on the following: the applicant makes a donation of \$7,500.00 to drug prevention in the City, the applicant's daughter who was involved in the last arrest will never be employed at this store again, the applicant agrees that if there are any more on-site felonies that take place at this establishment then the City will automatically revoke the business license. Mr. Summers recommended that the Council accept this contract and renew the business license of the Exxon. *Councilor Small made a motion to approve the agreement written by the City Attorney, which was seconded by Councilor Halstead and approved by a unanimous voice vote.* Mr. Dixon explained to the audience the situation that lead to this agreement.

Under the **City Manager's Report**, City Manager Ronnie Dixon reported that there were errors in the consent agenda that were caught this afternoon and the correct account balances in the 4 & 5 Cent Gasoline Fund = \$112,650.15; 7 Cent Gasoline Fund = \$131,576.65; Capital Improvement Fund = \$69,584.29; General Fund = \$614,448.23; Library Fund = \$1,252.53; Senior Citizens Fund = \$9,968.64; and Contractors Bond = \$53,302.96.

Mr. Dixon presented a Contract for Roadway Services, previously mentioned by Councilor Small, summarizing the contract. He estimated a savings of approximately 35-40%. *Councilor Small made a motion to allow Mayor Webster to enter into a contractual agreement with Jefferson County for roadway services, which was seconded by Councilor Halstead.* Councilor Johnson asked if the City would continue to put the jobs out for bid. Councilor Small explained that the County cannot bid against private companies, so the City can either sign this contract or put the road work out for bid. *The motion was put before the Council and a roll call vote was conducted with the results as follows:*
Yeas: Councilors Baker, Halstead, Small, Thackerson, and Mayor Webster
Nays: Councilor Johnson



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Mr. Dixon then discussed Winchester Hills Subdivision. Habitat for Humanity plans to build 10 houses in 7 days in May. He presented an Interlocal Contract for Jefferson County to provide the inspection services for this project. Mr. Dixon explained that the City does not have the man power to provide the inspections needed in this timeframe.

Councilor Halstead made a motion to allow the Mayor to enter into an Interlocal Contract with Jefferson County Inspection Services for the inspections of 10 houses being built in the Winchester Hills Subdivision off Sweeney Hollow Road, which was seconded by Councilor Small

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

Yeas: Councilors Baker, Halstead, Johnson, Small, Thackerson, and Mayor Webster

Nays: None

Councilor Johnson asked for clarification if this contract was for inspection of the 10 houses in May or for all the lots owned by Habitat for Humanity in this subdivision. Mr. Dixon answered that the contract is for all 50 lots owned by Habitat for Humanity.

Councilor Halstead amended his previous motion to include all 50 lots owned by Habitat for Humanity, which was seconded by Councilor Small and approved by a unanimous voice vote.

Mr. Dixon discussed the turf program. He asked the Council to entertain the idea of adding the High School football and practice field to the City's current turf contract. The cost for this addition would equal \$10,818.00 and would be paid out of the City's ground maintenance budget passed by the Council in January.

Councilor Johnson made a motion to add the High School football and practice field to the City's current turf contract, which was seconded by Councilor Baker and approved by a unanimous voice vote.

Mr. Dixon presented updated rental agreements for the Community Center and Cosby Lake House. Councilor Johnson asked about the plans for parking. Mayor Webster stated that he would like to extend the parking in the future. Councilors Johnson and Small asked about the maximum occupancy for the Cosby Lake Rental. Mr. Dixon stated that because this is an outdoor space, there is no maximum occupancy. The building will be used for restrooms. Councilor Halstead asked about the meetings. Mayor Webster explained that all rentals will be made around the City's use of this building.

Councilor Small made a motion to approve the rental agreements, which was seconded by Councilor Halstead and approved by a unanimous voice vote.

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

Councilor Small made a motion to suspend the regular rules of order and enter into unanimous consent which was seconded by Councilor Baker.

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

Yeas: Councilors Baker, Halstead, Johnson, Small, Thackerson, and Mayor Webster

Nays: None



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Mayor Webster introduced Ordinance 2013-02, An Ordinance to Amend Ordinance 2006-07, which was read by City Manager Ronnie Dixon.

Councilor Small made a motion to approve Ordinance 2013-02 which was seconded by Councilor Halstead.

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

Yeas: Councilors Baker, Halstead, Johnson, Small, Thackerson, and Mayor Webster

Nays: None

Mayor Webster introduced Ordinance 2013-03, An Ordinance Regarding Handicapped Parking, which was read by City Manager Ronnie Dixon.

Councilor Halstead made a motion to approve Ordinance 2013-03 which was seconded by Councilor Small.

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

Yeas: Councilors Baker, Halstead, Johnson, Small, Thackerson, and Mayor Webster

Nays: None

Mayor Webster called an end to Unanimous Consent and called for **Public Comments** and recognized Mr. Mark Dockins who identified himself as living in the Cross Keys Subdivision. He suggested changing the name of Cosby Lake to Clay Lake and the park to Clay Lake Park and hosting Clay May Days at the park.

Mayor Webster called for any **Mayor / Council comments** and recognized Councilor Thackerson who stated that the next step for the disc golf course is to pour the concrete pads.

Mayor Webster stated that there have been discussions about moving the City Council meetings up to 6:30 p.m.

Councilor Small made a motion to move the meeting time for City Council meetings to 6:30 p.m., which was seconded by Councilor Halstead and approved by a unanimous voice vote.

Mayor Webster stated that the next Council Meeting will be Monday, March 4, at 6:30 p.m.

Councilor Baker made a motion to adjourn, which was seconded by Councilor Small and approved by a unanimous voice vote.

The City Council adjourned at 8:20 pm.

Respectfully Submitted,

Ronnie Dixon
City Manager