



City of Clay

P.O. Box 345
Clay, AL 35048-0345

CITY COUNCIL MINUTES August 24th, 2021

The City Council of the City of Clay met in regular session on Tuesday, August 24, 2021, at 6:00 p.m. at Clay City Hall. Mayor Webster presided over the meeting and Ronnie Dixon, served as recorder.

Mayor Webster called the meeting to order and roll call was conducted as follows:

Present: Councilors LeWayne Allen, Becky Johnson, Bo Johnson, Dean Kirkner, Chris Nail and Mayor Webster

Pastor Brad Graydon led in prayer. Mayor Webster led the Pledge of Allegiance.

Mayor Webster called for a motion to approve the Council meeting minutes of August 10th, 2021. *Councilor Chris Nail made a motion to approve the Council meeting minutes of August 10th, 2021, which was seconded by Councilor Dean Kirkner and approved by a unanimous voice vote.*

Mayor Webster called for a motion to approve tonight's Meeting Agenda. *Councilor Becky Johnson made a motion to approve tonight's Meeting Agenda, which was seconded by Councilor Allen and approved by a unanimous voice vote.*

Mayor Webster called for a motion to approve tonight's Consent Agenda. *Councilor Becky Johnson made a motion to approve tonight's Consent Agenda, which was seconded by Councilor Chris Nail.* The motion was put before the Council and a roll call vote was conducted with the results as follows: *Yeas: Councilors Allen, Johnson, Johnson, Kirkner, Nail and Mayor Webster.*

Under **Reading of Petitions, Applications, Complaints, Appeals, Communications, etc.**, there were none.

Under the **City Manager's report**, Mr. Dixon there were Bream put into Cosby Lake as planned and the City involved Park Rangers and Deputies to enforce the no fishing rules. Mr. Dixon reported the Fund Balances as follows: General Fund \$1,349,241.10, Vehicle Registration \$26,404.04, Contractor Bonds \$155,962.16, Capital Fund \$1,792,365.99, 4 & 5C Gas Fund \$222,384.01, 7 C Gas Fund \$156,547.86, Rebuild Alabama Gas Fund \$94,767.08, Building Fund \$0.00, Paving Supplement Fund \$256,840.98, Reserve Fund \$1,750,000.00, BBT Fund \$36,133.04, BP Sports Income \$38,805.25, BP Sports Expenses (\$51,010.31).

Under **Public Hearings**, there were none.

Under **Resolutions, Ordinances, Orders, and other Business**. Mayor Webster called for a motion to move to unanimous consent. *Councilor Bo Johnson made a motion to move into unanimous consent which was seconded by Councilor Kirkner.* The motion was put before the Council and a roll call vote was conducted with the results as follows: *Yeas: Councilors Allen, Johnson, Johnson, Kirkner, Nail and Mayor Webster.*

Mayor Webster introduced Ordinance 2021-03 an Ordinance to amend ordinance 2018-01, Zoning Ordinance. *Councilor Kirkner made a motion to approve Ordinance 2021-03 which was seconded by Becky Johnson.* The motion was put before the Council and a roll call vote was conducted with the results as follows: *Yeas: Councilors Allen, Johnson, Johnson, Kirkner, Nail and Mayor Webster*



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Mayor Webster called an end to Unanimous Consent.

Under **Mayor and Council Comment**, Mayor Webster announced thank you letters from teachers and individuals for the back-to-school luncheon.

Councilor LeWayne Allen inquired about the striping on Old Springville Road an Chalkville Road. Mr. Dixon reported “hopefully at the end of the week.”

Councilor Becky Johnson announced that everything continues to go well at the Senior Center.

Councilor Bo Johnson Fall festival coming up on October 31st at CCHS football field.

Councilor Dean Kirkner had no report.

Councilor Chris Nail announced the school grant winners; Bryant Park Elementary winner, Chrystal Owens and Clay Chalkville High School Ms. Studdard using money for a Pharmacy Tech program.

Under **Public Comments**, Leon Shaw of 4034 Lambert Terrace Birmingham, AL 35242 was present to speak regarding the demolition of 6556 Clay Palmerdale Road. Mr. Shaw stated that the demo was voted on at the City Council, he have a tax deed to the property. The Council (or someone) challenged his right to the property. According to Mr. Shaw, The State of Alabama gives him rights with the Tax Deed. Mr. Craig Michaels lives there and he thought he had worked something out with the City that he would clean up the property. Mr. Shaw tore down the trailer today trying to clean up the nuisance. He thought his Lawyer had worked it out with the Council to get rid of stuff and fix the problem. He was on his way to fix the problem and was stopped by Mr. Dixon saying he did not the proper permits and did not own the house.

Mr. Shaw stated all Correspondence leading up were sent to him. Don (Isbell) would tell him to talk with Ronnie (Dixon). Mr. Michaels lives there and was told they would tear the house down tomorrow (August 25th). Mr. Michaels has not been given due process to be evicted. Not legal or correct. Tomorrow morning Mr. Shaw will put in the hands of the city, the Tax deed, which was for some reason, was not filed at probate court. He stated he would not do any more work. His Lawyer told him there was a bid awarded to do the Demo for \$26,000 which he felt was too high. He had removed the trailer and to date had only spent around \$2,500.00 and he estimated the whole job could be done for \$7,500.00.

If the City is going forward, at least give Mr. Michaels due process. He wanted to let Council and the Public know what the City of Clay was doing. Mr. Shaw stated that when somebody is trying to do exactly what they want you to do, he was trying to ease Mr. Michaels out, but Mr. Dixon says no.

Mayor Webster responded, The Council voted to condemn the property and received a bid to do the Demo and that is the process. If you want to stop the process, you need to get your Attorney to stop it.

Mr. Leon Shaw responded that he was trying to save the city money.



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Mayor Webster responded that he would have to report to the City and go through the right channel and get permits.

Mr. Ronnie Dixon responded that Mr. Shaw is not a General Contractor and cannot do work on property he does not own. Mr. Shaw did not do an asbestos abatement, so that is why it was probably less inexpensive. The city cannot issue you a Business License or Permit to do the demo. Regarding the due process for the tenant, he is considered a squatter since Mr. Lambert is the owner of the property and we are unaware of any rent paid.

Mr. Leon Shaw responded that he had been collecting rent from Mr. Michaels.

Mr. Ronnie Dixon responded that the Council voted to condemn the property 6 weeks ago. The Contractor was notified 1 month ago, so Mr. Michaels has had due process. Mayor Webster made Mr. Dixon aware of the demo and Mr. Dixon issued a Cease-and-Desist notice on the property.

Mayor Webster responded to Mr. Shaw to turn over to your Lawyer and he can contact our Lawyer.

There being no further business, Mayor Webster called for a motion to adjourn, Councilor Dean Kirkner made the motion which was seconded by Councilor Bo Johnson. The meeting adjourned at 6:22 pm.

Respectfully submitted,

Ronnie Dixon