



City of Clay

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

CITY COUNCIL MINUTES August 5, 2013

The City Council of the City of Clay met in regular session on Monday, August 5, 2013, 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. Mr. Ronnie Dixon opened in prayer and led everyone in reciting the Pledge of Allegiance.

Roll call of those present was answered by the following:

Councilor Baker
Councilor Small

Councilor Halstead
Councilor Thackerson

Councilor Johnson
Mayor Webster

Absent: None

Mayor Webster called for a motion to approve the Regular Council meeting minutes of July 15, 2013.

Councilor Johnson made a motion to approve the Regular Council meeting minutes of July 15, 2013, which was seconded by Councilor Halstead and approved by unanimous voice vote.

Mayor Webster called for a motion to approve the Council work session minutes of July 29, 2013. *Councilor Small made a motion to approve the Council work session minutes of July 29, 2013, which was seconded by Councilor Thackerson 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 Thackerson and approved by a unanimous voice vote.*

Mayor Webster called for a motion to approve tonight's Consent Agenda. *Councilor Halstead made a motion to approve tonight's Consent Agenda, which was seconded by Councilor Small. The motion was put before the Council for a voice vote with the results as follows: Yeas: Councilors Baker, Halstead, Johnson, Small, Thackerson, and Mayor Webster Nays: None*

Under **Scheduled Public Comments**, Mayor Webster introduced Mr. Richard Barlok who identified himself as living at 5183 Yorkshire Drive and the President of the Yorkshire Park Homeowners Association. Mr. Barlok thanked the Council for installing a speed bump and requested that the City install a second on Yorkshire Drive. Councilor Baker assured Mr. Barlok that he would present the request to the Public Safety Committee and asked that Mr. Barlok bring a petition for the second speed bump.

Mayor Webster introduced Proclamation 2013-07, A Proclamation Recognizing Danny Self, which was read by Mr. Dixon. *Councilor Johnson made a motion to adopt Proclamation 2013-07, which was seconded by Councilor Halstead and approved by a unanimous voice vote.*



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The Council then presented Mr. Danny Self with a signed copy of the proclamation. Mr. Self thanked the Council and other volunteers for their effort with the disc golf course. Mr. Self then announced that the disc golf course will hold its inaugural tournament on Saturday, August 10.

Mayor Webster introduced the Public Hearing for ALC-2013-02, alcohol license application for the Dollar General located at 6680 Deerfoot Parkway. He asked if there was anyone present to speak for or against this case and there was no response.

Mayor Webster introduced the Public Hearing for Ordinance 2013-19, A-2013-04, Annexation of 5641 Heather Lane. Mayor Webster asked if there was anyone present to speak for or against this annexation and there was no response. Mayor Webster explained that voting for this Ordinance will take place under Unanimous Consent.

Mayor Webster introduced the Public Hearing for Resolution 2013-25, Weed Abatement for 5124 Rick Drive and 6001 Hobby Lane. Mayor Webster asked if there was anyone present to speak for or against this abatement and there was no response. Mayor Webster explained that voting for this Resolution will also take place under Unanimous Consent.

Under **Reports from Standing Committees** Mayor Webster reported for the **Finance Committee**. He stated that the Finance Committee has been unable to meet and that there are a few vacancies on the Committee. Mayor Webster asked that anyone interested in serving should call City Hall.

Councilor Baker was recognized for a report from the **Public Safety Committee**. Councilor Baker announced that the August 12 Public Safety Committee meeting will be moved to 5:30 pm to accommodate the City Council Public Hearing on tax increases. Mayor Webster told Councilor Baker that one of the new cars should be returned to the City this week with the new decals.

Councilor Halstead was recognized for a report from the **Committee on Annexations, Business Development, and the Building Inspections Department**. Councilor Halstead reported that several annexation petitions have been submitted to City Hall. The Annexation Committee plans to go door to door on Carraway Street on August 24. He announced that there are some openings on both of his committees.

Under **Committee on Schools, Seniors Advisory Board Liaison and Planning and Zoning Councilor Ex-Officio**, Councilor Johnson called on Linda Plummer for a report from the Senior Center. Ms. Plummer plugged the senior center and reviewed some of the upcoming trips planned for the seniors. She then announced that school begins on August 19.

Councilor Small was recognized for a report from the **Public Works Department and Library Board** and announced that the library is consistently growing. He discussed the success of the Summer Reading Program. Councilor Small broadcast that the library is in receipt of a \$7,000.00 technology grant.

Councilor Small made a motion to purchase a Bobcat Trackhoe with a Bush Hog attachment from Loader Services for a total of \$35,915.00 from the Capital Improvement Fund. Councilor Halstead seconded the motion.



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The Council discussed other bids, the attachments that are included with this equipment, and the wait time for receipt of the equipment.

Mayor Webster put the motion before the Council for a roll call vote with the results as follows:

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

Nays: None

Councilor Thackerson was recognized for a report on the **Parks and Recreation Board**. He announced that the August 12 Park and Recreation Board meeting will be cancelled to accommodate the City Council Public Hearing on Tax Increases. Councilor Thackerson also encouraged everyone to attend the disc golf tournament on Saturday, August 10.

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

Under the **City Manager's Report**, City Manager Ronnie Dixon reported the account balances in the General Fund = \$217,873.22; Senior Citizens Fund = \$2,629.94; Library Fund = \$1,345.99; Contractors Bond = \$124,035.55; Capital Improvement Fund = \$258,631.67; 4 & 5 Cent Gasoline Fund = \$150,180.86; 7 Cent Gasoline Fund = \$172,639.67; Ballpark Revenue = \$76,469.39; Ballpark Expense = -\$59,562.09; General Fund Contingency Fund = \$50,000.00; General Fund Road Paving Projects = \$50,000.00; and BBT AMFUND Payment Fund = \$25,000.00.

Mr. Dixon introduced Mr. Bill Sorrell, Clay's new Athletic Director.

Mr. Dixon discussed a lawsuit filed two years ago by a former employee. He explained that after spending all day in court, the negotiated settlement is \$33,000.00.

Councilor Johnson made a motion to approve payments totaling \$33,000.00 for the settlement of this lawsuit. The motion was seconded by Councilor Halstead. Mayor Webster put the motion before the Council for a roll call vote and the results as follows:

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

Nays: None

Mr. Dixon then informed the Council that the City is in receipt of an EEO Claim by Lynn Burch. The City has cancelled the contract with him effective upon receipt of the claim.

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 Johnson.

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 2013-19, An Ordinance Annexing 5641 Heather Lane, which was read by City Manager Ronnie Dixon.



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Councilor Halstead made a motion to approve Ordinance 2013-19, which was seconded by Councilor Johnson.

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

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

Nays: Councilors Baker and Small

The motion passed with a 4-2 vote.

Mayor Webster introduced Resolution 2013-25, A Resolution Authorizing the Elimination of a Nuisance Upon Private Property, which was read by City Manager Ronnie Dixon.

Councilor Halstead made a motion to approve Resolution 2013-25, 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 introduced ALC 2013-02, which was summarized by City Manager Ronnie Dixon.

Councilor Small made a motion to approve ALC 2013-02, 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, Halstead, Johnson, Small, Thackerson, and Mayor Webster

Nays: None

Mayor Webster called an end to Unanimous Consent and called for **Public Comments**. There was no response.

Mayor Webster called for any **Mayor / Council comments** and announced that the next City Council meeting will take place on Monday, August 19.

He reminded everyone about the Public Hearing scheduled on August 12 at 6:30.

The Council discussed the Future Land Use Map (included).

Mayor Webster announced that Representative Spencer Bacchus will visit the city on August 22.

Councilor Small made a motion to adjourn which was seconded by Councilor Baker.

A member of the audience asked to speak and Councilors Baker and Small both rescinded their motions.

Mayor Webster recognized Ms. Londa Tucker who identified herself as living at 7196 Uphill Drive. Ms. Tucker complained to the Council about flooding in her neighborhood since the ballpark has been built.



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Mayor Webster recognized Mr. Mark Holloway who identified himself as living at 7257 Frazier Circle. He reiterated Ms. Tucker's complaints.

Mayor Webster assured Ms. Tucker and Mr. Holloway that the Council is aware of the situation and working to find a remedy.

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

The City Council adjourned at 7:25 pm.

Respectfully Submitted,

Ronnie Dixon
City Manager