

**GARDENDALE, ALABAMA  
CITY COUNCIL MEETING  
NOVEMBER 16, 2009**

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The city council of the City of Gardendale, Alabama, met in a regular meeting on the 16th day of November, 2009, at 6:00 p.m., at the Gardendale City Hall. Mayor Phillips called the meeting to order. City Clerk Keith Mosley led the Pledge of Allegiance. Alan Hall from The Church Revived delivered the devotional and led the prayer.

The following council members were present:

Mayor: Othell Phillips  
District 1: Councilwoman Peggy Tumlin  
District 2: Councilman Gary Morris  
District 3: Councilman Alvin Currington  
District 4: Councilwoman Faith Harper  
District 5: Councilman Wendell Phillips

City Clerk Keith Mosley was present and served as clerk.

MINUTES

The council was presented with a copy of the minutes of the regular council meeting held on November 2, 2009. Councilwoman Tumlin made a motion to approve the minutes as presented. The motion was seconded by Councilman Phillips and carried by unanimous consent of the council members.

VISITORS

None

CORRESPONDENCE

None

BILLS

Councilman Currington made a motion to approve payment of the November 16 bill list, as listed on "Exhibit A," which is attached hereto and made a part of these minutes. The motion was seconded by Councilwoman Tumlin and carried by unanimous consent of the council members.

COUNCIL MEMBERS' REPORTS

None

DEPARTMENT HEADS' REPORTS

Police Chief Mike Walker made reference to the October monthly report of police activities that he had given to the mayor and council members and added that the Police Department has

received 67,158 calls in dispatch so far this year. Mayor Phillips commended the Police Department for their success in thwarting an apparent attempted bank robbery on November 14.

Public Works director Jeff Holliyan made reference to the October monthly report of Public Works activities that he had given to the mayor and council members and had no further report.

Library director Connie Smith - No report.

Parks & Recreation superintendent Stan Hogeland reported the following: (a) The 85-pound and 125-pound youth football teams will play in their respective league championship games on Saturday, November 21, at Morris. (b) Several flag football teams from outside Gardendale had games in Gardendale on November 15.

City Clerk Keith Mosley reported that the Christmas parade planning committee will have another planning meeting on November 17 at 1:30 p.m.

Inspection Services superintendent Robert Ryant reported that three Gardendale homeowners were allegedly defrauded out of \$10,000 by a roofer recently. He said the Inspections department was successful in recovering the money and was also successful in locating the roofer. He advised residents not to pay the entire amount of such jobs up front. Mayor Phillips commended the Inspections department for their success in helping the homeowners.

Fire Chief Clint Doss - No report.

Civic Center director John Brigham reported on the following Civic Center events: (a) The North Arts Council held their annual Christmas crafts show on November 13 and 14. (b) Youth basketball registration has ended, with 39 teams and 268 boys and girls signed up.

#### OLD BUSINESS

None

#### NEW BUSINESS

**APPROVAL OF APPLICATION FOR CHRISTMAS PARADE.** Mr. Alan Hall, on behalf of the Greater Gardendale Chamber of Commerce, requested permission to hold the annual Christmas parade on Thursday, December 3. Mr. Hall said there will be a fireworks show at 6:00 p.m. followed immediately by the start of the parade. He described the parade route; said the grand marshalls will be the Miracle League baseball league participants; and said the theme of the parade will be "A Cartoon Christmas." Following Mr. Hall's remarks, Councilwoman Tumlin made a motion to approve the parade as requested. The motion was seconded by Councilman Currington and carried by unanimous consent of the council members.

**APPROVAL TO SOLICIT BIDS FOR AN EXCLUSIVE SOFT DRINK CONTRACT.** Councilman Morris made a motion for approval to solicit sealed bids for an exclusive contract to provide soft drinks and snacks at City of Gardendale ballparks and facilities, with the bids to be received no later than 5:00 p.m. on Monday, December 7, 2009, and opened during the council meeting at 6:00 p.m. on the same day. The motion was seconded by Councilman Currington. There was no discussion. The motion carried by unanimous consent of the council members.

**VIOLATIONS OF THE WEED CONTROL ORDINANCE.** Mayor Phillips stated that the following properties have been cited for violation of the City's Weed Control Ordinance:

- |    |                                |                            |
|----|--------------------------------|----------------------------|
| 1. | Address: 233 Howard Drive      | Owner: Louise R. Jones     |
| 2. | Address: 658 Swanson Street    | Owner: BAM Properties, LLC |
| 3. | Address: 1713 Gardenridge Road | Owner: Serena Porter       |

Mayor Phillips said Ordinance Compliance Officer Eddie Deason recommends that the council table any action on 233 Howard Drive due to the death of the owner and the family is in the process of correcting the violation. He said the City has not received a reply from the owners of the other two properties regarding any efforts to correct the violations. Councilwoman Tumlin then made a motion to have 658 Swanson Street and 1713 Gardenridge Road mowed and for the cost of the mowing to be assessed as a lien against the property. The motion was seconded by Councilman Phillips and carried by unanimous consent of the council members.

**FIRST READING OF A PROPOSED ORDINANCE TO REZONE PART OF 701 WOODS ROAD FROM I-1 (LIGHT INDUSTRIAL DISTRICT) TO INST-1 (INSTITUTIONAL DISTRICT) FOR A NEW CHURCH.** Mayor Phillips introduced the proposed ordinance and set the public hearing date for the council to consider the proposed ordinance for the December 21, 2009, council meeting.

### ORDINANCES

None

### RESOLUTIONS

**RESOLUTION NO. 2009-65: TO AUTHORIZE NEW STREET LIGHTS ON CYPRESS CIRCLE, WILLOW STREET, AND OAK DRIVE.** Councilman Currington introduced and made a motion for adoption of Resolution 2009-65. The motion was seconded by Councilwoman Harper. There was no discussion. The motion carried by unanimous consent of the council members.

### MAYOR'S COMMUNICATIONS

Mayor Phillips reminded the citizens that there is a link on the City's website, [www.cityofgardendale.com](http://www.cityofgardendale.com), that can be used to report street lights that are not working. He said using this method is quicker and more effective than calling the power company or the City to report street lights that are not working.

### CITIZENS' COMMUNICATIONS

Mr. Jerome Cantrell, 1691 Quail Ridge Drive, addressed the council on behalf of the Quail Ridge Homeowners Association regarding a speed bump that was installed on Quail Ridge Road on November 6. He gave some background information, stating that the homeowners association had met and discussed this issue and had wanted traffic studies to be completed before a speed bump was installed. He said he had met with the mayor and other City officials before the speed bump was installed about having such a study done and possibly considering alternative methods for slowing the traffic on Quail Ridge Road. He said the mayor also referred him to city attorney Ken Thompson, who discussed with him such concerns as traffic safety issues and possible devaluation of the homes. He said he has consulted with an attorney at the Sirote law firm regarding possible litigation. In closing, he recommended that the City consider other alternatives, have traffic studies done, and implement a long-term solution to the situation.

Following Mr. Cantrell's remarks, Mr. Trent Patterson, 5354 Quail Ridge Road, addressed the council regarding the same matter. He said this is an issue that affects all the residents of the subdivision because of the speeding on Quail Ridge Road. He stated that this would be an issue regardless of who is living in the house he bought. He said in his opinion the speed bump is not effective in slowing traffic because many drivers drive over it without slowing down much. He said this is a unique situation compared to other residential subdivisions because there is a public golf course at the back of the subdivision with public traffic and delivery trucks going to the golf course. He said, based on his research, a speed hump would be more effective in slowing the traffic. He said he shares the same concerns as many of his neighbors, such as the possible negative effect

on property values, damage to vehicles, and impediments to emergency vehicles, but he emphasized that there is a serious safety issue involved in this situation due to the combination of a blind spot and excessive speeding on the road. In conclusion, he requested that the City come up with a solution that solves the problem and also addresses the other residents' concerns.

Following Mr. Cantrell's and Mr. Patterson's remarks, Mayor Phillips said the City took the action to install the speed bump due to the safety concerns involved in the situation. He added that the City is going to consider other alternatives and is going to have a traffic engineer review the traffic conditions and make a recommendation. He said the City should receive the recommendation from the traffic engineer within approximately sixty days.

On another matter, Mr. Kermit Dooley inquired about the status of Jefferson County possibly re-opening the satellite courthouse in Gardendale. Mayor Phillips said he has contacted county officials by letters, e-mails, and in person about re-opening the satellite courthouse, but his understanding is that the county finance department has recommended that the satellite courthouse in Center Point re-open instead of those in Gardendale and Forestdale because it is owned by the county while the other two are rented by the county. He said there is a possibility, however, that the Gardendale satellite will re-open soon. He encouraged citizens to contact the county officials and request that they re-open it.

### ADJOURNMENT

There being no further business to come before the council, Councilwoman Harper made a motion to adjourn. The motion was seconded by Councilman Phillips and carried by unanimous consent of the council members. Meeting adjourned.

EXHIBIT A

GARDENDALE, ALABAMA  
CITY COUNCIL MEETING  
NOVEMBER 16, 2009

PREPAID BILL LIST

<u>APPROVAL NUMBER</u>	<u>VENDOR</u>	<u>DEPARTMENT</u>	<u>AMOUNT</u>
20091116001	Alabama Crime Victims Compensation Commission	Admin.	848.80
20091116002	Alabama Municipal Ins. Corp. / Municipal Workers Comp. Fund, Inc.	Police	675.00
20091116003	Alabama Police Officers Annuity Fund	Admin.	881.00
20091116004	Alabama Power Company	Admin.	475.17
20091116005	Alabama Power Company	Admin.	2,201.63
20091116006	Alabama Power Company	Admin.	17,162.50
20091116007	Alabama Power Company	Police	251.88
20091116008	Alabama Power Company	Police	33.06
20091116009	Alabama Power Company	Police	1,496.31
20091116010	Alabama Power Company	Fire	1,056.38
20091116011	Alabama Power Company	P/W	474.08
20091116012	Alabama Power Company	P/W	302.16
20091116013	Alabama Power Company	Inspections	370.54
20091116014	Alabama Power Company	Civic Center	7,735.03
20091116015	Alabama Power Company	Civic Center	3,158.78
20091116016	Alabama Power Company	Park & Rec.	28.37
20091116017	Alabama Power Company	Park & Rec.	2,538.14
20091116018	Alabama Power Company	Park & Rec.	1,318.40
20091116019	Alabama Power Company	Library	1,020.57
20091116020	Alabama Power Company	Library	260.49
20091116021	Alabama Power Company	Park & Rec.	551.00
20091116022	Alabama Power Company	Park & Rec.	413.00
20091116023	Allred, Howard	All Depts.	704.64
20091116024	Archer, Melissa	Civic Center	180.00
20091116025	Asknet, Inc.	P/W	75.90
20091116026	Banks, Yolanda	Civic Center	80.00
20091116027	Barber, Shelley	Civic Center	390.00
20091116028	Birmingham Rubber & Gasket	Park & Rec.	66.05
20091116029	Bowen Auto Repair	Fire	175.00
20091116030	Boyd, Linda	Civic Center	225.00
20091116031 *	Bulger, Adrennah	Civic Center	100.00
20091116032	Burchfield, Jerry	Admin.	1,500.00
20091116033	Campbell, Pam	Civic Center	106.00
20091116034	Cardwell, Carol	Civic Center	20.00
20091116035	Cato, Douglas	Civic Center	300.00
20091116036	Citizenship Trust Fund	Admin.	955.00
20091116037	Commemorative Publications	Library	78.00
20091116038	District Attorney Fund	Admin.	3,062.57
20091116039	Doss Tractor Company	Park & Rec.	360.00
20091116040	Dye, Krystal	Civic Center	150.00
20091116041	Etten-Bohm, Tamyrn	Civic Center	50.00
20091116042	Evans, Jeremiah	Civic Center	60.00
20091116043	Fish Market Catering	Civic Center	1,800.00
20091116044	Fitness Systems, Inc.	Civic Center	287.50
20091116045	Garrison, Stacie	Civic Center	460.00
20091116046	Gospodareck, Tiffany	Civic Center	172.75
20091116047	Gulf State Distributors	Police	1,119.00
20091116048 *	Hardy, Carla	Civic Center	100.00

20091116049	Henderson, Samantha	Civic Center	68.00
20091116050 *	Hill, Doris	Civic Center	100.00
20091116051	Hogeland, Stan	Park & Rec.	72.79
20091116052	Holsomback, Drew	Fire	33.00
20091116053	Holsomback, Drew	Fire	17.05
20091116054 *	Huntington-Clark, Tanya	Civic Center	100.00
20091116055	Jefferson County Treasury-Ineligible Meals	Civic Center	5.58
20091116056	Jefferson County Treasury-Senior Meals	Civic Center	149.55
20091116057	Jefferson County Treasury-Sr. Meals	Civic Center	190.76
20091116058	K&M Landscape Contractor	Park & Rec.	1,120.00
20091116059	Kat's Print Source	Police	515.00
20091116060	Lowe's, Inc.	C/C, P&R, P/W	669.46
20091116061	May, Nora	Civic Center	110.00
20091116062 *	McBrayer, Lisa	Civic Center	100.00
20091116063	McCain Uniforms	Police	169.50
20091116064	McPherson Alabama-Fuelman	All exc. Library	2,376.45
20091116065	McPherson Oil Company	P/W	1,661.31
20091116066	Morginn, Jamme	Civic Center	80.00
20091116067	Morton, Vickie	Library	33.55
20091116068	NAPA	P/W	557.39
20091116069	North Jefferson News	P/W	35.00
20091116070	<i>Number Not Used</i>		
20091116071	Office Depot	Admin.	483.75
20091116072	Parker Grass & More	Admin.	80.00
20091116073	Porch, Julie	Civic Center	20.00
20091116074	Rent One, LLC	Park & Rec.	487.08
20091116075	Rent One, LLC	Park & Rec.	759.90
20091116076	Service U Corporation	Civic Center	71.45
20091116077	Simpson, Geraldine	Civic Center	36.00
20091116078	Southern Linc	Police	30.21
20091116079	State Controller	Admin.	13,699.17
20091116080	Technology America	Police	127.00
20091116081	Tekulve, Lindsay	Civic Center	10.00
20091116082	Underwood, Neal	Park & Rec.	50.00
20091116083	United States Prof. Tennis Assn, Inc.	Park & Rec.	238.00
20091116084	Walker, Chief William M.	Police	510.17
20091116085	Wilkins, Brad	Library	82.50
20091116086	Wise, Diana	Civic Center	152.00
20091116087	Zassoda, Marie	Park & Rec.	299.50
20091116088	Zassoda, Marie	Park & Rec.	361.00

\* Security deposit refund for Civic Center and Park & Recreation rentals

#### BILL LIST

<u>APPROVAL NUMBER</u>	<u>VENDOR</u>	<u>DEPARTMENT</u>	<u>AMOUNT</u>
20091116089	Accurint	Police	50.00
20091116090	Advantage Emblem & Screen Printing	Police	353.14
20091116091	Airgas South	Fire	37.19
20091116092	Airgas South	P/W	105.33
20091116093	Alabama Construction Supply, Inc.	Park & Rec.	88.04
20091116094	Allcomm Wireless, Inc.	Fire	80.00
20091116095	APAC Mid-South, Inc.	P/W	247.10
20091116096	APAC Mid-South, Inc.	P/W	105.00
20091116097	APAC Mid-South, Inc.	P/W	148.40

20091116098	Aramark Uniform Services	P/W	195.04
20091116099	Aramark Uniform Services	P/W	107.52
20091116100	Autozone	P/W	12.99
20091116101	Berney Office Solutions	Civic Center	41.03
20091116102	BJC Animal Control Services	Police	140.00
20091116103	Bob's Bikes, Inc.	Civic Center	964.75
20091116104	Bound Tree Medical	Fire	1,382.68
20091116105	Buffalo Rock Company	Civic Center	251.25
20091116106	Central Paper Company	Admin.	156.46
20091116107	Chamoun, Dr. Lee	Police	172.00
20091116108	Cintas	Admin.	26.01
20091116109	Cintas	Admin.	26.01
20091116110	Cintas	Fire	43.20
20091116111	Cintas	Inspections	15.00
20091116112	Cintas	Library	73.44
20091116113	Commercial Industrial Tire Company	Inspections	138.00
20091116114	Commercial Industrial Tire Company	Park & Rec.	865.04
20091116115	Contemporary Electrical Solutions	P/W	82.00
20091116116	Culligan Water	Inspections	39.00
20091116117	Diversified Inspections/Independent Testing Labs, Inc.	Fire	1,354.56
20091116118	Dixie Decorations	Park & Rec.	588.36
20091116119	Employers Drug Program Management	Police, Fire	110.00
20091116120	Farmers Trading Post	Park & Rec.	120.00
20091116121	Files Discount Tires	Park & Rec.	161.55
20091116122	Fire Engineering	Fire	29.95
20091116123	G&C Supply Company, Inc.	P/W	331.45
20091116124	G&K Services	Civic Center	64.30
20091116125	Gale/Cengage Learning Distrib. Center	Library	367.10
20091116126	Gardendale Cleaners	Police	922.52
20091116127	Gardendale Cleaners	Inspections	36.04
20091116128	Gober Safe & Lock	Park & Rec.	126.00
20091116129	Harrell's, Inc.	Civic Center	304.46
20091116130	Ingram Library Services	Library	568.26
20091116131	International Code Council	Inspections	118.00
20091116132	Jan Pak	Civic Center	861.32
20091116133	Jefferson County Finance Department	Admin.	12,556.00
20091116134	Just Rite Printing, Inc.	Civic Center	128.00
20091116135	LBYP, Inc.	Inspections	2,696.12
20091116136	McCain Uniforms	Police	1,216.00
20091116137	Midwest Tape, LLC	Library	348.86
20091116138	Mt. Olive Pharmacy	Fire	27.00
20091116139	NAPA	Police	292.42
20091116140	NAPA	Police	422.24
20091116141	NAPA	Park & Rec.	250.77
20091116142	National Emergency Number Assn.	Fire	120.00
20091116143	Office Depot	Admin.	18.54
20091116144	Office Depot	Admin.	24.00
20091116145	Office Depot	Police	27.38
20091116146	Office Depot	Inspections	60.98
20091116147	Office Depot	Civic Center	65.19
20091116148	Office Depot	Library	353.01
20091116149	Over Drive	Library	409.89
20091116150	Pickle Septic Tank	Police	225.00
20091116151	Pumpkin Books, Inc.	Library	151.92
20091116152	Ramer Manufacturing, Inc.	P/W	1,395.46
20091116153	Rent One, LLC	P/W	17.77
20091116154	Rubber & Specialties, Inc.	P/W	68.16
20091116155	Sherman Industries	P/W	192.00
20091116156	Stewart Organization	Admin.	73.51
20091116157	Sunbelt Paper & Packaging	Park & Rec.	538.09

20091116158	Tidmore Flags	Park & Rec.	1,233.13
20091116159	U.S. Bank	Admin.	1,050.00
20091116160	Unistrut Alabama	P/W	377.80
20091116161	Watch Systems	Police	133.76
20091116162	Wingfoot Commercial Tire	Police	700.36
20091116163	Zep Sales & Service	Library	165.60