

**GARDENDALE, ALABAMA  
CITY COUNCIL MEETING  
AUGUST 16, 2010**

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The City Council of the City of Gardendale, Alabama, met in a regular meeting on the 16th day of August, 2010, at 6:00 p.m., at the Gardendale City Hall. Mayor Othell Phillips called the meeting to order. City Clerk Keith Mosley led the Pledge of Allegiance. John Parrish from the Gardendale Church of the Nazarene delivered the devotional and led the prayer.

The following councilors were present:

Mayor: Othell Phillips  
District 1: Councilor Peggy Tumlin  
District 3: Councilor Alvin Currington  
District 5: Councilor Wendell Phillips

District 2 Councilor Gary Morris and District 4 Councilor Faith Harper were not present.  
Mayor Phillips stated that both of them were out of town.

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 meetings held on August 2, 2010. Councilor Tumlin made a motion to approve the minutes as presented. The motion was seconded by Councilor Phillips and carried by unanimous consent of the council members in attendance.

VISITORS

Ms. Jennifer Galbreath and Ms. Suzanne Burdette made a presentation to the council and audience members about the 2nd annual "Charity Bowl" to be held on August 28 at Noble Park. The Charity Bowl will consist of several football games in which the Gardendale youth football teams will play against the Vestavia Hills youth football teams. The proceeds will be donated for breast cancer research.

Mr. Ben Hogan addressed the council about the traffic congestion on Harrison Drive and other nearby streets that was caused by the first worship service held in Gardendale First Baptist Church's new north campus building on Sunday, August 8. Mayor Phillips stated that the City is aware of the traffic congestion that occurred and has already been working with church officials to alleviate this problem. Police Lieutenant Marty Brown provided detailed information on the plans that have been developed to improve the church traffic flow in the future.

CORRESPONDENCE

None

BILLS

Councilor Currington made a motion to approve payment of the August 16 bill list, as listed on "Exhibit A," which is attached hereto and made a part of these minutes. The motion was seconded by Councilor Tumlin and carried by unanimous consent of the councilors in attendance.

COUNCILORS' REPORTS

None

DEPARTMENT HEADS' REPORTS

Library director Connie Smith - No report.

Parks & Recreation superintendent Stan Hogeland reported the following: (a) He made reference to the August newsletter from the Parks & Recreation department that had been given to the mayor and council members and gives information on some current and upcoming events in the department. (b) A "D-1" speed clinic will be held in town tomorrow night. (c) There is a great article about the City's Parks & Recreation offerings in the August issue of the *Birmingham Parent* magazine that is circulated throughout the Birmingham metropolitan area. (d) The Cornerstone Ranch will sponsor a motocross race for ages seven through adult on September 5 on the old DuPont property in Mineral Springs that will draw a large number of people into the city.

Inspection Services superintendent Robert Ryant - No report.

Lieutenant Marty Brown, attending in place of Police Chief Mike Walker who was absent - No report.

Fire Chief Clint Doss - No report.

City Clerk Keith Mosley - No report.

Public Works assistant director, attending in place of Public Works director Jeff Holliyan who was absent- No report.

Civic Center director John Brigham - No report.

OLD BUSINESS

None

NEW BUSINESS

**RE-SCHEDULING OF THE NEXT COUNCIL MEETING.** Mayor Phillips stated that it will be necessary to re-schedule the next council meeting from the regularly scheduled meeting date of September 6 due to that day falling on Labor Day. He said the next council meeting will be held on Tuesday, September 7, at 6:00 p.m. Councilor Currington then made a motion to re-schedule the next council meeting from September 6 to September 7 at 6:00 p.m. The motion was seconded by Councilor Tumlin. There was no discussion. The motion carried by unanimous consent of the councilors in attendance.

**VIOLATIONS OF THE WEED CONTROL ORDINANCE.** The following properties were cited for being in violation of the City's Weed Control Ordinance:

	<u>Address</u>	<u>Assessed In The Name Of</u>
1.	1680 Magnolia Drive	Ronald & Janice Bowen
2.	125 Elm Street	Edward Ellsworth, Jr.
3.	288 Hershel Drive	Jerry A. Warren
4.	378 Jamestown Manor Drive	Kara Phillips
5.	647 Odum Road	Equifunding, Inc.
6.	115 Elm Street	Jeannie Guntharp

Mayor Phillips stated that the following properties are still in non-compliance with the ordinance: 125 Elm Street and 647 Odum Road. He asked if anyone was present in the audience representing those properties; there was no reply. Councilor Currington then made a motion to have these properties mowed and for the cost of the mowing to be assessed as a lien against the property. The motion was seconded by Councilor Tumlin. There was no discussion. The motion carried by unanimous consent of the councilors in attendance.

#### ORDINANCES

**ORDINANCE NO. 2010-11: TO REVISE ORDINANCE NO. 2010-06, *AN ORDINANCE REGULATING YARD SALES AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF*; TO AMEND SECTION 2.11 CONCERNING YARD SALE SIGNS.** Before the introduction of Ordinance No. 2010-11, Mayor Phillips stated that there has been some confusion regarding where yard sale signs may be placed as allowed by Ordinance 2010-06. He said the purpose of this ordinance is to clarify the permissible placement of yard sale signs. Councilor Tumlin then introduced Ordinance 2010-10. Mayor Phillips called the roll of the councilors for the purpose of obtaining unanimous consent to consider the proposed ordinance and recorded the following votes:

Ayes  
 Councilor Tumlin  
 Councilor Currington  
 Councilor Phillips  
 Mayor Phillips

Councilor Tumlin then made a motion for adoption of the ordinance. The motion was seconded by Councilor Currington. Mayor Phillips said the original purpose of adopting Ordinance 2010-06 was to enact regulations to prohibit people from holding yard sales on such a frequent basis that they were essentially operating a business from their homes in the form of yard sales, as some citizens were doing. He said the purpose of this amendment is to clarify that signs advertising yard sales may not be placed in the rights-of-way at any time. He added that the reasons for not allowing such signs in the rights-of-way include that they are visual obstacles for drivers, they impair the ability of the Public Works workers to mow grass, and they create visual clutter in general. He said the yard sale regulations do allow signs to be placed on private property within 24 hours of the beginning of each yard sale. Finally, he said there is no cost to citizens for obtaining a yard sale permit from the City. There being no more discussion, the ordinance was adopted by unanimous consent of the councilors in attendance.

#### RESOLUTIONS

**RESOLUTION NO. 2010-32: TO ADOPT THE RECOMMENDATIONS OF THE "2009-2010 ANNUAL CLASSIFICATION SURVEY" OF THE JEFFERSON COUNTY PERSONNEL BOARD.** Mayor Phillips introduced Resolution No. 2010-32. Councilor Currington made a motion for adoption of Resolution No. 2010-32. The motion was seconded by Councilor Tumlin. There was no discussion. The motion then carried by a 2-1 vote of the councilors in attendance, with Councilors Tumlin and Currington voting aye and Councilor Phillips voting no.

#### MAYOR'S COMMUNICATIONS

None

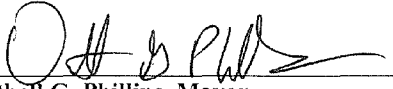
#### CITIZENS' COMMUNICATIONS

Mr. Paul Speegle complained about business owners who nail advertising signs onto utility poles and requested that the City enforce the ordinance prohibiting such. Councilor Tumlin said she has left a message with the manager of the Alabama Power Company office in Gardendale about this topic and will report back to the mayor and council after she has spoken to him.

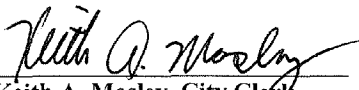
ADJOURNMENT

There being no further business to come before the council, Councilor Phillips made a motion to adjourn. The motion was seconded by Councilor Currington and carried by unanimous consent of the councilors in attendance. Meeting adjourned.

APPROVED:

  
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Othell G. Phillips, Mayor

ATTEST:

  
\_\_\_\_\_  
Keith A. Mosley, City Clerk

## EXHIBIT A

**GARDENDALE, ALABAMA  
CITY COUNCIL MEETING  
AUGUST 16, 2010**

**PREPAID BILL LIST**

<u>APPROVAL NUMBER</u>	<u>VENDOR</u>	<u>DEPARTMENT</u>	<u>AMOUNT</u>
20100816001 *	Absher, Farris	Civic Center	100.00
20100816002	Alabama Crime Victims Compensation Commission	Admin.	620.00
20100816003	Alabama Peace Officers Annuity Fund	Admin.	575.00
20100816004	Alabama Power Company	Admin.	578.45
20100816005	Alabama Power Company	Admin.	3,449.79
20100816006	Alabama Power Company	Admin.	17,439.83
20100816007	Alabama Power Company	Admin.	213.56
20100816008	Alabama Power Company	Police	135.25
20100816009	Alabama Power Company	Police	32.25
20100816010	Alabama Power Company	Police	1,477.47
20100816011	Alabama Power Company	Fire	1,586.84
20100816012	Alabama Power Company	Public Works	683.09
20100816013	Alabama Power Company	Public Works	316.13
20100816014	Alabama Power Company	Inspections	587.60
20100816015	Alabama Power Company	Civic Center	11,631.87
20100816016	Alabama Power Company	Civic Center	2,622.10
20100816017	Alabama Power Company	Civic Center	77.46
20100816018	Alabama Power Company	Park & Rec.	29.58
20100816019	Alabama Power Company	Park & Rec.	3,546.38
20100816020	Alabama Power Company	Park & Rec.	734.32
20100816021	Alabama Power Company	Park & Rec.	128.36
20100816022	Alabama Power Company	Park & Rec.	53.39
20100816023	Alabama Power Company	Park & Rec.	55.67
20100816024	Alabama Power Company	Park & Rec.	228.55
20100816025	Alabama Power Company	Library	1,869.71
20100816026	Alabama Power Company	Library	272.73
20100816027	Alabama Power Company	Park & Rec.	895.00
20100816028	American Family Care	Police	1,211.00
20100816029	APWA Boston 2010 International Pub- lic Works Expo	Public Works	625.00
20100816030	Archer, Melissa	Civic Center	80.00
20100816031	AT&T	Civic Center	597.93
20100816032	AT&T E-911	Fire	6,451.12
20100816033	Auburn University Continuing Education	Public Works	125.00
20100816034	Bank of America – Visa	Admin, Police, Fire, CC, P&R	1,302.79
20100816035	Banks, Yolanda	Civic Center	125.00
20100816036	Barber, Shelley	Civic Center	952.50
20100816037	Benefield, Joy	Civic Center	45.00
20100816038	Birmingham Water Works	Admin.	18.56
20100816039	Birmingham Water Works	Admin.	498.11
20100816040	Birmingham Water Works	Police	23.28
20100816041	Birmingham Water Works	Fire	3,372.16
20100816042	Birmingham Water Works	Fire	334.08
20100816043	Birmingham Water Works	Public Works	433.52
20100816044	Birmingham Water Works	Civic Center	1,311.02
20100816045	Birmingham Water Works	Park & Rec.	3,539.32
20100816046	Birmingham Water Works	Library	56.67
20100816047	Blair Concrete Service	Park & Rec.	920.00
20100816048	Bowen Auto Repair	Fire	175.00

20100816049	Brake, Barry	Park & Rec.	126.00
20100816050	Brake, Barry	Park & Rec.	189.00
20100816051	Burchfield, Jerry	Admin.	1,500.00
20100816052	Bybee, Michael	Police	750.00
20100816053	Campbell, Pam	Civic Center	243.00
20100816054	Charter Communications	Park & Rec.	99.99
20100816055	Charter Communications	Civic Center	334.69
20100816056	Citizenship Trust Fund	Admin.	592.50
20100816057	Cummins Mid-South, LLC	Civic Center	652.00
20100816058 *	Cupps, June	Civic Center	100.00
20100816059	Denham, Chuck	Police	26.16
20100816060	District Attorney Fund	Admin.	1,961.19
20100816061	Doss Tractor Service	Park & Rec.	720.00
20100816062	Drake, Vivian	Civic Center	100.00
20100816063	Dye, Krystal	Civic Center	130.00
20100816064 *	Foster, Anita	Civic Center	160.00
20100816065	Gospodareck, Tiffany	Civic Center	156.00
20100816066	Hood, Tiffany	Civic Center	80.00
20100816067	Jackson, Jerome	Public Works	40.00
20100816068 *	Jackson, Joy	Civic Center	100.00
20100816069	Jefferson County Treasury-Office of Sr. Citizens	Civic Center	36.27
20100816070	Jefferson County Treasury-Sr. Meals	Civic Center	200.00
20100816071	Jefferson County Treasury-Sr. Meals	Civic Center	185.00
20100816072	Johnson, Kendall	Civic Center	60.00
20100816073	Jones, Davey	Civic Center	60.00
20100816074 *	Jones, Sylvia	Civic Center	75.00
20100816075	Keenum, Zachary	Civic Center	550.00
20100816076	Konica Minolta Business Solutions	Police	132.11
20100816077	Konica Minolta Business Solutions	Inspections	91.96
20100816078	Konica Minolta Premier Finance	Inspections	327.60
20100816079	Lebischak, Heather	Civic Center	123.00
20100816080	Lincoln National Life Insurance Co.	All Depts.	1,127.70
20100816080 a	Lowe's, Inc.	Police, CC, P&R	1,289.15
20100816081	Magnolia Festival	Admin.	1,200.00
20100816082	May, Nora	Civic Center	128.00
20100816083	Mazer Discount Home Center	Public Works	799.98
20100816084	McPherson Alabama-Fuelman	All exc. Library	2,787.86
20100816085	McPherson Alabama-Fuelman	All exc. Library	2,834.75
20100816086	McPherson Companies, Inc.	Public Works	1,522.44
20100816087	McPherson Companies, Inc.	Public Works	1,517.11
20100816088 *	Moore, Irma	Civic Center	100.00
20100816089	Parker Grass & More	Admin.	380.00
20100816090	Petty Cash	Civic Center	40.85
20100816091 *	Phillips, Karen	Civic Center	100.00
20100816092	Pickens, Georgiann	Civic Center	50.00
20100816093	Porch, Julie	Civic Center	70.00
20100816094	Rancont, Lindsay	Civic Center	400.00
20100816095	Ray's Carpet Care	Admin/ Police	754.24
20100816096	Renfro, Richard	Civic Center	550.00
20100816097	Rent One, LLC	Civic Center	35.00
20100816098	Rent One, LLC	Park & Rec.	651.57
20100816099 *	Ross, Elnora	Civic Center	100.00
20100816100	Sam's Club	Public Works	179.99
20100816101 *	Sharp, Jimetrius	Civic Center	100.00
20100816102	Shaw Building Supply, Inc.	Park & Rec.	428.02
20100816103	Shouse, Terry	Police	67.78
20100816104	Sims, Lisa	Civic Center	45.00
20100816105	South, Justin	Civic Center	250.00
20100816106	Southern Linc	Inspections	21.20
20100816107	State Controller	Admin.	8,700.53

20100816108	Tams Whitlock Music Library, Inc.	Civic Center	1,065.00
20100816109	Tekulve, Lindsey	Civic Center	42.00
20100816110	Westhorpe, Clayton	Civic Center	40.00
20100816111	Wise, Diana	Civic Center	57.00
20100816112	Zassoda, Marie	Park & Rec.	695.00

\* 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>
20100816113	10-100 Electronics, Inc.	Public Works	499.99
20100816114	Airgas South	Fire	38.39
20100816115	Airgas South	Public Works	110.87
20100816116	Alabama Lock & Key	Admin.	193.00
20100816117	Alabama Tractor & Equipment	Public Works	397.00
20100816118	Allcomm Wireless, Inc.	Police	43.75
20100816119	American Family Care	Public Works	158.00
20100816120	Aramark Uniform Services	Public Works	133.48
20100816121	Aramark Uniform Services	Public Works	131.92
20100816122	Autozone, LLC	Public Works	214.62
20100816123	Berney Office Solutions	Civic Center	41.61
20100816124	Birmingham Coca Cola Bottling Co.	Civic Center	71.00
20100816125	Birmingham News Company	Park & Rec.	26.80
20100816126	Bound Tree Medical	Police	288.65
20100816127	Bound Tree Medical	Fire	311.77
20100816128	Bound Tree Medical	Fire	450.37
20100816129	Buffalo Electric Company	Park & Rec.	360.00
20100816130	Cintas	Admin.	28.01
20100816131	Cintas	Admin.	28.01
20100816132	Cintas	Fire	40.34
20100816133	Commercial Industrial Tire Company	Fire	568.00
20100816134	Commercial Industrial Tire Company	Park & Rec.	99.90
20100816135	Contemporary Electrical Solutions	Public Works	170.00
20100816136	Cornerstone Institutional, LLC	Police	412.00
20100816137	Culligan Water	Public Works	42.00
20100816138	Cyber Operations	Police	210.00
20100816139	D&C Alabama Landscapes	Park & Rec.	332.50
20100816140	David's Glass & Mirror	Civic Center	389.00
20100816141	Day-Timers, Inc.	Public Works	40.94
20100816142	Dewey Barber Chevrolet	Public Works	49.46
20100816143	Divots Sportswear Company	Public Works	45.44
20100816144	Eagle Fence Distribution, LLC	Public Works	449.00
20100816145	Eagle Fence Distribution, LLC	Public Works	289.82
20100816146	Edgewire Digital Services	Public Works	675.00
20100816147	Etowah Chemical	Park & Rec.	193.80
20100816148	Files Discount Tire Company	Park & Rec.	12.00
20100816149	Flail Master	Public Works	158.37
20100816150	Flowers Lawn Care	Fire	135.00
20100816151	Flowers Lawn Care	Park & Rec.	240.00
20100816152	Food Depot	Park & Rec.	18.66
20100816153	Food Depot	Park & Rec.	27.73
20100816154	G&C Supply Company, Inc.	Public Works	1,624.47
20100816155	G&C Supply Company, Inc.	Public Works	28.50
20100816156	Grainger	Park & Rec.	68.55

20100816157	Herring Heating & Air Conditioning	Inspections	125.00
20100816158	Hurst Towing & Recovery, Inc.	Public Works	100.00
20100816159	International Code Council, Inc.	Inspections	69.00
20100816160	Invision Enterprises, Inc.	Inspections	60.00
20100816161	Jasper Oil Company	Public Works	319.00
20100816162	Jones Appliance Service	Civic Center	103.90
20100816163	Just Rite, Inc.	Inspections	129.00
20100816164	K&M Landscape Contractors, LLC	Park & Rec.	1,120.00
20100816165	K-Chem, Inc.	Public Works	105.12
20100816166	Konica Minolta Business Solutions	Fire	84.33
20100816167	Labcorp	Police	132.00
20100816168	Labcorp	Fire	55.75
20100816169	Labcorp	Public Works	55.75
20100816170	Lexis Nexis	Police	50.00
20100816171	Long Lewis-Bessemer	Public Works	18.01
20100816172	M&D Supply Company	Public Works	152.21
20100816173	Mabe Power Equipment	Public Works	137.58
20100816174	MAC Uniforms	Police	326.00
20100816175	McCain Uniforms	Police	40.00
20100816176	Mordecai Sporting Goods	Police	64.00
20100816177	Mordecai Sporting Goods	Civic Center	278.00
20100816178	NAPA	Fire	5.99
20100816179	NAPA	Public Works	481.51
20100816180	NAPA	Park & Rec.	68.43
20100816181	Northern Safety Company, Inc.	Public Works	339.72
20100816182	Office Depot	Admin.	71.42
20100816183	Office Depot	Admin.	38.69
20100816184	Office Depot	Public Works	54.91
20100816185	Office Depot	Civic Center	169.27
20100816186	Office Depot	Admin.	32.45
20100816187	Paramount Services, Inc.	Police	1,059.13
20100816188	Positive Promotions	Civic Center	55.20
20100816189	Pro-Fire Equipment, LLC	Fire	728.00
20100816190	Rehab Associates	Police	50.00
20100816191	Rent One, LLC	Fire	5.84
20100816192	Rent One, LLC	Public Works	69.28
20100816193	Seed Design & Brick, LLC	Park & Rec.	648.00
20100816194	Sherwin Williams Company	Park & Rec.	55.83
20100816195	Sprint/Nextel	Inspections	16.95
20100816196	St. Vincent Hospital	Park & Rec.	591.00
20100816197	Stewart Organization	Admin.	97.86
20100816198	Sunbelt Paper & Packaging	Park & Rec.	341.16
20100816199	Sunbelt Turf Farm	Park & Rec.	1,615.00
20100816200	Technology America	Police	366.00
20100816201	Thompson Tractor Company	Public Works	314.68
20100816202	US Specialty Coatings	Park & Rec.	1,615.00
20100816203	Vulcan, Inc.	Public Works	149.00
20100816204	W.W. Williams	Public Works	148.14
20100816205	Wright Exercise Equipment	Civic Center	77.00
20100816206	Zep Sales & Service	Public Works	196.85