

**GARDENDALE, ALABAMA  
CITY COUNCIL MEETING  
OCTOBER 17, 2011**

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The City Council of the City of Gardendale, Alabama, met in a regular meeting on the 17th day of October, 2011, 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. Seth Hand, associate youth pastor at The Church Revived, delivered the devotional and led the prayer.

The following councilors were present:

Mayor: Othell Phillips  
District 1: Councilor Peggy Tumlin  
District 2: Councilor Gary Morris  
District 3: Councilor Alvin Currington  
District 4: Councilor Faith Harper

District 5 Councilor Wendell Phillips was not present due to an illness in his family.

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 October 3, 2011. Councilor Harper made a motion to approve the minutes as presented. The motion was seconded by Councilor Morris and carried by unanimous consent of the council members in attendance.

VISITORS

None

CORRESPONDENCE

None

BILLS

Councilor Currington made a motion to approve payment of the October 17 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 council members in attendance.

COUNCILORS' REPORTS

Councilor Currington reported that the Chamber of Commerce's monthly "Business After Hours" function would be held the next evening, October 18, 5:30-7:00 p.m., at Southern Focus.

DEPARTMENT HEADS' REPORTS

Police Chief Mike Walker reported that the U.S. Department of Justice has informed him that the police department has been approved to receive a grant for bullet-proof vests. He said the grant will require a 50% match from the City.

Civic Center director John Brigham - No report.

Parks & Recreation director Stan Hogeland reported that earlier in the day a company re-sealed the surface of the Miracle League field due to some deterioration of the surface that has occurred over the past two years since it was installed. He said there was no cost to have this work done.

Inspection Services superintendent Robert Ryant - No report.

Library director Connie Smith - No report.

Public Works director Jeff Holliyan reported that the Public Works department's annual leaf vacuum service for residents will begin on November 1 and continue through the end of January. Residents should call the Public Works office to schedule this service.

City Clerk Keith Mosley - No report.

Fire Chief Clint Doss - Not present.

NEW BUSINESS

PROCLAMATION FOR "INTERNATIONAL ALPHA DELTA KAPPA MONTH." Mayor Phillips read a proclamation declaring the month of October as "International Alpha Delta Kappa Month" in Gardendale. ADK is an international honorary organization for women educators. Mayor Phillips presented the proclamation to ADK members Celeste Phillips and Nancy Goolsby who commented about some of the projects that ADK is currently working on.

FIRST READING OF A PROPOSED ORDINANCE TO REZONE 384, 400, 404, 408, 412, 416, 420, 428, 436, 440, 444, 448, 452, 456, 460, 464, 468, 472, 476, 480, 484, 488, 492, 496, and 301 GOWINS DRIVE FROM RT-4 (TOWNHOUSE RESIDENTIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT). Mayor Phillips introduced the proposed ordinance as described and set the public hearing date for the council to consider the proposed ordinance for the November 21, 2011, council meeting. He said the Planning & Zoning Board has given a favorable recommendation to this proposed rezoning.

ORDINANCES

ORDINANCE NO. 2011-12: TO REZONE PART OF 1941 FIELDSTOWN ROAD AND 2001 FIELDSTOWN ROAD FROM RG (GARDEN HOME DISTRICT) AND R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-1 (NEIGHBORHOOD SHOPPING DISTRICT - COMMERCIAL) FOR A MEDICAL OFFICE. Councilor Currington introduced Ordinance No. 2011-12 and made a motion for adoption of the ordinance. The motion was seconded by Councilor Tumlin. As background information, Councilor Currington stated that the Planning & Zoning Board gave a favorable recommendation to this rezoning subject to receiving information from Jefferson County about ingress/egress to the property from Fieldstown Road. He said the council received this information from the county this afternoon, and all requirements and regulations regarding ingress/egress set forth in the letter from the county have already been addressed in the current construction plans. He said a second topic of concern by the Planning & Zoning Board was ensuring that there would be a fence around the detention pond. He said a fence around the pond has been agreed to by the owner and is included in the current construction plans.

Mayor Phillips asked if anyone was present on behalf of the rezoning request. Mr. Brian Presnell of Presnell Engineering introduced himself to the council. Dr. Steven King, owner, was also present.

Councilor Currington stated that the City has told Mr. Presnell that none of the improvements related to the proposed development should encroach on the Fieldstown Road right-of-way. He said this is in case turn lanes or other roadway improvements are constructed in the future as a result of the Fieldstown Road traffic study that was authorized by the city council and is currently ongoing. He said Mr. Presnell is aware of this concern, and the current construction plans show all proposed improvements as being off of the right-of-way.

Mr. Presnell stated that all of the requirements of the City and Jefferson County that have not yet been addressed are very minor and would be made before the issuance of building permits.

Jeff Holliyan, Public Works director and member of the Planning & Zoning Board, spoke about a concern that has been expressed by residents of The Cottages subdivision regarding possible ingress/egress to the property from Canterbury Street. He said the City's subdivision regulations would not allow access to the property from Canterbury Street, thus the only permissible ingress/egress to the property would be from Fieldstown Road.

Following Mr. Holliyan's statement, Councilor Harper made a subsidiary motion to approve the proposed ordinance with the condition that ingress/egress to the subject property be limited to Fieldstown Road only and that ingress/egress from Canterbury Street be expressly prohibited.

Mayor Phillips asked Dr. King what type of medical practice he would operate. Dr. King said he would practice internal medicine and pediatrics.

Mayor Phillips asked if there was anyone in the audience who wished to speak about the proposed ordinance. Ms. Glenda Faulkner, 4470 Canterbury Street, asked about the possibility of mosquitoes breeding in the proposed pond. Mr. Presnell said the pond will be wet only following a rainfall, and the rainwater will drain out generally within 12-24 hours afterward and then the pond will be dry, so mosquito breeding should not be an issue. Mayor Phillips explained that the pond will be a detention pond, which will hold rainwater for a short time and then release it, not a retention pond, which holds water for a longer period of time.

Mayor Phillips asked if anyone else had any questions or comments; there was no reply. There being no more discussion, the motion for adoption of the ordinance then carried by unanimous consent of the council members in attendance.

#### RESOLUTIONS

**RESOLUTION NO. 2011-57: TO APPROVE AN OPERATING BUDGET AND DEBT SERVICE BUDGET FOR FISCAL YEAR 2011-2012.** Councilor Currington introduced and made a motion for adoption of Resolution No. 2011-57. The motion was seconded by Councilor Harper. There was no discussion. The motion carried by unanimous consent of the council members in attendance.

**RESOLUTION NO. 2011-58: TO AUTHORIZE A COST-OF-LIVING ADJUSTMENT FOR CITY EMPLOYEES.** Councilor Currington introduced and made a motion for adoption of Resolution No. 2011-58. The motion was seconded by Councilor Tumlin. There was no discussion. The motion carried by unanimous consent of the council members in attendance.

**RESOLUTION NO. 2011-59: TO DECLARE THE CITY HOLIDAYS FOR 2012 AND AUTHORIZING ONE PERSONAL LEAVE DAY FOR EACH FULL-TIME EMPLOYEE.** Councilor Currington introduced and made a motion for adoption of Resolution No. 2011-59. The motion was seconded by Councilor Tumlin. There was no discussion. The motion carried by unanimous consent of the council members in attendance.

#### MAYOR'S COMMUNICATIONS

None

CITIZENS' COMMUNICATIONS

None

ADJOURNMENT

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

APPROVED: Othell G. Phillips  
Othell G. Phillips, Mayor

ATTEST: Keith A. Mosley  
Keith A. Mosley, City Clerk

## EXHIBIT A

**GARDENDALE, ALABAMA  
CITY COUNCIL MEETING  
OCTOBER 17, 2011**

**PREPAID BILL LIST**

<u>APPROVAL NUMBER</u>	<u>VENDOR</u>	<u>DEPARTMENT</u>	<u>AMOUNT</u>
20111017001	Abney, Leah	Civic Center	15.00
20111017002	Alabama Power Company	Admin	110.56
20111017003	Alabama Power Company	Admin	21,124.63
20111017004	Alabama Power Company	Police	1,634.42
20111017005	Alabama Power Company	Fire	1,339.43
20111017006	Alabama Power Company	Public Works	1,056.35
20111017007	Alabama Power Company	Inspections	505.88
20111017008	Alabama Power Company	Civic Center	14,076.23
20111017009	Alabama Power Company	Park & Rec	4,316.55
20111017010	Alabama Power Company	Park & Rec	130.64
20111017011	Alabama Power Company	Park & Rec	111.88
20111017012	Alabama Power Company	Library	1,912.96
20111017013	Archer, Melissa	Civic Center	120.00
20111017014	Archer, Melissa	Civic Center	150.00
20111017015	AT&T	Library	245.02
20111017016	AT&T - E-911	Police	6,451.12
20111017017	Auburn University Engineering Continuing Education	Public Works	125.00
20111017018	Auburn University Engineering Continuing Education	Public Works	70.00
20111017019	Bank of America – Visa	Admin, Police, Fire, C/C	263.66
20111017020	Banks, Yolanda	Civic Center	66.67
20111017021	Banks, Yolanda	Civic Center	33.33
20111017022	Barber, Shelley	Civic Center	576.00
20111017023	Barber, Shelley	Civic Center	606.00
20111017024	Barber, Shelley	Civic Center	61.49
20111017025	Benefield, Joy	Civic Center	15.00
20111017026	Benefield, Joy	Civic Center	15.00
20111017027	Best Buy	Admin	599.94
20111017028	Birmingham Water Works	Admin	466.78
20111017029	Birmingham Water Works	Police	24.88
20111017030	Birmingham Water Works	Fire	4,073.94
20111017031	Birmingham Water Works	Public Works	101.23
20111017032	Birmingham Water Works	Civic Center	1,695.43
20111017033	Birmingham Water Works	Park & Rec	3,054.97
20111017034	Birmingham Water Works	Library	1,136.80
20111017035	Bowen Auto Repair	Fire	125.00
20111017036	Bybee, Michael	Police	750.00
20111017037	Chandler, Sara	Civic Center	20.00
20111017038	Charter Communications	Public Works	99.99
20111017039	Charter Communications	Library	99.99
20111017040 *	Click, Sue	Civic Center	100.00
20111017041	Contact Network Inc.	Admin	118.75
20111017042	Cornelius, Mark	Park & Rec	210.00
20111017043	Cornelius, Mark	Park & Rec	210.00
20111017044	Cruz, Leslie	Civic Center	32.00
20111017045	Cruz, Leslie	Civic Center	15.00
20111017046	Cyber Operations	Police	337.50
20111017047	Dodd, Kelsey	Civic Center	30.00
20111017048	Drake, Vivian	Civic Center	100.00
20111017049	Durham, Alan	Fire	20.00

20111017050	Dye, Krystal	Civic Center	99.00
20111017051	Dye, Krystal	Civic Center	15.00
20111017052	Etten-Bohm, Tamryn	Civic Center	100.00
20111017053	Etten-Bohm, Tamryn	Civic Center	50.00
20111017054	Fit Marc	Civic Center	700.00
20111017055	Gamble, Lindsey	Civic Center	30.00
20111017056	Gamble, Lindsey	Civic Center	30.00
20111017057	Gardendale Cleaners	Police	846.95
20111017058	Gospodareck, Tiffany	Civic Center	80.00
20111017059	Gospodareck, Tiffany	Civic Center	177.00
20111017060	GovDeals	Public Works	2,223.46
20111017061 *	Green, Rachel	Civic Center	50.00
20111017062 *	Greene, Steven S.	Civic Center	100.00
20111017063	Gulf State Distributors	Police	59.00
20111017064 *	Henley, Sandra	Civic Center	100.00
20111017065	Holliyan, Jeff	Public Works	119.98
20111017066	Hoss Automotive	Fire	1,078.33
20111017067	J&J Drugs	Police	39.88
20111017068	Jefferson County Office for Senior Citizens - Ineligible meals	Civic Center	49.13
20111017069	Jefferson County Office for Senior Citizens - Senior Meals	Civic Center	140.00
20111017070	Jefferson County Office of Senior Citizens - Senior Meals	Civic Center	180.00
20111017071	Jefferson State Community College	Fire	2,070.00
20111017072	Johnson, Kendall	Civic Center	25.00
20111017073	Johnson, Kendall	Civic Center	25.00
20111017074	Kirby, Shannon	Civic Center	45.00
20111017075	Kirby, Shannon	Civic Center	45.00
20111017076	Konica Minolta Premier Finance	Police	1,796.55
20111017077	Konica Minolta Premier Finance	Police	560.18
20111017078 *	Lacy, Jennifer	Civic Center	100.00
20111017079	Lowes, Inc.	P/R, C/C, P/W	3,193.24
20111017080	Manasco, Sharon	Police	88.00
20111017081	Marshall, Keith	Fire	20.00
20111017082	McCain Uniforms	Police	643.00
20111017083	McPherson Companies	Public Works	2,145.43
20111017084	McPherson Oil/Fuelman	All except Lib.	3,471.72
20111017085	McPherson Oil/Fuelman	All exc. CC & Lib.	3,311.74
20111017086	Mordecai Sporting Goods	Park & Rec	37.90
20111017087	NAPA	Police	1,124.08
20111017088 *	Nelms, Melanie	Civic Center	100.00
20111017089	Northeast Ala. Law Enforcement Academy	Police	1,200.00
20111017090 *	Norwood, Judith	Civic Center	100.00
20111017091	Office Depot	Police	95.82
20111017092	Office Depot	Public Works	121.46
20111017093	Otis, Tripp	Park & Rec	210.00
20111017094	Petty Cash	Public Works	10.68
20111017095	Powers, Ethan	Park & Rec	210.00
20111017096	Rent One	Public Works	120.11
20111017097	Rent One	Park & Rec	3,214.24
20111017098	RR Donnelley	Police	91.00
20111017099	Sam's Wholesale	Public Works	268.32
20111017100	Security & Fire Equipment Company	Fire	90.00
20111017101	Service U Corporation	Civic Center	71.45
20111017102	Sims, Lisa	Civic Center	340.00
20111017103	Smith, Rick	Fire	20.00
20111017104	Smith, Rick	Fire	18.03
20111017105	Smith, Sommer	Civic Center	15.00
20111017106	Smith, Sommer	Civic Center	15.00
20111017107	Southern Linc	Police	30.22
20111017108	Trammell, Erin	Civic Center	20.00
20111017109	Trench Shoring Services	Public Works	320.00

20111017110	Trugreen	Fire	170.00
20111017111	University of North Alabama	Inspections	59.00
20111017112	Verizon Wireless	Admin	17.58
20111017113	Verizon Wireless	Police	1,025.00
20111017114	Verizon Wireless	Fire	173.19
20111017115	Westrope, Clayton	Civic Center	20.00
20111017116	Westrope, Clayton	Civic Center	20.00
20111017117 *	Wilbert, Jennifer	Civic Center	100.00
20111017118	Wingfoot	Police	372.00
20111017119	Zassoda, Marie	Park & Rec	613.00
20111017120	Zassoda, Marie	Park & Rec	654.50

\* 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>
20111017121	A to Z Vacuums	Fire	6.00
20111017122	Alabama Tractor	Public Works	135.00
20111017123	Alarms Plus	Public Works	48.00
20111017124	Andy's Lock & Key	Park & Rec.	147.50
20111017125	APAC Midsouth	Public Works	1,035.75
20111017126	APWA	Public Works	65.17
20111017127	Aramark Uniform Services	Public Works	272.60
20111017128	Auto Zone	Park & Rec.	22.00
20111017129	Big Moe Spring & Alignment of B'ham	Public Works	1,099.96
20111017130	Birmingham Coca-Cola Bottling Co.	Civic Center	30.00
20111017131	Birmingham News	Fire	174.20
20111017132	Birmingham News	Park & Rec.	222.75
20111017133	Blaising Fire & Water Inc.	Police	165.00
20111017134	Bo's Glass	Police	300.29
20111017135	Boyer Heating & Air LLC	Park & Rec.	350.00
20111017136	Bradberry Auto Glass	Police	75.00
20111017137	Bybee, Michael E., Attorney at Law	Police	10,675.00
20111017138	Central Communications	Police	327.75
20111017139	Central Paper Company Inc.	Admin	322.00
20111017140	Cintas	Admin	14.69
20111017141	Cintas	Police	14.69
20111017142	Cintas	Fire	44.06
20111017143	Cintas	Inspections	20.55
20111017144	Cintas	Library	40.59
20111017145	Commercial Industrial Tire Company	Fire	376.00
20111017146	Commercial Industrial Tire Company	Public Works	679.40
20111017147	Commercial Industrial Tire Company	Public Works	250.00
20111017148	Dasher Technologies	Inspections	450.00
20111017149	Dell Financial Services	Library	1,420.10
20111017150	Demco	Library	344.34
20111017151	Edgewire Digital Services	Inspections	50.00
20111017152	Employers Drug Program Management	Public Works	55.00
20111017153	Files Discount Tires Company	Park & Rec.	475.80
20111017154	G&K Services/Birmingham	Civic Center	67.04
20111017155	Gale Cengage Learning	Library	21.60
20111017156	Gardendale First Baptist Church	Park & Rec.	1,000.00
20111017157	Harrell's	Park & Rec.	7,612.50
20111017158	Ingram Library Services	Library	424.48
20111017159	Ingram Library Services	Library	49.46
20111017160	Jefferson County Library Cooperative	Library	52.50

20111017161	Jefferson-Blount-St. Clair Mental Health Authority	Admin	6,000.00
20111017162	Joe Money Machinery	Public Works	390.14
20111017163	Just Rite Printing	Civic Center	525.00
20111017164	Konica Minolta Business	Inspections	436.34
20111017165	Konica Minolta Business	Inspections	327.60
20111017166	Labcorp	Admin	68.55
20111017167	Labcorp	Library	144.80
20111017168	Lafarge North America	Public Works	471.02
20111017169	LBYD, Inc.	Inspections	850.00
20111017170	LBYD, Inc.	Inspections	18.76
20111017171	LBYD, Inc.	Inspections	700.00
20111017172	Lincoln National Life Insurance Co.	All Depts	1,160.55
20111017173	Local Government Corporation	Admin	12,345.92
20111017174	M&D Supply Company	Public Works	222.86
20111017175	MAC (Municipal and Commercial Uniform, Inc.)	Police	812.00
20111017176	Machine & Hydraulics Inc.	Park & Rec.	85.00
20111017177	Midwest Tape	Library	109.96
20111017178	Midwest Tape	Library	169.96
20111017179	Moore Sites	Park & Rec.	9.00
20111017180	NAPA	Fire	113.59
20111017181	NAPA	Public Works	725.83
20111017182	NAPA	Park & Rec.	70.88
20111017183	NAPA	Park & Rec.	46.68
20111017184	North Jefferson News	Fire	35.00
20111017185	North Jefferson News	Park & Rec.	190.00
20111017186	Office Depot	Admin	246.93
20111017187	Office Depot	Police	198.88
20111017188	Office Depot	Fire	218.55
20111017189	Office Depot	Public Works	313.27
20111017190	Office Depot	Inspections	925.74
20111017191	OverDrive Inc.	Library	418.78
20111017192	Paramount Service Inc.	Police	1,233.15
20111017192 a	Regional Planning Commission of Greater Birmingham	Admin	8,405.00
20111017193	Rent One	Public Works	9.00
20111017194	Revolutionary Arts	Admin	139.50
20111017195	Rubber Specialties Inc.	Public Works	50.88
20111017196	Saiia Construction Company, LLC	Admin	1,100.00
20111017197	Sherwin Williams	Park & Rec.	403.90
20111017198	Stephens Pipe & Steel	Park & Rec.	384.49
20111017199	Stewart Organization	Admin	93.30
20111017200	Stewart Organization	Fire	33.39
20111017201	Sunbelt Fire	Fire	180.00
20111017202	Sunbelt Paper Products	Park & Rec.	369.33
20111017203	Sunshine Supplies Inc.	Park & Rec.	137.50
20111017204	T&Z Hydraulics Inc.	Public Works	64.32
20111017205	The Southern Bank Company	Police	39,465.61
20111017206	Thompson, Ken J., Attorney	Admin	990.00
20111017207	Thompson, Ken J., Attorney	Admin	2,000.00
20111017208	TSA, Inc.	Police	3,885.00
20111017209	U.S. Bank	Admin	663,828.14
20111017210	U.S. Bank	Admin	31,100.00
20111017211	Verizon Wireless	Inspections	289.68
20111017212	Warrior Operations Inc.	Public Works	485.00
20111017213	Warrior Operations Inc.	Park & Rec.	174.00
20111017214	Water Systems of Alabama	Public Works	42.00
20111017215	Wingfoot	Police	366.00
20111017216	Wittichen Supply Company	Park & Rec.	22.96
20111017217	Zep	Fire	112.44
20111017218	Zero Ammunition Company	Police	1,018.26