

**REGULAR COUNCIL MEETING  
CITY OF COLUMBIANA, ALABAMA  
February 19, 2013**

The City Council of the City of Columbiana, Alabama met in Regular Session in the Council Chambers of Columbiana City Hall at 6:05 p.m., Tuesday, February 19, 2013. Mayor Handley called the meeting to order and asked City Clerk Gina Antolini to call roll.

Present: Barbara Moore  
Ricky Ruston  
Ouida Mayfield  
Mayor Handley

Absent: Leslie Whiting  
Kim King

Mayor Handley noted that Council member Whiting was absent to visit with his son who is home from active duty in Iraq. The record reflects that a quorum was present.

**CONSENT AGENDA**

- A. Approval of Minutes: – January 31, 2013 – Work Session; February 5, 2013 – Regular Meeting.
- B. Appointment of Michael Conn to the Board of Adjustment & Appeals to fill an unexpired vacancy. Term to expire 10/01/2013.
- C. Appointment of Waymon Rasco to the Board of Adjustment & Appeals to fill an unexpired vacancy. Term to expire 10/01/2015.

Council member Ruston moved to approve the consent agenda. Council member Moore seconded and the consent agenda was approved by a vote of all members of the council present.

**ADDITION TO THE AGENDA**

Mayor Handley advised the council that he had an additional board appointment that he would like to add to the council agenda, the appointment of Rob McLeroy to the Board of Adjustments & Appeals, as he had confirmed that Rob was willing to serve subsequent to the publication of the agenda. Council member Mayfield moved to approve the addition of the Appointment of Rob McLeroy to the Board of Adjustments & Appeals to fill the unexpired term of John Dudley, term to expire 10/01/2015. Council member Ruston seconded and the motion to add was approved by a vote of all members of the council present. A motion to approve the appointment was made by Council member Mayfield. Council member Ruston seconded and the motion was approved by a vote of all members of the council present.

**DEPARTMENT HEAD REPORTS**

Police-Chief Lamar Vick reported on efforts to be at the local schools and though they can't be in the schools, they are making efforts to be at every school at some point throughout the day. Officers attempt to complete reports while sitting in their police cars at the schools. Council member Ruston remarked that he had been asked about that and

appreciates that presence. Mayor Handley commented on the tour the council had taken of the Police Department prior to the council meeting. The mayor indicated he had received a phone call complimenting the Police Department on their response to a request for police presence.

Library-Director Dutcha Lawson provided an update on programming and talked about the adult program, "Blind Date with a Book" and on the celebration on March 1<sup>st</sup> of Dr. Seuss's birthday and the celebration of Read Across America. She also commented on the teen advisory council program working with younger children (reading buddies). The mayor asked about collaboration with the area schools and she reported on her procedure of communicating with the schools.

Waste Water-Dale Lucas reported that a piece of equipment had malfunctioned and the cost to replace it is approximately \$100,000. He currently has it functional and is planning to try to repair it in-house for approximately \$5,000. He and the mayor met with grant writer Judy Quick and her husband, Gene and the engineer used by Waste Water and plan to attempt to apply for an ADECA grant for repairs at the treatment plant. There was discussion regarding a tour of the treatment plant and plans were made to meet at 4:30 p.m. at the Treatment Plant for a tour March 5, 2013, prior to the regular council meeting.

Administration-City Clerk Gina Antolini provided an update on Business License collections, with regard to how many accounts remain unpaid and the plans to address the delinquent licenses. There are approximately 40 businesses, including local businesses as well as people the City does business with, who have not renewed. She provided information on the Fortis Blue software, an on-going project, which is about to come to fruition. The software is a document imaging and management software that will also allow the remote department heads (Fire, Street, Waste Water and Police) to access their invoices without having to come to the administrative offices to approve them and will ultimately offer them access to the completed records for review and to use in various ways to manage their departments. Once fully implemented, the software will result in increased efficiency in the administrative office with regard to accounts payable and document retention.

Fire-Johnny Howard, Jr.-There's not much to report. Council Mayfield asked about a tour of the department and one was scheduled for March 19<sup>th</sup> at 4:30 p.m., prior to the council meeting.

Mayor Handley reported that Allen Reynolds was not present because he is celebrating his 19<sup>th</sup> wedding anniversary and provided a report that the new ice machine at the City Shop was installed and working. He also complimented the work done by Allen in preparing his office at the shop and his work at the various recent events. Lisa Lively reported on the progress of the sale of the surplus items on GovDeals and advised that the bids would be closing on the 22<sup>nd</sup>.

## **RESOLUTION 2-13-03 CITY RECREATION BUILDING FENTAL FEE CHANGE**

Council member Mayfield introduced resolution 02-13-03. Lisa Lively indicated that we do not have a release of liability in the current rental agreement. Mayor Handley

indicated that he would review the agreement with Lisa and bring it back to the council at a subsequent meeting. Council member Mayfield if the building would be checked prior to rental and after the rental, and the Mayor indicated that a city employee would accompany the person renting the building at they pick up the key, to inspect the building, and then at the end of the rental period before they return the key.

**RESOLUTION 02-13-03**

**CITY RECREATION BUILDING RENTAL FEE CHANGE**

**WHEREAS**, the City Council of the City of Columbiana has reviewed the rental fee of the City Recreation Building; and

**WHEREAS**, the Council as part of the review, has compared the rental fee with other rental fees in the area, and has determined that the current fee should be reduced.

**BE IT RESOLVED** by the City Council of the City of Columbiana that effective immediately the base fee for rental of the City Recreation Building will be reduced from the present fee of \$200 per rental to a fee of \$100 per rental. All other policies, procedures, deposit fees, etc. shall remain the same.

**THEREUPON** Council member Mayfield moved and Council member Ruston seconded the motion that said resolution be given vote, and said resolution passed by vote of all members of the Council present, and the Mayor declared the same passed.

**RESOLUTION 02-13-04 ACCEPTING THE SHELBY COUNTY SENIOR GRANT 2012 – 2013**

Council member Ruston introduced the following resolution:

**RESOLUTION 02-13-04**

**ACCEPTING AWARD OF SENIOR CENTER GRANT 2012-2013**

**WHEREAS**, the City of Columbiana Senior Center has applied for a grant from the Shelby County Commission Senior Center Grant Initiative Program, and

**WHEREAS**, the City of Columbiana accepts the Shelby County Senior Center Grant, in the amount of \$2,000.00 awarded by the Shelby County Commission for the purpose of delivery and support of senior services which promote public health, welfare and education.

**NOW, THEREFORE, BE IT RESOLVED** by the Columbiana City Council, the Council hereby authorizes Mayor Stancil Handley to execute and sign the grant agreement between the Shelby County Commission and the City of Columbiana and authorizes expenditures in accordance with the terms of the grant agreement by the Senior Center Manager.

**THEREUPON** Council member Moore moved and Council member Mayfield seconded the motion that said resolution be given vote, and said resolution passed by vote of all members of the Council present, and the Mayor declared the same passed.

**RESOLUTION – 02-13-05 SPONSORING THE FRIENDS OF THE LIBRARY  
ANTIQUES & APPRAISAL MARKET**

Council member Mayfield introduced resolution 02-13-05, Sponsoring the Friends of the Library Antiques & Appraisal Market.

Mayor Handley asked the City Clerk to explain the reason the City was adopting this resolution. City Clerk Antolini stated that the City's sponsorship allowed the Friends of the Library to have participating vendors and collect a vendor fee from them, otherwise, the vendors would be required to purchase a regular business license. It also allows for a variance from the regulations of the sign ordinance to allow for signage prior to and during the event. Mayor Handley stated that the first event, held last year, was very successful and the Friends of the Library have extended this to a two day event to be held May 4-5, 2013. They plan to utilize a larger area and the Shelby County Arts Council will be participating. Expectations are that as many as 5,000 may attend.

**RESOLUTION 02-13-05**

**SPONSORING THE FRIENDS OF THE LIBRARY CENTRAL ALABAMA  
ANTIQU AND APPRAISAL MARKET**

**WHEREAS**, the City of Columbiana recognizes that the Friends of the Library serves as a supporting group for the Columbiana Library and its programming, and

**WHEREAS**, the Antique and Appraisal Market, planned for May 4-5, 2013, is an event that will promote and serve a public purpose for the City of Columbiana and provide a benefit to the Columbiana Library through funds raised at the event, and joins with them in sponsorship of the event, and

**WHEREAS**, Ordinance 12-12-01, Business License Ordinance, Section 5, Subsection (5), Exemptions, states that government entities and associations thereof are exempt from any license requirements, and

**WHEREAS**, Ordinance 04-02-02 Sign Regulations establishes provisions for the display of signs in the city, and,

**WHEREAS**, the Columbiana City Council may authorize the use of signage according to Ordinance 04-02-02, Article 9, Sign Regulations, Section 9.2, Signs not requiring a permit, subsection (5) Decorative flags, banners, and bunting for a celebration, or commemoration of significance to the entire community when authorized by the Columbiana City Council for a prescribed period of time,

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Columbiana that the Council hereby provides that no business license fees are due from the Friends of the Columbiana Library or the vendors participating in the event, and authorizes the display of such signage as indicated above.

**THEREUPON** Council member Mayfield moved and Council member Moore seconded the motion that said resolution be given vote, and said resolution passed by vote of all members of the Council present, and the Mayor declared the same passed.

**ADDITIONS TO THE AGENDA**

**RESOLUTION 02-13-06 DESIGNATION OF THE CITY ENGINEERING FIRM FOR THE FLOOD PLAN ADMINISTRATION**

**ORDINANCE 02-13-01 FLOOD DAMAGE PREVENTION ORDINANCE 2013**

**RESOLUTION 02-13-07 AUTHORIZING APPLICATION FOR ADEM RECYCLING GRANT**

Mayor Handley asked that the three items be considered as additions to the agenda and explained the need for the adoption of the flood prevention ordinance and the timeliness of it.

Council member Mayfield moved to add Resolution 02-13-06, Ordinance 02-13-01 and Resolution 02-13-07 to the agenda. Council member Ruston seconded and the motion passed by vote of all members of the Council present. Council member Ruston then introduced Resolution 02-13-06, Designation of the City Engineering Firm for the Flood Plan Administration.

**RESOLUTION 02-13-06**

**DESIGNATION OF CITY ENGINEERING FIRM FOR FLOOD PLAN ADMINISTRATION**

**BE IT RESOLVED**, by the City of Columbiana as follows:

1. That the City hereby designates Kemp & Seagle Consulting Engineers as the plan administrator of the City's flood damage prevention ordinance.
2. That the City Clerk is authorized to pay Kemp & Seagle Consulting Engineers for their services from the General Fund and charged to Engineering Expense.

**THEREUPON** Council member Mayfield moved and Council member Ruston seconded the motion that said resolution be given vote, and said resolution passed by vote of all members of the Council present, and the Mayor declared the same passed.

Bobby Kemp, of Kemp & Seagle, was asked by the mayor to explain the ordinance and the engineering firm's role as administrator of the plan. The mayor indicated that he had considered various options and the ultimate result was that the city needed to hire an engineer and thanked Kemp & Seagle for representing the city in the matter. Mr. Kemp discussed the FEMA requirements and the maintenance, monitoring and compliance of the plan.

Council member Mayfield asked if a person had a question relative to building would they go to the engineer and the Mayor indicated that Lisa Lively should be able to address those types of questions. It would be more likely to be a developer that would need to have review by the engineering firm. Chief Howard asked about the fees in such a case, would the city absorb them or pass them on to the developer and that has not been addressed at this stage but is something to be considered in preparation for such a time. Council member Mayfield asked if the pavilion would be impacted and the Mayor indicated that it is a possibility.

The City Clerk explained that the ordinance that was before the council was a standard ordinance adopted by over 400 cities. The ordinance was sent to the city and minor modifications were made to “personalize” it for the city and the Clerk sent it to the city attorney for review, changes were made, and then it was reviewed again. She received the final revision after the publication of the agenda.

Council member Mayfield moved to adopt Resolution 02-13-06. Council member Ruston seconded and stated that a method to address the fees associated with the administration of the plan, if they reached a certain level, be passed on to the builder and the Mayor agreed. The mayor stated that the fees would be added to the building fees and asked Lisa Lively to note it and they would discuss it and bring information back to the City Council. The mayor called for a vote and the resolution passed by a vote of all members of the Council present.

### **02-13-01 FLOOD DAMAGE PREVENTION ORDINANCE**

Council member Mayfield introduced the following ordinance:

#### **ORDINANCE 02-13-01**

#### **FLOOD DAMAGE PREVENTION ORDINANCE City of Columbiana, Alabama (Attached)**

Council member Ruston moved to adopt Ordinance 02-13-01. Council member Mayfield seconded and the ordinance passed by a vote of all members of the Council present.

### **RESOLUTION 02-13-07 AUTHORIZING APPLICATION FOR ADEM RECYCLING GRANT**

Mayor Handley provided information regarding the 2012 Recycling Grant which the city received in the amount of \$7,246.00 to purchase 2-6 ton bins, 5 recycling containers for aluminum cans and plastic bottles, a newspaper recycling bin for the Humane Society and two containers for plastic bag recycling at Piggly Wiggly. This grant would allow the City to continue its recycling efforts.

Council member Ruston introduced the following resolution:

#### **RESOLUTION 02-13-07**

## APPLICATION FOR ADEM ALABAMA RECYCLING FUND GRANT

**WHEREAS**, the Alabama Department of Environmental Management implemented a \$1 per ton fee on the disposal of solid wastes in Alabama landfills, and

**WHEREAS**, a portion of the funds generated by this fee have provided funding for the Alabama Recycling Fund and,

**WHEREAS**, the City of Columbiana recognizes that recycling is an important need and service to have available to the citizens and has the opportunity to submit an application for a grant to provide recycling opportunities within the City of Columbiana, and there are no City matching fund requirements for this grant.

**NOW, THEREFORE, BE IT RESOLVED** by the Columbiana City Council, the Council hereby authorizes Rick Nash, with assistance from City Clerk Gina Antolini, to submit an application for the Alabama Recycling Fund Grant.

**THEREUPON** Council member Ruston moved and Council member Mayfield seconded the motion that said resolution be given vote, and said resolution passed by vote of all members of the Council present, and the Mayor declared the same passed.

### MAYOR'S REPORT

Mayor Handley gave a report on abatements. Nineteen properties were on the abatement list. Nine properties were resolved either by new residents, repair or clean up, leaving ten properties remaining to be addressed. The Board of Adjustments and Appeals meets only by called meeting and only if an abatement is appealed. There was discussion regarding the two types of abatements and the condition of the various properties. The procedure for declaring the property a public nuisance was detailed for the council. The mayor sought the council's agreement to proceed with the abatements.

Mayor stated that the delinquent business license accounts would be addressed by face-to-face visits with each of the businesses. The mayor will go with the Revenue Officer to each business. If they do not comply they will be not be allowed to continue to operate without a license in the City.

Cowboy Day was a success. The vendors were happy even though the crowd was not as large due to the weather. There were 61 horses in the parade and the mayor discussed the desire to increase the number of participants by organizing a trail ride with a guide.

Lee Bryant, of Lathan & Associates, is preparing drawings for the pavilion. The mayor stressed the need to name the street, currently known as "Summer Classics Way." The mayor is in the process of exploring a grant from State Farm relative to the project.

### ANNOUNCEMENTS

Council member Mayfield reported that the Beautification Board would be purchasing three large pots with plants to place in the area where the City Christmas Tree is located. Also she asked about placing two of lights previously on North Main Street in other

areas, one on Pine Hill Drive near the Raybren house, and the second at Stillwood Estates. Mayor Handley stated that she could request that information from Allen Reynolds and report back to the council.

Council member Ruston reported a pothole and the Mayor asked him to address with Allen Reynolds.

### **PUBLIC COMMENT**

Bart Carr of Carr & Associates was present at the meeting and introduced himself. Mayor asked Marketing Coordinator Helen Dean if there was anything that she wanted to share. She reported on Cowboy Day and a scheduled meeting regarding Liberty Day including the department heads. She has made contact with several potential businesses and has attended both chamber meetings. The mayor thanked her for her efforts. Helen thanked the Police and Fire Chiefs and Allen Reynolds for their assistance at Cowboy Day.

### **ADJOURNMENT**

There being no further business, Council member Ruston moved that the meeting be adjourned, Council member Mayfield seconded and the motion passed by vote of all members of the council present. Mayor Handley declared the meeting adjourned at 8:10 p.m.