

**ORGANIZATIONAL SESSION AND REGULAR COUNCIL MEETING  
CITY OF COLUMBIANA, ALABAMA  
November 6, 2012**

The City Council of the City of Columbiana, Alabama met in continuation of the Organizational Session and Regular Session in the Council Chambers of Columbiana City Hall at 6:35 p.m., Tuesday, November 6, 2012. Mayor Handley called the meeting to order and asked City Clerk Gina Antolini to call roll.

Present: Leslie Whiting  
Barbara Moore  
Ricky Ruston  
Kim King  
Ouida Mayfield  
Mayor Handley

Absent: None

The record reflects that a quorum was present.

**CONSENT AGENDA**

- A. Approval of Minutes: October 16, 2012 – Pre-Council; Regular Meeting; Work Session.
- B. Appointment of Helen Gibson to the Columbiana Beautification Board. Term to expire 10/01/2015.

Council member Mayfield noted the absence of Council member Abrams in the recognition of outgoing council members. Council member Whiting moved to approve the consent agenda as amended. Council member Moore seconded and the motion passed by vote of all members of the Council and the Mayor declared the same passed.

**MAYOR HANDLEY'S COMMENTS**

Mayor Handley thanked all of those in attendance and welcomed their input. He thanked the City Council and stated he looked forward to working together.

**ELECTION OF THE MAYOR PRO TEMPORE**

Mayor Handley suggested that Council member Mayfield be elected as Mayor Pro Tempore. Discussion ensued with all council members concurring with the choice. Council member Mayfield stated that she would serve if chosen to do so and was humbled.

Council member Ruston moved to elect Council member Mayfield as Mayor Pro Tempore. Council member King seconded and the motion passed by a majority vote of all members of the Council, with Council member Mayfield abstaining, and the Mayor declared the same passed.

**ORDINANCE 11-12-01 AMENDING ORDINANCE 11-08-01 AND ADOPTING  
COUNCIL RULES OF PROCEDURE**

Council member Mayfield introduced the following resolution:

**ORDINANCE 11-12-01**

“ORDINANCE REPEALING ORDINANCE 11-08-01 AND REPLACING IT IN ITS  
ENTIRETY WITH ORDINANCE NUMBER 11-12-01”

**AN ORDINANCE ADOPTING RULES FOR COUNCIL PROCEDURE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIANA,  
ALABAMA THAT THE ORDER OF PROCEDURE IN ALL INSTANCES FOR  
MEETINGS OF THE COUNCIL SHALL BE AS FOLLOWS:

Section 1. That the rules or order of procedure herein contained shall govern deliberations and meetings of the Council of Columbiana, Alabama.

Section 2. Regular meetings of the council shall be held on the following dates: the first and third Tuesday of each month. The council may fix another date or time for a regular meeting by motion at the meeting preceding the change.

Section 3. Special meetings may be held at the call of the presiding officer by serving notice on each member of the council not less than 24 hours before the time set for such special meetings; or special meeting may be held as provided by Section 11-43-50, Code of Alabama, 1975, whenever two council members making the request shall have the right to call such meeting. Notice of all special meetings shall be posted on a bulletin board accessible to the public at least 24 hours prior to such meeting.

Section 4. A quorum shall be determined as provided by Section 11-43-48, Code of Alabama.

Section 5. All regular meetings shall convene at 6:00 o'clock p.m. at City Hall, and all meetings, regular and special, shall be open to the public.

Section 6. The order of business shall be as follows:

1. A call to order
2. Invocation
3. Pledge of Allegiance
4. Roll call
5. Consent Agenda
6. Proclamations, Bid openings and awards
7. Public hearings and consideration of resolutions and ordinances relating to the public hearing.
8. Reports of standing committees
9. Reports of special committees.
10. Reports of officers.
11. Reports of Boards.
12. Resolutions, ordinances, orders and other business.

### 13. Public comment.

Section 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 8. No person, not a member of the council, shall be allowed to address the same while in session without the permission of the presiding officer.

Section 9. Every officer, whose duty it is to report at the regular meetings of the council, who shall be in default thereof, may be fined at the discretion of the council.

Section 10. Motions shall be reduced to writing when required by the presiding officer of the council or any member of the council. All resolutions and ordinances and any amendments thereto shall be in writing at the time of introduction.

Section 11. Motions to reconsider must be by a member who voted with a majority and at the same or next succeeding meeting of the council.

Section 12. Whenever one or more member shall require it, the “yeas” and “nays” shall be recorded and any member may call for a division on any question.

Section 13. All members of the council shall cast a vote on all motions before the council. No member may abstain unless he or she has a conflict of interest that must be stated and spread upon the minutes.

Section 14. The presiding officer of the council shall decide all questions of order with the right of appeal to the council by any member.

Section 15. The presiding officer of the council may, at his or her discretion, call any member to take the chair, to allow him or her to address the council, make a motion, or discuss any other matter at issue.

Section 16. Motions to lay any matter on the table shall be first in order, and on all questions, the last amendment, the most distant day, and the largest sum shall be first put.

Section 17. All meetings of the council shall be open to the public, except when the council meets in executive session, as authorized by state law.

Section 18. The council may meet in executive session only for those purposes authorized by state law. When a council member makes a motion to go into executive session for an enumerated purpose, the presiding officer shall put the motion to a vote. If the majority of the council shall vote in favor of the motion to go into executive session, the body shall then move into executive session to discuss the matter for which the executive session was called. No action may be taken in an executive session. When the discussion has been completed, the council shall resume its deliberations in public.

Section 19. A motion for adjournment shall always be in order.

Section 20. The rules of the council may be amended in the same manner as any other ordinance of general and permanent operation.

Section 21. The rules of the council may be temporarily suspended by a vote of two-thirds of the members present.

Section 22. The chairman of each respective committee, or the council member acting for him or her, shall submit or make all reports to the council when so requested by the presiding officer or any member of the council.

Section 23. All ordinances, resolutions or propositions submitted to the council which require the expenditure of money shall lie over until the next meeting; provided, that such ordinances, resolutions, or propositions may be considered earlier by unanimous consent of the council; and provided further, that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the city.

Section 24. All officers or employees of the City of Columbiana shall, when requested, attend all meetings of the council and shall remain in the council room for such length of time as the presiding officer may direct.

Section 25. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent is obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.

Section 26. Robert's Rules of Order is hereby adopted as the rules of procedure for this council in those situations that cannot be resolved by the rules set out in this ordinance.

Section 27. This ordinance shall go into effect upon the passage and publication as required by law.

Council member Mayfield introduced Ordinance 11-12-01, Amending Ordinance 11-08-01 and Adopting Council Rules of Procedure and moved that all rules governing the council, which might, unless suspended, prevent the passage and adoption of said ordinance at this meeting, be and the same are hereby suspended for the purpose of permitting the said ordinance to be finally passed and adopted at this meeting. Council member Whiting seconded the motion. The Mayor called for a voice vote. The results were as follows:

Yea: Council member Leslie Whiting  
Council member Barbara Moore  
Council member Ricky Ruston  
Council member Kim King  
Council member Ouida Mayfield  
Mayor Stancil Handley

Nay: None

Mayor Handley declared the motion adopted by unanimous vote of the members present.

Council member King moved that said ordinance, Ordinance 11-12-01, Amending Ordinance 11-08-01 and Adopting Council Rules of Procedure be finally passed and adopted as introduced. Council member Mayfield seconded the motion. Mayor Handley put the question of final passage and the adoption of said ordinance to vote of the council and on call of the roll the results were as follows:

Yea: Council member Leslie Whiting  
Council member Barbara Moore  
Council member Ricky Ruston  
Council member Kim King  
Council member Ouida Mayfield  
Mayor Stancil Handley

Nay: None

Mayor Handley announced the results of the vote and declared the ordinance passed.

**RESOLUTION 11-12-01 RATIFYING THE USE OF THE CURRENT DEPOSITORIES**

Council member Mayfield introduced the following resolution:

**RESOLUTION 11-12-01**

Ratifying the Use of Current Depositories

**WHEREAS**, the City of Columbiana wishes to ratify the use of current depositories: Regions Bank, Merchants & Farmer’s Bank, First United Security Bank and Bryant Bank.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Columbiana that the Council hereby authorizes the City Clerk/Treasurer to continue using current depositories for City of Columbiana municipal funds.

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

**RESOLUTION 11-12-02 AUTHORIZING CITY OFFICIALS TO EXECUTE FINANCIAL DOCUMENTS**

Council member King introduced the following resolution:

**RESOLUTION 11-12-02**

Authorizing City Officials to Execute Financial Documents

**WHEREAS**, the City of Columbiana wishes to designate certain city officials who will be authorized to execute financial documents on behalf of the City,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Columbiana that the Council authorizes Mayor Stancil Handley, Mayor Pro Tempore

Ouida Mayfield and Councilmember Leslie Whiting, as city officials authorized to sign checks, which shall require at all times two signatures on all checks, on behalf of the City of Columbiana.

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

### **RESOLUTION 11-12-03 CONTINUING SERVICE OF MUNICIPAL EMPLOYEES**

Council member Ruston introduced the following resolution:

#### **RESOLUTION 11-12-03**

##### **CONTINUING SERVICE OF MUNICIPAL EMPLOYEES**

**WHEREAS**, the City of Columbiana wishes to continue the service of all current administrative personnel and municipal employees in their respective duties; and

**WHEREAS**, the City Council of the City of Columbiana would like to continue employment of said employees at their current salaries; so

**THEREFORE BE IT RESOLVED**, that the Mayor and City Council of the City of Columbiana, authorizes the continuation of the current municipal administrative personnel and municipal employees at current salaries.

**THEREUPON** council member Whiting 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, and the Mayor declared the same passed.

#### **DEPARTMENT HEAD REPORTS**

Library-Dutchman Lawson-Veteran's Day, Wednesday, November 7 at 1:00 p.m., Mayor Handley will be speaking and also commented on programming and circulation numbers for the Library.

Police-Chief Lamar Vick-Monster Walk, awareness of theft/break-in's (watch out for neighbors), employee Debra Hall and Linda Godbey (illness).

Fire-Chief Johnny Howard, Jr.-Fire Prevention month-400-500 students and advised the burn ban was off but residents must obtain a permit and remarked on the fire hydrants. Council member Whiting commented on the partnership with the Fire Department and the School of Technology students, their excitement about it.

Street-Allen Reynolds-dump bed is up and running on the truck. Park truck was used. Discussed the concerns about the items selected for the recycling program. Update on the roof-Lathan & Associates have computed field work. Council member Mayfield asked when the garland would be up.

Waste Water Treatment-Plant is running well, update on Rabren project, concerns about trucks dumping without paying and the use of a camera to detect them.

Administration-Upcoming elected official training and the budget.

### **COUNCIL COMMITTEES – DISCUSSION**

The council discussed various committees and who was willing or interested to serve on them. Current committees are Finance, Public Safety and Public Works.

Council members Whiting and Mayfield expressed interest in Public Safety. Council member Ruston expressed interest in Public Works.

Mayor Handley asked for someone to consider serving on the Policy Committee, comprised of all department heads, the Mayor and a council member. Council member King expressed interest due to her professional background.

### **EXERCISING POLICE JURISDICTION COLLECTION – DISCUSSION**

Mayor Handley addressed the council regarding the potential of exercising collection of business license and sales tax in the police jurisdiction. City Clerk Antolini advised that the police jurisdiction is 1.5 miles from the corporate city limits. Discussion regarding the pros and cons of this by Revenue Officer Joanna Seale, Fire Chief and Police Chief resulted in the charge to bring “hard numbers” to the next council meeting so the council could determine a course of action.

### **APPOINTMENTS – DISCUSSION**

Mayor Handley discussed the appointments required and allowed by state statute, as provided by City Clerk Antolini. The City Clerk, Treasurer, Municipal Judge are appointed by the City Council. The Police Chief, Auditor, City Attorney and City Prosecutor are appointed by the Mayor.

Also discussed were Boards and board appointments. The City Clerk was charged with providing an updated list. City Clerk Antolini advised that Boards are either governed by local ordinance or state statute. She will provide the authority for all boards as well at the next council meeting.

## **ADJOURNMENT**

There being no further business, Council member Ruston moved that the meeting be adjourned, Council member Whiting seconded and the motion passed by vote of all members of the Council present. Mayor Handley declared the meeting adjourned at 9:15 p.m.