

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
November 20, 2012**

The City Council of the City of Columbiana, Alabama met in Regular Session in the Council Chambers of Columbiana City Hall at 6:00 p.m., Tuesday, November 20, 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: November 5, 2012 – Special Called Meeting – Organizational Meeting; November 6, 2102 – Pre-Council; Regular Meeting.
- B. Approval for City Clerk Gina Antolini to use the city credit card for meals and accommodations while attending the AAMCA Annual Conference in Guntersville, AL, December 5-7, 2012, not to exceed \$315.00.

Corrections were made to the minutes of November 6, 2012. Council member Mayfield moved to approve the consent agenda with the correction of the minutes. Council member Whiting seconded and the consent agenda was approved by a vote of all members of the council.

MAYOR'S REPORT

Mayor Handley gave a report on the proposed striping of parking areas and streets to be completed by Larry Perryman. Larry will perform the work while on city time, so there will be no additional cost for labor and he has the necessary equipment to do the job. The approximate cost of materials and supplies is \$500.00-700.00. The Mayor will work with Larry to determine the areas in greatest need and will report back to the council.

DEPARTMENT HEAD REPORTS

Police-Chief Vick reported on a stabbing case. Mayor commended the chief on handling the situation in a way to minimize negative attention.

Library-Director Dutcha Lawson reported on the Veteran's Day program and other programming.

Fire-Chief Howard reported on call volume and gave the report requested by the Mayor on police jurisdiction and the impact of service to those areas. Mayor Handley asked about the criteria for response in the police jurisdiction, relative to fire and EMS calls.

Waste Water-Dale Lucas provided an update on the Rabren project and advised that he would be posting for a Grade II Waste Water Treatment Operator Trainee, with the requirement of ability to pass the test within one year of employment.

Mayor Handley recognized Rescue 88 Representative, Coby Carden who reported on mutual aid agreements and their call volume and the transport business they began in order to sustain services.

Street, Sanitation and Parks-Allen Reynolds was not present.

Administration-City Clerk Antolini reported on the Elected Official Training and the CDs provided by the League with Selected Readings and Mayor/Council Handbook. She provided a schedule for council pay dates and information on direct deposit and when checks are available for pick up. Also, a cash summary for the month of October was provided to the council.

RESOLUTION 11-12-04 AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH R.P. BRADLEY

Council member Mayfield introduced Resolution 12-12-01, Authorizing the Execution of a Settlement Agreement with R.P. Bradley and moved that all rules governing the council, which might, unless suspended, prevent the passage and adoption of said resolution at this meeting, be and the same are hereby suspended for the purpose of permitting the said resolution to be finally passed and adopted at this meeting. Council member King 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.

RESOLUTION 11-12-04

AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT – R.P. BRADLEY

WHEREAS, the City Council of the City of Columbiana has determined that it is in the best interest of the City to enter into a settlement agreement and to execute said agreement in the matter concerning R.P. Bradley,

BE IT RESOLVED that the City Council of the City of Columbiana authorizes Mayor Stancil Handley to execute the settlement documents on behalf of the City of Columbiana and agrees to make payment to the city attorney in the amount of \$70,000.00 to be used

as full settlement by the City in the matter regarding R.P. Bradley, and that those funds shall be paid out of the City Sewer fund and that the City Clerk is hereby authorized to amend the FY2013 budget to reflect the expenditure in order to retain a balanced budget.

Council member Mayfield moved that said resolution, Resolution 12-12-01, Authorizing the Execution of a Settlement Agreement with R.P. Bradley be finally passed and adopted as introduced. Council member King seconded the motion. Mayor Handley put the question of final passage and the adoption of said resolution 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 resolution passed.

RESOLUTION 11-12-05 ESTABLISHING A SEWER DUMP FEES ACCOUNT

Council member Ruston introduced the following resolution:

RESOLUTION 11-12-05

ESTABLISHING A SEWER DUMP FEES ACCOUNT

WHEREAS, the Columbiana City Council acknowledges the prudence of establishing a segregated account for the purpose of designating funds to be used for necessary upgrade and improvements to the City Waste Water Treatment Plant, and

WHEREAS, the Columbiana City Council recognizes that revenue received for dumping at the Treatment Plant provides a means to establish and build that reserve, and

WHEREAS, it is currently the desire of the Columbiana City Council to designate dump fee revenue for that purpose but understands that the Council may, at any time, revoke this action and return funds to the Sewer operation account.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Columbiana that the City Council hereby authorizes the City Clerk to establish a separate account, Sewer Capital Improvements, to be funded by the revenue received from dumping, and further authorizes the City Clerk to transfer funds beginning October 1, 2012 on a monthly basis.

THEREUPON Council member Ruston 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 Mayor Handley declared the same passed.

INDUSTRIAL ROAD PAVING

Mayor Handley provided an update regarding the paving of Industrial Road. There was some confusion regarding the project, as initially it was done as a patch job but the general consensus was that the City, contracting through Shelby County, was to receive a full paving project and ultimately that was completed.

DEVELOPMENT AT HIGHWAY 70 & COUNTY ROAD 26

Discussion regarding the development proposed at Highway 70 & County Road 26 resulted in the approval to add Resolution 11-12-06 to the agenda.

Council member Mayfield introduced the following resolution:

RESOLUTION 11-12-06

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERSECTION IMPROVEMENT FUNDING AGREEMENT

WHEREAS, the Columbiana City Council has been presented information from Mayor Stancil Handley regarding the Intersection Improvement Funding Agreement, presented to the City Council at this meeting, and

WHEREAS, it is the desire of the City of Columbiana to pursue the opportunity presented by the Mayor, to seek support from the Alabama Department of Transportation at the intersection of Alabama Highway 70 and Shelby County Highway 26 within the city limits of Columbiana, and

WHEREAS, the City of Columbiana understands that a financial commitment is required by the City, in the amount of 30% of the cost, which AR Properties, LLC has agreed to advance to the City in exchange for concessions in tap-on fees in the proposed development, and

WHEREAS, the City of Columbiana is prepared to make the concessions in order to support the development of the property.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Columbiana that the City Council hereby authorizes the mayor to prepare a sponsorship letter to Alabama Department of Transportation and to sign the agreement between the City and AR Properties, LLC.

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

COUNCIL COMMITTEE APPOINTMENTS

The following appointments were made to Council Committees:

Policy Committee-Kim King
Public Works Committee-Ricky Ruston and Leslie Whiting
Public Safety Committee-Ouida Mayfield, Barbara Moore and Leslie Whiting
Finance Committee-Kim King and Ricky Ruston

BOARD APPOINTMENTS

The following board appointments were made:

Appointment of Barbara Moore (Council ex-officio member) to the Planning and Zoning Commission. Term to expire 11/07/16.

Re-appointment of Ouida Mayfield to the Columbiana Beautification Board. Term to expire 10/01/15.

Re-appointment of Andrew Moore to the Board of Adjustments and Appeals (Building Abatement). Term to expire 10/01/16.

Re-appointment of Ouida Mayfield to the Columbiana Library Board. Term to expire 10/01/16.

Re-appointment of Lewis Atchison to the Industrial Development Board. Term to expire 06/07/16 and appointed as chair.

Re-appointment of Conrad Fowler, Jr. and Frank Ellis, Jr. to the Industrial Development Board. Term to expire 06/07/18.

RE-AFFIRM CONTINUATION OF SERVICE OF DEPARTMENT HEADS CURRENTLY SERVING IN PROBATIONARY STATUS

Mayor Handley stated that the following department heads would be continuing in their respective roles:

Dutcha Lawson-Library Director, Dale Lucas-Waste Water and Allen Reynolds-Street, Sanitation and Parks.

RE-APPOINTMENT OF CITY ATTORNEY

Mayor Handley re-appointed the firm of Wallace, Ellis, Fowler, Head and Justice to represent the City and thanked Conrad Fowler for his work on the R.P. Bradley settlement.

RE-APPOINTMENT OF THE MUNICIPAL JUDGE

After discussion and at the request of Mayor Handley, the council proceeded with the re-appointment of Judge Mike Atchison. Council member Moore moved to approve the recommendation of the Mayor and appoint Judge Atchison. Council member Mayfield seconded and the motion was approved by a vote of all members of the council.

APPOINTMENT OF THE AUDITOR

Mayor Handley re-appointed the firm of DeLoach, Barber & Caspers, P.C. as the City's auditor.

CITY PROSECUTOR

Mayor Handley appointed Richard Schuleva as the City Prosecutor. Mayor Handley requested that current prosecutor Joey Walden be notified by letter and charged the City Clerk with doing so.

ANNOUNCEMENTS

Council member Mayfield announced the Tour of Homes is December 1, 2012, from 11:00 a.m. until 3:00 p.m. and the cost is \$10.00 per ticket in advance.

Several comments were made on the new uniforms that Street and Sanitation crews are wearing. Treatment plant workers are also wearing the new uniforms.

Helen Dean announced several events throughout the month and stated that the cards containing the events were available at City Hall.

Joe Schulz advised the Park and Recreation Board is still working on the maintenance contract with Jeff Jones.

Revenue Officer Joanna Seale brought up two issues relative to business license renewal. One regarding the delinquency clause in the ordinance and if there was a desire to change it prior to the annual mailing of renewals; the second was the ability to change the license issuance fee from \$10.00 to \$12.00. Neither necessitated action but City Clerk Antolini had advised Joanna to bring it before the City Council for their consideration. The issuance fee is set at a maximum by the State and was changed this year. It is up to the individual municipality to set their fee but it can't exceed the state maximum.

Discussion ensued and the question was to be put to the Merchants Association for input and reported back at the December 4th regular 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.