

**REGULAR COUNCIL MEETING  
CITY OF COLUMBIANA, ALABAMA  
MARCH 6, 2012**

The City Council of the City of Columbiana, Alabama met in Regular Session in the Council Chambers of Columbiana City Hall at 6:32 p.m., Tuesday, March 6, 2012. Mayor Lowe called the meeting to order and asked City Clerk Gina Antolini to let the record reflect that all Council members, with the exception of Council member Seale, were in attendance and declared a quorum.

Mayor Lowe immediately adjourned the Council meeting to conduct a Public Hearing on the proposed ordinance to redistrict the City's voting wards. Mayor Lowe resumed the regular meeting at 6:46 p.m.

**CONSENT AGENDA**

- A. Approval of Minutes: February 21, 2012 – Pre-Council; Regular Meeting.
- B. Appointment of Taylor Owen to the Columbiana Beautification Board, to fill the unexpired term of Helen Phillips. Term to expire 10/01/2014.
- C. Approval for Waste Water Treatment Operator Dale Lucas to use the City credit card for meals and accommodations, not to exceed \$1,000.00, while in attendance at the 2012 Florida/Alabama Technical Training Conference, May 8-12, 2012 in Panama City Beach, Florida.
- D. Approval for City Clerk Gina Antolini to use the City credit card for meals, airfare and accommodations, not to exceed \$2,200.00, while in attendance at the International Institute of Municipal Clerks' Annual Conference, as the President of the Alabama Municipal Clerks and Administrators, May 19-25, 2012, in Portland, Oregon, with the cost to be fully reimbursed by the State Association.
- E. Approval for Jason Head, Sonny McCoy, Trey Howard and Cage Head to use the City credit card for meals and accommodations, not to exceed \$1,000.00, while in attendance at Fire College, March 30-April 1, 2012, in Tuscaloosa.

There being no objections, Mayor Lowe declared the consent approved as presented.

**ORDINANCE 03-12-01 – COLUMBIANA ELECTION WARDS**

Council member Strickland introduced the following ordinance:

**ORDINANCE 03-02-01**

AN ORDINANCE AMENDING ORDINANCE NO. 353 AS PREVIOUSLY AMENDED BY  
ORDINANCE NOS. 12-91-04, 02-92-02, 03-92-01, AND 12-03-01, TO FURTHER ADJUST  
THE BOUNDARIES OF THE ELECTION WARDS

WHEREAS, the City Council of Columbiana, Alabama, has determined, based upon data from the 2010 Federal Census, that the election ward lines require adjusting; and

WHEREAS, under Alabama law, the terms "resident," "inhabitant," and similar terms are synonymous with "domicile" which is a question of volition and intent; and

WHEREAS, § 11-40-8, Code of Ala. 1975 as amended, provides that election wards are to have as nearly as possible the same number of "inhabitants," § 11-46-38, Code of Ala. 1975, as amended, permits voting in municipal elections only in the ward of the voter's "residence,"

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and § 17-3-32, Code of Ala. 1975, as amended, confirms the existing law that a person does not lose or acquire a domicile by a temporary absence without the intention of remaining in the new location; and

WHEREAS, the Shelby County Jail is located within the corporate limits of the City of Columbiana and has, according to the 2010 Federal Census, a population of 843 persons; and

WHEREAS, the City Council has determined that most of the inmates in the jail were not residents of the City of Columbiana prior to their incarceration; that the number of inmates varies from day to day; that the individuals making up the jail population change from day to day, with some being released and new ones being incarcerated; that their presence in the City of Columbiana is not voluntary and does not evidence an intent to make the City of Columbiana their domicile or to change their existing domicile to the City of Columbiana; that the inmates of the jail have no history of participation in the elections in the City of Columbiana nor do they participate in the social or economic life of the City; that to include the jail inmates in the population for election purposes and specifically for the drawing of election ward boundaries would unfairly dilute the votes of bona fide residents of the City; and that for all these reasons the inmate population in the Shelby Count Jail should be excluded in determining the new boundaries in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIANA, ALABAMA, AS FOLLOWS:

**Section 1.** Pursuant to the provisions of §§ 11-40-8 and 11-46-23, Code of Ala. 1975, as amended, Section 2(c) of Ordinance No. 353, as previously amended by Ordinance Nos. 12-91-04, 02-92-02, 03-92-01, and 12-03-01, is further amended by deleting said Section 2(c) as previously amended in its entirety and by substituting the following therefore:

“(c) The geographical boundaries of the election wards are hereby established and described as follows. The boundary descriptions run in a clockwise fashion. Boundary lines running along a physical feature, either manmade or natural, such as a road or stream, run along

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the center of the feature, unless otherwise noted.

**WARD ONE**

The boundary of Ward One is: Beginning at a point which is the intersection of Egg and Butter Road (County Road 37) and the corporate limits of the City of Columbiana, thence proceed along said limits in generally a northwesterly direction to its intersection with Horton Farm Road. Thence move northeasterly along said road to its intersection with Jonesboro Circle (County Road 78). Thence head easterly along said circle to its intersection with Egg and Butter Road (County Road 37). Thence proceed northerly along said road to its intersection with Old State Route 25 West. Thence travel northeasterly along said route to its intersection with Walton Street. Thence head northwesterly along said street to its intersection with West College Street. Thence move westerly along said street to its intersection with State Route 25. Thence travel northeasterly along said route to its intersection with Joinertown Road (County Road 34). Thence proceed northwesterly along said road to its intersection with a Norfolk Southern Railroad. Thence move southwestly along said railroad to its intersection with State Route 70. Thence travel westerly along said route to its intersection with County Road 343. Thence head northerly along said road to its intersection with the corporate limits of the City of Columbiana. Thence continue along said limits in generally a northeasterly direction to its intersection with the western right of way line of Chelsea Road (County Road 47). Thence head easterly to Chelsea Road (County Road 47). Thence travel southeasterly along said road to its intersection with State Route 25. Thence proceed southwestly along said route to its intersection with an unnamed road. Thence move southeasterly along said unnamed road to its intersection with Depot Street. Thence head southeasterly along said street to its intersection with Main Street. Thence travel southerly along said street to its intersection with County Road 47. Thence proceed southeasterly along said road to its intersection with Schultz Road. Thence move easterly along said road to its intersection with the corporate limits of the City of Columbiana. Thence follow said limits in generally a southerly direction to its intersection with County Road 47. Thence continue along said limits in generally a southeasterly direction and then a southwestly direction to its intersection with the eastern right of way line of an inactive railroad. Thence continue along said limits in generally a northeasterly direction to its intersection with Buie Road. Thence continue along said limits in generally an easterly direction to another intersection with Buie Road. Thence continue along said limits in generally a southwestly direction to its intersection with County Road 47. Thence continue along said limits in generally a westerly direction to its intersection with the western right of way line of an inactive railroad. Thence continue along said limits in generally a westerly direction and a northeasterly direction to its intersection with County Road 47. Thence continue along said limits in generally a westerly direction to the point of beginning, less and except those portions within the above described ward which are not within the corporate limits of the City of Columbiana.

**WARD TWO**

The boundary of Ward Two is: Beginning at a point which is the intersection of Horton Farm Road and the corporate limits of the City of Columbiana, thence proceed in generally a northwesterly direction to State Route 25. Thence continue along said limits in generally a

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northwesterly direction to its intersection with State Route 70. Thence continue along said limits in generally a northwesterly direction to its intersection with Wolf Creek. Thence continue along said limits in generally a southwesterly direction to its intersection with State Route 70. Thence continue along said limits in generally a westerly direction to its intersection with Atchison Trace. Thence continue along said limits in generally a southwesterly direction to its intersection with State Route 70. Thence continue along said limits in generally a southeasterly direction to its intersection with the western right of way line of County Road 97. Thence continue along said limits in generally a southwesterly direction to its intersection with Shelby Springs Road. Thence continue along said limits in generally a northeasterly direction to its intersection with County Road 97. Thence continue along said limits in generally a southeasterly direction to its intersection with County Road 314. Thence continue along said limits in generally a southeasterly direction to another intersection with County Road 314. Thence continue along said limits in generally a southeasterly direction to its intersection with an unnamed creek. Thence continue along said limits in generally a southeasterly direction and then a northwesterly direction to its intersection with County Road 97. Thence continue westerly along said limits to its intersection with Shelby Springs Road. Thence continue along said limits in generally a northwesterly direction to its intersection with State Route 70. Thence continue along said limits in generally a northerly direction to its intersection with the boundary line of Township 21 South Range 1 West. Thence continue along said limits in generally a southerly direction to its intersection with State Route 70. Thence continue along said limits in generally a northeasterly direction to its intersection with Atchison Trace. Thence continue along said limits in generally a northeasterly direction to its intersection with County Road 26. Thence continue along said limits in generally a northeasterly direction to its intersection with Joinertown Road (County Road 34). Thence continue along said limits in generally a northeasterly direction to its intersection with an unnamed road. Thence continue westerly along said limits to its intersection with Joinertown Road (County Road 34). Thence continue along said limits in generally a northwesterly direction to its intersection with Queen Road. Thence continue along said limits in generally a southwesterly direction to its intersection with the eastern right of way line of County Road 331. Thence continue along said limits in generally a northeasterly direction to its intersection with Queen Road. Thence continue easterly along said limits to its intersection with an unnamed road. Thence move southerly along said unnamed road to its intersection with the corporate limits of the City of Columbiana. Thence continue along said limits in generally a southwesterly direction to its intersection with an unnamed creek. Thence continue along said limits in generally a southeasterly direction to its intersection with an unnamed creek. Thence continue easterly along said limits to its intersection with an unnamed road. Thence continue along said limits in generally a southerly direction to its intersection with Joinertown Road (County Road 34). Thence continue along said limits in generally a southwesterly direction to its intersection with Wolf Creek. Thence continue along said limits in generally a southeasterly direction to its intersection with County Road 343. Thence head southerly along said road to its intersection with State Route 70. Thence travel easterly along said route to its intersection with a Norfolk Southern Railroad. Thence move northeasterly along said railroad to its intersection with Joinertown Road (County Road 34). Thence proceed southeasterly along said road to its intersection with State Route 25. Thence travel southwesterly along said route to its intersection with West College Street. Thence move easterly along said street to its intersection with Walton Street. Thence head southeasterly along said street to its intersection with Old State Route 25 West. Thence travel southwesterly along

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said route to its intersection with Egg and Butter Road (County Road 37). Thence proceed southerly along said road to its intersection with Jonesboro Circle (County Road 78). Thence head westerly along said circle to its intersection with Horton Farm Road. Thence move southwesterly along said road to the point of beginning, less and except those portions within the above described ward which are not within the corporate limits of the City of Columbiana.

**WARD THREE**

The boundary of Ward Three is: Beginning at a point which is the intersection of the corporate limits of the City of Columbiana and Schultz Road, thence move westerly along said road to its intersection with County Road 47. Thence travel northwesterly along said road to its intersection with Pitts Drive. Thence proceed northeasterly along said drive to its intersection with Bolton Lane. Thence head easterly along Bolton Lane to its intersection with the center of the right of way of the extension of Washington Street. Thence head northwesterly along said extension to its intersection with Washington Street. Thence continue northwesterly along said street to its intersection with Mildred Street. Thence move northeasterly along said street to its intersection with Arlington Avenue. Thence travel northerly along said avenue to its intersection with Ferry Road and an unnamed road. Thence head northwesterly along said unnamed road to its intersection with Old State Route 25 East. Thence proceed northeasterly along said route to its intersection with Mardis Ferry Road (County Road 30). Thence move easterly along said road to its intersection with Moore Street. Thence travel southeasterly along said street to its intersection with Ferry Road (County Road 28). Thence proceed southeasterly along said road to its intersection with the corporate limits of the City of Columbiana. Thence follow said limits in generally a southwesterly direction to the point of beginning, less and except those portions within the above described ward which are not within the corporate limits of the City of Columbiana.

**WARD FOUR**

The boundary of Ward Four is: Beginning at a point which is the intersection of Pitts Drive and County Road 47, thence travel northerly along said road to its intersection with Main Street. Thence continue northerly along said street to its intersection with Depot Street. Thence proceed northwesterly along said street to its intersection with an unnamed road. Thence move northwesterly along said unnamed road to its intersection with State Route 25. Thence travel northeasterly along said route to its intersection with West Sterrett Street. Thence head southeasterly along said street to its intersection with East Sterrett Street. Thence move easterly along said street to its intersection with Goodwin Street. Thence proceed southerly along said street to its intersection with Old State Route 25 East. Thence head northeasterly along said route to its intersection with an unnamed road. Thence move southeasterly along said unnamed road to its intersection with Ferry Road (County Road 28) and Arlington Avenue. Thence travel southerly along said avenue to its intersection with Mildred Street. Thence move southwesterly along said street to its intersection with Washington Street. Thence proceed southeasterly along said street to its intersection with the center of the right of way of the extension of Washington Street. Thence head southeasterly along said extension to its intersection with Bolton Lane. Thence move westerly along said lane to its intersection with Pitts Drive. Thence travel southwesterly along said drive to the point of beginning, less and except those portions within

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the above described ward which are not within the corporate limits of the City of Columbiana.

**WARD FIVE**

The boundary of Ward Five is: Beginning at a point which is the intersection of the corporate limits of the City of Columbiana and Ferry Road (County Road 28), thence proceed northwesterly along said road to its intersection with Moore Street. Thence head northwesterly along said street to its intersection with Mardis Ferry Road (County Road 30). Thence move westerly along said road to its intersection with Old State Route 25 East. Thence travel southwesterly along said route to its intersection with Goodwin Street. Thence head northerly along said street to its intersection with East Sterrett Street. Thence move westerly along said street to its intersection with West Sterrett Street. Thence head northwesterly along said street to its intersection with State Route 25. Thence proceed northeasterly along said route to its intersection with Chelsea Road (County Road 47). Thence travel northwesterly along said road to its intersection with a point just east of the western right of way line of said road and the corporate limits of the City of Columbiana. Thence head westerly to the western right of way line of Chelsea Road (County Road 47) and the corporate limits of the City of Columbiana. Thence proceed along said limits in generally a northwesterly direction to its intersection with Beeswax Creek. Thence continue along said limits in generally a southwesterly direction and then a northeasterly direction to its intersection with the western right of way line of Chelsea Road (County Road 47). Thence continue along said limits in generally a northwesterly direction to its intersection with Rocky Ridge Road (County Road 343). Thence continue along said limits in generally a northerly direction to another intersection with Rocky Ridge Road (County Road 343). Thence continue along said limits in generally a northeasterly direction to its intersection with Chelsea Road (County Road 47). Thence continue along said limits in generally an easterly direction and then a northwesterly direction to its intersection with Weaver Creek. Thence continue along said limits in generally a northwesterly direction to its intersection with an unnamed road. Thence move northerly along said unnamed road to its intersection with the corporate limits of the City of Columbiana. Thence head easterly along said limits to its intersection with the northwest corner of Township 21 South Range 1 East. Thence continue easterly along said limits to its intersection with an unnamed creek. Thence continue along said limits in generally a southeasterly direction to its intersection with an unnamed creek. Thence continue along said limits in generally a southwesterly direction to its intersection with an unnamed creek. Thence continue along said limits in generally a southwesterly direction and then an easterly direction to its intersection with the western right of way line of Bethel Road (County Road 49). Thence continue along said limits in generally a southerly direction to its intersection with the northern right of way line of State Route 25. Thence continue along said limits in generally a westerly direction to its intersection with an unnamed creek. Thence continue along said limits in generally a northwesterly direction to its intersection with the boundary line of Township 21 South Range 1 West. Thence continue along said limits in generally a southwesterly direction to its intersection with an unnamed creek. Thence continue along said limits in generally a southeasterly direction to its intersection with a Beeswax Creek. Thence continue along said limits in generally an easterly direction to its intersection with the eastern right of way line of State Route 25. Thence continue along said limits in a northeasterly direction to its intersection with the southern edge of Washboard Road. Thence continue along said limits in generally a southerly direction to its intersection with

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Washboard Road. Thence continue along said limits in generally a southeasterly direction to its intersection with the eastern right of way line of Alston Farm Road. Thence continue southerly along said limits to its intersection with the southern right of way line of Mardis Ferry Road (County Road 30). Thence continue along said limits in generally a northeasterly direction to its intersection with Beeswax Creek. Thence continue along said limits in generally a southwesterly direction to its intersection with the southern right of way line of Mardis Ferry Road (County Road 30). Thence continue along said limits in generally a southerly direction to its intersection with the northern right of way line of Ferry Road (County Road 28). Thence continue northwesterly along said limits to its intersection with Lynn Drive. Thence continue along said limits in generally a southwesterly direction to the point of beginning, less and except those portions within the above described ward which are not within the corporate limits of the City of Columbiana.”

**Section 2.** The Clerk is directed to file within five days after its adoption a certified copy of this Ordinance, accompanied by a map or plat showing the election ward boundaries, with the Judge of Probate of Shelby County, Alabama, and to publish notice thereof, without a copy of such map or plat, as provided in § 11-46-23, Code of Ala. 1975, as amended.

**Section 3.** All other Ordinances or parts of Ordinances contrary to the provisions of this Ordinance are hereby specifically repealed.

**Section 4.** The provisions of this Ordinance are severable, and if any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the remainder of this Ordinance, which shall remain in full force and effect.

**Section 5.** This Ordinance shall become effective upon its passage and publication or posting as required by law.

Council member Strickland 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 Mayfield seconded the motion. The Mayor called for a voice vote. The results were as follows:

Yea: Council member Frieda Abrams  
Council member Stencil Handley  
Council member Jim Strickland  
Council member Ouida Mayfield  
Mayor Allan Lowe

Nay: None

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

Council member Handley moved that the said ordinance, 03-12-01 Columbiana Election Wards, be finally passed and adopted as introduced. Council member Abrams seconded the motion. Mayor Lowe 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:

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Yea: Council member Frieda Abrams  
Council member Stancil Handley  
Council member Jim Strickland  
Council member Ouida Mayfield  
Mayor Allan Lowe

Nay: None

Mayor Lowe announced the result of the vote, and declared the ordinance passed.

**RESOLUTION 02-12-09 AUTHORIZING THE MAYOR TO SIGN A UTILITY  
MANAGEMENT SERVICES AND WEBSITE AND E-MAIL HOSTING  
AGREEMENT WITH INGENUITY, INC.**

Council member Mayfield introduced the following resolution:

**RESOLUTION 02-12-09**

**AUTHORIZING THE MAYOR TO SIGN UTILITY MANAGEMENT AND WEBSITE  
AND E-MAIL HOSTING AGREEMENT WITH INGENUITY, INC. (RENEWAL)**

**WHEREAS**, the Columbiana City Council desires to enter into a power and telecommunications management agreement with Ingenuity, Inc. for the purpose of providing recommendations for utility cost savings for the City of Columbiana, and

**WHEREAS**, the cost of such agreement will be paid to Ingenuity, Inc. in the amount of 75% of the savings, credits and rebates realized by the City of Columbiana during the agreement period, and in return Ingenuity will provide a redesign of the City of Columbiana website and a design of the Columbiana Liberty Day website, and will continue to host the websites and the City of Columbiana e-mail and provide support, at the current contractual rate of \$500, paid twice yearly to Ingenuity, Inc.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Columbiana that the Council hereby authorizes the Mayor to enter into a utility management agreement, and for the services of website and e-mail hosting with Ingenuity, Inc. for the period of March 7, 2012 through February 28, 2015.

**THEREUPON**, Council member Strickland moved and Council member Abrams 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.

**OTHER BUSINESS**

Council member Handley moved to authorize the Mayor to write a letter to the Shelby County High School principal, with the support of the council, to express the City's opposition to the moving of graduation ceremonies for the 2012 class at Shelby County High to the University of Montevallo, and the change of date to a Wednesday night.

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Council member Strickland seconded and the motion passed by vote of all members of the Council present.

**ANNOUNCEMENTS**

Council member Strickland advised that the Planning and Zoning Commission would be meeting on Thursday, March 8<sup>th</sup> at 7:00 p.m. for the final review of the Sign Ordinance and expected to refer the ordinance to the Council for action at the next regular council meeting.

Joe Schulz reported that Park and Recreation Board is scheduled to meet Monday, March 12<sup>th</sup> at 6:00 p.m.

Council member Handley commended the Police and Public Works departments for their work during the Antiques & Appraisal Market.

Council member Mayfield asked if arms for banners for the new lighting, in conjunction with the Main Street Sidewalk extension, were planned. Allen Reynolds was tasked with checking the cost. She also asked if the old lights would be removed and Mayor Lowe said he would request an illumination study by Alabama Power.

Library Director Laurie Hackney reported on the success of the Antiques & Appraisal Market, stating that approximately \$6,500.00 was raised to support the Library by the Friends of the Library. Also, she announced that a Bridge Club refresher course would be March 21-23.

Fire Chief Johnny Howard Jr. reported on an exercise conducted by the Fire Department in conjunction with the Police Chief and Street Superintendent Allen Reynolds where equipment was divided into staging areas and they would likely repeat the exercise making some additional changes as a preparatory effort for a disaster.

**ADJOURNMENT**

There being no further business, Council member Abrams moved that the meeting be adjourned, Council member Strickland seconded and the motion passed by vote of all members of the Council. Mayor Lowe declared the meeting adjourned at 6:50 p.m.