

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
March 5, 2013**

The City Council of the City of Columbiana, Alabama met in Regular Session in the Council Chambers of Columbiana City Hall at 6:02 p.m., Tuesday, March 5, 2013. The pledge of allegiance was led by Boy Scout Troop 560. 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: – February 19, 2013 – Regular Meeting.
- B. Approval for City Clerk Gina Antolini to use the city credit card for meals and accommodations while in attendance at the International Institute of Municipal Clerks' Annual Conference, May 19-23, 2013, in Atlantic City, NJ, not to exceed \$1,200.00.

Council member Mayfield moved to approve the consent agenda as presented. Council member Whiting seconded and the consent agenda was approved by a vote of all members of the council.

PRESENTATION BY RANDALL HUNT, BOY SCOUT TROOP 560

Randall Hunt requested to make a presentation to the Council regarding an Eagle Scout project. The project involved continuing with the Eagle Scout project, in front of City Hall, to create an area with flags and shrubbery designed to honor Mr. Hume. Randall provided the City Council with a design that had been modified somewhat from the previous design and asked permission from the Council to proceed with the project. He estimated that the project would cost \$5,000, but didn't request financial support from the City.

DEPARTMENT HEAD REPORTS

Library-Director Dutcha Lawson reported that over 70 participated in Blind Date with a Book, reported on Read Across America and other programming.

Administration-City Clerk Gina Antolini provided an update on the Fortis software recently installed and how it was being used for invoicing and would be used for document management. Business license revenue is up in comparison to last fiscal year at the same time. She reported that she did not attend the Clerks Institute in Tuscaloosa due to the work on Fortis, agenda preparation for this meeting, in addition to work on the 2013 Recycling grant, submitted on March 1st. She reported on the achievement of her Professional in Human Resource (PHR) certification. The budget is on the printer and

plans to distribute it at end of meeting or will put it in the council's mailboxes. Financials will be presented at the next council meeting. She drew the council's attention to the new edition of the Municipal Journal. The issue is dedicated to the municipal clerk, outlining in several articles, the contribution of the municipal clerk to their cities and towns. She mentioned that tomorrow, Wednesday, she and Fran would be training on the banking module of the financial software, not currently being utilized, and will be taking advantage of the functionality it provides. Mayor Handley thanked the City Clerk for all her work and for training a new mayor and mostly new council.

Waste Water-Dale Lucas gave a report on the tour of the treatment plant by the Council prior to this meeting and the new city logo on the service and dump trucks.

Police-Chief Vick reported on the Police Department Easter Egg Hunt on March 30th from 1:00-3:00 p.m. Mayor Handley asked about the schools and thanked the department for their presence at the schools.

Fire-Chief Howard reported on the four firefighters attending Fire College this weekend and needs approval for the firefighters to use the city credit card for meals and asked to add the request to the agenda. Accommodations have been secured. He also reported on the damage to Columbiana Middle School from the wind. Three classrooms and the roof were damaged as well as a two inch gas line. He reminded the council of the tour of the Fire Station at 4:30 on March 19th.

Street, Sanitation and Park & Recreation-Allen Reynolds gave a report on the surplus property sale through GovDeals. The city received \$17,600 for the packer truck, \$1,400 for the pickup truck, and \$5,300 for the Gradall. The fee to GovDeals was \$1,856 resulting in net revenue of \$22,444. After the purchase of the new Gradall for \$5,677, a balance remains of \$16,766.93. The new Gradall can be picked up as soon as approval is given by council.

RESOLUTION 03-13-01 PITTS DRIVE SIDEWALK PROJECT

Council member King introduced the following resolution:

RESOLUTION 03-13-01

PITTS DRIVE SIDEWALK PROJECT

WHEREAS, the City of Columbiana, Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made within the City Limits of Columbiana, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project Number: STPTE-TE09 (996) Sidewalks along Pitts Drive in the City of Columbiana.

WHEREAS, the Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, the Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless, the City will agree to certain requirements of the Federal Highway

Administration. The City of the purpose of complying with the requirements of the Federal Highway Administration, in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED BY THE City Council of Columbiana that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A

Please refer to: Project Notes (Sheet 2F)
Please refer to: Project Traffic Control Plan Notes (Sheet 2G)
Please refer to: Sequence of Construction and Traffic Control Plans (Sheets 15-15D)

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project, the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, medial crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to

promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED by this City Council:

1. That the City agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating the same.
3. That the City agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the City agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

Blair Perry, of Gresham, Smith & Partners was in attendance at the meeting and addressed the council regarding the project and this particular resolution.

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, and the Mayor declared the same passed.

ADDITION TO AGENDA

Council member Whiting moved to add Resolution 03-13-03 to the agenda. Council member Moore seconded the motion.

Council member Mayfield introduced the following resolution:

RESOLUTION 03-13-03

AMENDING THE FY2013 BUDGET TO INCLUDE THE PURCHASE OF A GRADALL FOR THE STREET DEPARTMENT

WHEREAS, the Columbiana City Council has approved an amended budget for FY2013 at the February 5, 2013 regular council meeting, and

WHEREAS, the Columbiana City Council has identified the need to purchase a Gradall to replace the city's Gradall, which was sold via GovDeals, and was able to locate a used Gradall to serve that need, and

WHEREAS, it is the responsibility of the City Council to approve a budget that is consistent with the revenue and expenditures reflecting their priorities for the City of Columbiana, and

WHEREAS, the purchase of a Gradall is a capital expense and requires an amendment to the capital budget.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Columbiana that the City Council hereby amends the Fiscal Year 2013 budget to include the capital expenditure of a Gradall G3WD Series E 4wheel drive, in the amount of \$5,677.07 from GovDeals, with the funds to be paid from the Capital Expense account, utilizing the proceeds from the sale of the old Gradall, in the amount of \$5,300.00, with the remaining \$377.07 to be paid from the General Fund, and authorizes the City Clerk/Treasurer to transfer the funds from the General Fund to the Capital Expense account and to update the FY2013 budget.

THEREUPON Council member Mayfield 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.

ADDITION TO THE AGENDA

Council member Ruston moved to add Resolution 03-13-02 to the agenda. Council member Moore seconded the motion.

Council member Whiting introduced the following resolution:

RESOLUTION 03-13-02

MUTUAL AID AGREEMENT

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

1. That the City enter into an agreement with the Shelby County Sheriff's office, the University of Montevallo and the municipalities of the county, to provide mutual assistance to other county municipalities, the Shelby County Sheriff's office and the University of Montevallo, which agreement is before this Council;
2. That the agreement be executed in the name of the City, for and on behalf of the City, by its Police Chief.
3. That it be attested by the Clerk and the seal of the City affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

THEREUPON Council member Whiting 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, and the Mayor declared the same passed.

ADDITION TO THE AGENDA

Council member Whiting moved to add the following item to the agenda and Council member Mayfield seconded the motion.

APPROVAL FOR FIREFIGHTERS TO USE CITY CREDIT CARD AT FIRE COLLEGE

Council member Whiting moved to approve the request from Fire Chief Johnny Howard, Jr. for the firefighters (4) attending Fire College in Tuscaloosa on March 9-10, 2013, to use the city credit card for meals not to exceed \$200.00. Council member Mayfield seconded and the motion passed by vote of all members of the Council, and the Mayor declared the motion passed.

DISCUSSION ITEMS

Mini-storage business license fee – Discussion regarding changing the basis for the mini-storage licensing to be effective in 2014 included a proposal to move from \$4 per unit to \$4 for the first 50 units and \$2 per unit thereafter.

Storm Shelter license request-Discussion regarding the placement of a storm shelter on the old CVS property as a request for a license has been submitted included what type of license it would be, whether there would be any revenue received other than the license fee, several other issues were raised and the Mayor indicated he would look into it further and report back to the Council at the next meeting.

Proclamation-Kenneth Paschal, from the Family Rights Association, discussed Parental Alienation Awareness April 25th and the Bubbles of Love initiative to raise awareness, with the primary event being held in Montgomery at the Capitol. Helen Dean, Marketing Coordinator, was asked to assist with the promotion of the event through the schools.

Pipe Project-Mayor Handley discussed the project and \$2,500 was included for the project in the capital budget; however, the cost is estimated significantly higher. Shelby County has offered to do the project for \$40,000. A local engineer and contractor have also reviewed the project and have quoted a price of \$16,500. Further discussion regarding what was needed to complete the project and the access issue for the police department and those in the public housing accessing the storm shelters. Mayor Handley indicated he would get a firm number and once he has that, the council requested that the City Clerk identify funding for the project.

MAYOR'S REPORT

Mayor Handley state that he had intended to report on the sale of surplus property which Allen Reynolds provided earlier in his department head report.

Mayor Handley issued the proclamation for Parental Alienation Awareness on April 25th and read the following proclamation:

PROCLAMATION

WHEREAS, Alienating behaviors are often found in high conflict divorce or never married and asymmetrical custody arrangements; and

WHEREAS, Speaking negatively about a parent to or in front of a child; interfering with communication and visitation; and discussing inappropriate information with a child, such as details of the separation, court proceedings, or financial matters, are behaviors that can not only destroy the bond between a loving parent and child, but can cause a child mental and emotional harm; and

WHEREAS, Parental alienation takes advantage of the impressionable and dependant nature of children; and

WHEREAS, Parental alienation deprives children of their right to love and be loved by both parents; and

WHEREAS, Parental alienation is considered harmful to children, as the alienating tactics are confusing, frightening and rob children of their sense of security; and

WHEREAS, Professionals agree that the problem of parental alienation is damaging to children and can affect them into adulthood, with tragic consequences; and

WHEREAS, There were more than 20,000 divorced Alabamians, almost 25,000 unwed births in 2011, and approximately 40,000 children in Alabama subjected to child custody determination; and

WHEREAS, With awareness come education and understanding, and the power to stop the abuse of innocent children caught in the crossfire of the people they love; dear friends, since God so loved us, we also ought to love one another;

WHEREAS, Love does no harm to its neighbor, therefore love is the fulfillment of the law. This year organizers are doing something special by asking everyone to take 10 minutes out of their day at noon on April 25th, anywhere in the state, and blow soap bubbles representing love.

NOW, THEREFORE, I, Stancil Handley, Mayor of the City of Columbiana, do hereby proclaim April 21 through April 27, 2013, as

PARENTAL ALIENATION PREVENTION WEEK

and April 25, 2013, as

PARENTAL ALIENATION AWARENESS DAY

ANNOUNCEMENTS

Council member Ruston announced that the Little League Baseball Jamboree would be on Saturday, March 9th from 10:00 a.m. until 3:00 p.m.

Mayor Handley reported that CAPZO Training is Friday evening and Saturday.

Council member Whiting advised that the Shelby County Arts Council would like for the council to come over so the Arts Council can provide an update. The visit is set for April 2nd at 4:30 p.m.

Marketing Coordinator Helen Dean highlighted several upcoming events including Trade Days/Farmers Market on the 9th and April 18th will be Coffee with the Mayor.

Lisa Lively reminded the Mayor that the appointment of the Administrative Officer to the Planning & Zoning Commission had not been made. Mayor Handley asked if someone would make a motion to add the item to the agenda. Council member King moved to add the appointment of Dale Lucas to the Planning & Zoning Commission as the Administrative Officer. Council member Whiting seconded the motion.

Mayor Handley appointed Dale Lucas as the Administrative Officer to the Planning & Zoning Commission. His term will run concurrent with that of the Mayor and Council member serving in the administration.

ADJOURNMENT

There being no further business, Council member Whiting moved that the meeting be adjourned, Council member Ruston seconded and Mayor Handley declared the meeting adjourned at 7:45 p.m.

Stancil Handley, Mayor

Gina Antolini, MMC, City Clerk