

**COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
Tuesday March 15, 2016**

The City Council of the City of Columbiana, Alabama met for the regular Council Meeting in the City Hall Council Chambers, Tuesday, March 15, 2016. Mayor Handley called the meeting to order at 6:00 pm.

Present:

Council member Leslie Whiting
Council member Ricky Ruston
Mayor Stancil Handley

Council member Barbara Moore
Council member Ouida Mayfield

Absent:

Council member Kim King – A quorum present.

CONSENT AGENDA

- A. Approval of Minutes 03-01-2016 Regular Meeting.
- B. Approval of Minutes 03-01-2016 Architectural Review Committee.

Council member Whiting made a motion to accept the Consent Agenda which was seconded by Council member Ruston. City Clerk Mark Frey asked the Council to strike the word sewer from the third line on Resolution 03-16-05. The Council had a vote and the amended consent agenda passed unanimously.

DEPARTMENT HEAD REPORTS

Administration – City Clerk Mark Frey reported that he has been inundated with request for planning and zoning. There are many projects starting and others preparing to start here in the City. He and Fran have worked to prepare the financial report for tonight. Mark said that Mayor Handley would cover the financials during his Mayor’s Report.

Streets and Maintenance – Allen Reynolds reported that they are busy picking up brush, cutting grass and hauling off garbage every day. Several projects are on hold pending some dry days to do them.

Environmental Services – Dale Lucas reported that one of his guys had some surgery and they have been shorthanded. Smoke Testing has been on hold pending the ground around the pipes drying out. They are also working to complete some of the annual testing reports for the State.

Council member Ruston asked Dale about Skyler retaking the WW Operator test. Dale reported that Skyler had decided not to retake the test. Dale stated that he is a good operator and does a good job working and running equipment. If Allen has an opening he may be transferring.

Dale reported that our Waste Water Engineer Dave is looking to see what we can do for some grants.

Library – Director Tom Rary reported that the next big event is going to be on the 17th at the Senior Center they will have a big event showing the movie *War Room*. There are also many events that are

scheduled for the end of the school year as well as the summer. Next month's movie will be the movie *Revenant*.

The Mayor reported that the new parking lot adjacent to the Library is now available for the employees to use for parking. Council member Ruston asked about the outdoor movie license. Tom reported that these licenses are based on the number of people who are watching the event. Mayor Handley asked the Park and Rec Board to work with the Library to plan for these events and allow them to promote the Library. There will be more to come on this as we get closer to the summer.

Police Department – Chief Lamar Vick reported that he was looking for a full time officer to take the place of a recent hire that moved back to Tennessee. He also was looking to hire some part time officers to fill in some of the available shifts. Brian Sparks is one of the new PT officers. He is full time at another department.

Chief reported that there was a large drug bust that happened last week and they were able to put them in jail on a \$66K bond due to the amount of drugs and the way that it was packaged for sale. There was an accident involving a school bus and pedestrian. The child didn't appear to have any major injuries and everyone was grateful that the bus was able to stop as quickly as it did.

Chief Vick added that the weather radio program was up and running and citizens of Columbiana can obtain a voucher for a discounted radio at the Police Department. This program will be used in conjunction with phasing out the weather sirens around town.

Mayor Handley asked the Council to consider Ordinance 03-16-03. Council member Mayfield made a motion to dispense with the reading of the ordinance and called for a vote which was seconded by Council member Ruston followed by a unanimous vote of all members in attendance.

Mayor Handley then called for a roll call vote for Ordinance 03-16-03 and the results were as follows:

	Yea:	Nay:
Council member Leslie Whiting	<u>X</u>	___
Council member Barbara Moore	<u>X</u>	___
Council member Rickey Ruston	<u>X</u>	___
Council member Kim King		absent
Council member Ouida Mayfield	<u>X</u>	___
Mayor Stancil Handley	<u>X</u>	___

**CITY OF COLUMBIANA
PERSONNEL RULES AND REGULATIONS**

ORDINANCE NO. 03-16-03

Be it ordained by the City Council of Columbiana, Alabama, that the following changes, modifications, and amendments to Ordinance No. 02-09-01, the Personnel Rules and Regulations of the City of Columbiana, Alabama, as amended, are hereby adopted:

- Mission Statement: Update to the City's Mission Statement by the Mayor and Council.
- Section 4 (k): Replace definition of immediate family with definition listed in Section 8.

- Section V (2) Holidays: Adding Good Friday as a City Holiday (Originally passed by Resolution 10-10-03).
- Vehicle Use Policy: Adding XIV. Vehicle Use Policy (Originally Passed by Resolution 02-15-05)
- Substance Abuse Policy and Program: Adding XV Substance Abuse Policy and Program (Originally passed by Ordinance 02-15-09).

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

Section 1 Purpose

There is hereby established a personnel system for the City of Columbiana. Such system shall be established on the following merit principles:

- (a) Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge, and skills, including open competition of qualified applicants for initial appointment;
- (b) Establishing pay rates consistent with the principle of providing comparable pay for comparable work;
- (c) Training employees, as needed to assure high quality performance;
- (d) Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;
- (e) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, creed, national origin or ancestry, sex, religion or age.

Section 2 Classified Service, Exceptions

The classified service shall include all employees, as well as Police Chief and City Clerk, serving in full time permanent positions in the municipality except the following:

- (a) Members of the Municipal Governing Body and other elected officials;
- (b) Members of appointed boards and commissions, municipal judges, municipal attorneys;
- (c) Persons employed to work less than full-time;
- (d) Volunteer personnel that receive no regular compensation from the municipality;
- (e) Temporary positions scheduled for less than one year's duration who are not carried on the payroll as employees;

(f) Persons performing work under contract for the municipality who are not carried on the payroll as employees;

Section 3 Preparations of Personnel Rules and Regulations

A policy committee consisting of all department heads, the Mayor, and Council designee, shall draft, or cause to be drafted, the personnel rules and regulations for the municipality. Amendments to the rules and regulations may be made by the policy committee from time to time as circumstance and conditions may require. Such rules shall become effective upon passage of an appropriate resolution by the Municipal Governing Body. The policies shall provide for:

The classification of all positions, based on duties, authority and responsibility of each position, with adequate provisions for reclassification of any positions or persons named therein that have been appointed and employed in accordance with the provisions of this ordinance and the policies thereunder. The City Clerk of the municipality shall not make or approve, or take part in making or approving, any payment for the personnel service to any person holding a position in the municipality unless said payroll voucher or account of such pay bears the certification of the department head.

Section 4 Repealer

That any ordinance or part thereof in conflict with this ordinance is and the same is hereby repealed.

Section 5 Severability

If any section or provision of this ordinance be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction such judgment or decree shall not affect any other section or provision of this ordinance.

Section 6 Effective Date - Publication

This ordinance shall take effect upon adoption and shall be published as required by law.

ADOPTED AND APPROVED THIS THE 15TH DAY OF MARCH, 2016.

Mayor Handley asked City Clerk Mark Frey to sum up Ordinance 04-16-02. This is the first reading and the 2nd reading and vote will be at the next meeting.

ORDINANCE NO. 04-16-02

AN ORDINANCE AMENDING ORDINANCE NO. 04-00-01 AS PREVIOUSLY AMENDED TO ADD AN ADDITIONAL SALES TAX ON LIQUOR SALES

WHEREAS, the Mayor and Council of the City of Columbiana, Alabama, have deemed it necessary, proper, and for the benefit of the City to amend Ordinance No. 04-00-01 as previously amended (“Tax Ordinance”) to add an additional tax on liquor sales;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE

CITY OF COLUMBIANA, ALABAMA, AS FOLLOWS:

Section 1. That Section 1 of the Tax Ordinance be amended to add the following as subsection (g):

“(g) In addition to the other taxes imposed by this Section 1 and all other taxes of every kind now imposed by law, upon every person, firm, or corporation (including the State of Alabama, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged or continuing within the City in the business of selling at retail, other than the Alcoholic Beverage Control Board of the State of Alabama, any liquor or alcoholic beverages (excepting beer and table wine) an amount equal to two percent (2%) of the gross proceeds of such sales of the business except where a different amount is expressly provided herein.”

Section 2. This Ordinance Cumulative to General License Code or Ordinance. This ordinance shall not be construed to repeal any of the provisions of the general license code or ordinance of the City, but shall be held to be cumulative, and the amounts of the taxes herein levied shall be in addition to the amounts of all other license taxes imposed by the City by its general license code or ordinance.

Section 3. Severability. Each and every provision of this ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof, and it is hereby declared that the other provisions of this ordinance would have been enacted regardless of any provision which might have been held invalid.

Section 4. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This ordinance shall become effective on the first day of May 2016, and the first payment of taxes hereunder shall be due and payable on the 20th day of June, 2016. This ordinance shall remain in full force and effect and shall apply to each month of the year 2016, beginning with the month of May and to each month of each calendar year thereafter from year to year.

Council member Ruston introduced resolution:

RESOLUTION 03-16-06
Municipal Water Pollution Prevention Program

BE IT RESOLVED that the City of Columbiana, Alabama wishes to inform the Department of Environmental Management that the following actions were taken by the City Council at a regular meeting held on March 15, 2016.

1. Reviewed the MWPP Annual Report which is attached to this resolution.
2. Set forth the following actions and schedule necessary to maintain effluent requirements contained in the NPDES Permit, and to prevent the bypass and overflow of raw sewage within the collection system or at the treatment plant.

- a. Currently contracted with a company to do an extensive flow study in order to determine areas of infiltration.
- b. Will use data collected in the flow study to identify problematic areas of the sewer system that will be repaired.
- c. Using methods such as television inspections and smoke testing to begin repair and rehabilitation of the old lines.
- d. Continued program of cleaning, root control and TV inspections to prevent buildups in the system and increase the capacity for handling the additional inflow during flooding.
- e. Continued preventative maintenance of pump stations and acquire additional standby pumps for use in emergencies.
- f. Working with our engineer to develop a 5 year and a 10 year plan for our sewer system repair and maintenance.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Columbiana does adopt the above actions into its Municipal Water Pollution Prevention Program. The motion was made by Council member Ruston and seconded by Council member Mayfield and passed unanimously by a roll call vote of the Council.

Council member Mayfield introduced:

RESOLUTION 03-16-07

AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH SOUTHEASTERN
ATTRACTIONS FOR LIBERTY DAY 2016

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

1. That the City enters into a contract with Southeastern Attractions, to provide entertainment and event management for the City's Liberty Day Festival, June 24-25, 2016, which contract is before this Council;
2. That the City will pay Southeastern Attractions a deposit of \$9,315.17 after the execution of the contract, and the remainder of \$9,315.17 paid on June 1, 2016 as outlined in the contract, in consideration for services provided according to the contract.
3. That the contract be executed in the name of the City, for and on behalf of the City, by its Mayor.
4. 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 contract by all parties, that a copy of such agreement be kept on file by the City Clerk.

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

Council member Ruston introduced:

RESOLUTION 03-16-08

AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH ALABAMA PYROTECHNICS GUILD, INC FOR LIBERTY DAY 2016

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

1. That the City enters into a contract with Alabama Pyrotechnics Guild, Inc., to provide a fireworks display on Liberty Day, June 25, 2016, which contract is before this Council;
2. That the City will pay Alabama Pyrotechnics Guild, Inc. a deposit of \$3,750.00 after the execution of the contract and the balance of the contract, \$3,750.00 on the day of the display, in consideration for services provided according to the contract.
3. That the contract be executed in the name of the City, for and on behalf of the City by its Mayor.
4. 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 contract by all parties, that a copy of such agreement be kept on file by the City Clerk.

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

Council member Ruston stated that the appointments will be on the next agenda. Council member Whiting asked about the possibility of using Mr. Rasco's property for a soccer field. Mayor Handley stated that it is available but it would need significant grading. The Council will address soccer in the future and several people have expressed an interest in Columbiana soccer.

Elizabeth Smith reported that there would be patriotic music played during the Liberty Day weekend. There was discussion about how this might be done and the need for additional patriotic themes during this event.

MAYORS REPORT

- Mayor Handley read a thank you note from Cornerstone Christian School and distributed stickers that were sent out by the School. This funding will be used towards their server and computer lab.
- The Shelby County Cattlemen Association sent a thank you letter out to the Mayor and Council. This is in appreciation of the City's participation in their annual rodeo that raises funds for many projects that positively impact our community.

- The Mayor noted that all of the Council had a financial report showing where we are at this point in our year. He went through many of the projects, equipment and fleet improvements that have been paid for over the last year and noted that our general fund has not dipped nearly as far as anticipated. Our City is fiscally responsible and the finances are showing that even with many of the capital improvements that have been accomplished.
- According to the County – the projected \$75,000 ATRP project should only cost between \$40K and \$50K. We are expecting numbers in the next week or two. Depending on what is left, we will be looking at other roads that are in need of repair.
- Council member Ruston asked if we could look at Beacon Drive and the condition of that street. Mayor Handley stated that he and Allen would be out looking at all of our streets to identify potential future street projects.
- The Mayor continued going through all of the funds and addressing what is needed in each department.
- Council member Whiting asked what was causing the Court System to have a financial struggle. The Mayor stated that there was several factors that have led to our shortfall in the Court System and there isn't an easy answer when trying to correct its decline. This will be discussed in future meetings.
- The Mayor discussed the City's debt service and loan that would be paying off on May 1st of this year. This will clear approximately \$10K per month in payments. As the City is moving forward with the construction on the new park project, there may be an opportunity to get additional funds without changing our current debt service.

ANNOUNCEMENTS

- The Mayor stated that we have lost several of our local citizens and he encouraged everyone to keep these families in your prayers.
- Council member Whiting announced that he had talked to the pastor at Union Baptist Church about using some of their parishioners to help in cleaning up the roads around town. The Mayor asked Council member Mayfield to reach out to any group that is assisting our City and make sure that they are recognized for their assistance in keeping our City clean.

PUBLIC COMMENT

- Tom Rary thanked Ricky Ruston for his work with the baseball league and jamboree that was held last week. Mayor Handley thanked Ricky for all of the behind the scenes work that he is doing with our leagues.
- Dale Lucas asked that everyone remember the Reed Family in their thoughts and prayers due to the loss of John. John worked for the City Gas Board and was in our community for many years.

There being no further business, Council member Whiting moved that the meeting be adjourned, Council member Ruston seconded and the motion which was passed by vote of all members of the Council present. Mayor Handley declared the meeting adjourned at 7:22 p.m.

J. Mark Frey, City Clerk

Stancil Handley, Mayor