

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
April 7, 2015**

The City Council of the City of Columbiana, Alabama met in a Regular Session in the Council Chambers of Columbiana City Hall at 6:00 p.m., Tuesday April 7, 2015. Mayor Stancil Handley called the meeting to order and then asked City Clerk Mark Frey to call roll after the invocation and pledge.

Present:

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

Absent:

None. A quorum was present.

CONSENT AGENDA

- A. Approval of Minutes: March 17, 2015 – Regular Meeting.
- B. Streets and Maintenance Department hiring of Steven Thompson at Pay Grade IV Step 5 as a Laborer.
- C. Department Head, Dale Lucas to attend The Alabama/Florida joint Waste Water Training Conference May 26,27and 28th at Orange Beach Alabama not to exceed \$1,000 for meals and accommodations.
- D. City Clerk, Mark Frey to attend AMROA Revenue Officer Training on April 8, 9 and 10 in Tuscaloosa not to exceed \$500 for meals and accommodations.
- E. Library Director, Tom Rary to attend the State Library Convention on April 8, 9 and 10 in Daphne not to exceed \$500 for meals and accommodations.
- F. Appointment of Beth Strickland to the Columbiana Library Board filling the unexpired term of Linda Major set to end in 2018.
- G. Affirming the continued service of Billy Jones as the Chairman of the Columbiana Library Board. Term to expire in 2017.
- H. Affirming the continued service of Anne Davis on the Columbiana Library Board. Term to expire in 2018.

Council member Whiting moved to approve the consent agenda and Council member King seconded the motion which given to a roll call vote and was approved unanimously by all members present.

Guests – Marty and Cindy Pope – Push Food Cart opportunities

Mayor Handley introduced Marty and Cindy Pope. Mr. Pope gave the Council photos of his Push Hotdog Cart and explained that he wanted to be able to come into town from 1 to 5 days per week. He had planned on starting up during the Farmers Market as early as this weekend to see the response.

Mayor Handley stated that they would be able to set up at the Trade Day this weekend without any problem. The Mayor noted that currently the City doesn't have an ordinance in place allowing for Food Push Carts. The Council asked that this item to be added to the agenda for next week's Council work session.

Guest – Rusty Worsham - The WERX

Mayor Handley asked Rusty Worsham to address the Council. Mr. Worsham informed the Council that he is desirous of setting up an automotive repair business on Hwy 70. He is currently licensed for retail sales with the City and is liquidating his parent's business estate at the old skating rink building. He is requesting to do basic vehicle repair, inspections and to be able to use his wrecker in the course of running his business as well.

Council member Whiting stated that his concern is that this location not be turned into a junk yard. Council member Mayfield recommend that this is placed on the agenda for the next Planning and Zoning meeting that is scheduled for this Thursday.

The Mayor announced that the City has completed abatement on 2 properties within the last year and is currently abating the 3rd and 4th properties on our abatement list. Mayor Handley welcomed Kelly Fox with Hand Arendall, LLC to discuss the abatement process on 2 parcels of land located on Old Hwy 25. Mrs. Fox explained the process of abating these properties and updated the Council as to where we are in the process.

Public Hearing – Property located at 304 Old Hwy 25

Mayor Handley announced that proper notice of this public hearing was advertised in advance, per state law and he would entertain a motion to suspend the regular council meeting in order to have the public hearing. Council member Ruston made a motion to suspend the regular council meeting which was seconded by Council member Whiting.

Mayor Handley called for a roll call vote and the results were as follows: All members present voted unanimously in favor of suspending the regular council meeting in order to conduct a public hearing.

Mayor Handley asked if anyone would like to speak in favor of this abatement. Kelly Fox notified the Council of the findings of the Municipal Official and confirmed that the findings in the report are still correct. Mrs. Bentley provided a letter to the City stating that her intent was to bring the property up to code and convert the building into a single family residence. Mayor Handley confirmed with the City Clerk that the property is zoned R-1 and this parcel can be used for a single family dwelling.

Mrs. Bentley stated that her intent is to rehab the building and she is requesting that the Council postpone the demolition of the building and allow her contractor time to prepare a timeline for the repairs of the property for the City. Mrs. Fox explained that part of the agreement to delay the destruction is tied to the contractors Gant Chart (numbered timeline to track the project).

Jason Bentley addressed the Council and spoke against the abatement of their property. He explained that he is requesting the abatement process be delayed in order to allow them to come back at the next regular council meeting with information from their contractor and a timeline for the repairs.

The Council agreed to continue the abatement hearing until the next regularly scheduled Council meeting in order to complete the public hearing at that time. Council member Ruston moved to continue the meeting until April 21st during the regular Council Meeting which was seconded by

Council member Whiting. There were no objections for continuing the public hearing at the next regular meeting. The roll call vote to adjourn this public hearing was unanimous.

Public Hearing – Property located at 203 Old Hwy 25

Council member Whiting made a motion to have a public hearing which was seconded by Council member Ruston followed by a roll call vote where all members of the Council voted unanimously to have the public hearing. Mayor Handley called the public hearing to order.

Kelly Fox notified the Council of the findings of the Municipal Official and confirmed that the findings in the report are still correct. Mr. Richard Maddox introduced Larry Maddox and he addressed the Mayor and Council. Richard stated that it was their intent to tear down the house themselves.

Mayor Handley thanked Mr. Maddox and stated that this was good news and once completed, would satisfy the City's request. The Mayor requested that a time limit be set for the demolition of this property. Mrs. Fox stated that the Council would be able to go ahead and pass the resolution stating that the property would be demolished and administratively delay the process in order to allow the Maddox family time to demolish the building themselves. In the event the building isn't demolished by the owner, the City would demolish the building.

Mayor Handley asked Mr. Maddox to notify City Clerk Mark Frey of the contractor's timeline. The Council decided to administratively delay the abatement process until the next regular Council meeting in order to give Mr. Maddox time to hire a contractor and set up a time line for the destruction.

Mayor Handley asked if anyone would like to speak in favor of the abatement. None.
Mayor Handley asked if anyone would like to speak in opposition of the abatement. None.

Council member Mayfield moved to adjourn the public hearing which was seconded by Council member Whiting. The roll call vote to adjourn this public hearing was unanimous. There were no objections for continuing the public hearing at the next regular meeting. Mayor Handley declared the Public Hearing adjourned.

Mayor Handley declared the regularly scheduled Council Meeting was back in session.

DEPARTMENT HEAD REPORTS

- **Library** – Columbiana Library Director Tom Rary reported that the Library has started the ACT prep program. This targets the 11th grade and assists in preparation of taking the ACT test. Mr. Rary will be traveling down to Daphne to attend the State Library Convention. This is one of the 2 required meetings held in order to receive state aid. Friends of the Library are planning 2 events at the Library including a princess tea party. Tom also reported that the circulation numbers are up. Some of this is due to the electronic book checkout. Mayor Handley thanked Tom for starting the ACT prep program.
- **Admin** – Department Head Mark Frey reported that he has been busy preparing this lengthy agenda tonight including writing several resolutions and ordinances. Tonight after Council Mr. Frey will be traveling to Tuscaloosa for the AMROA Revenue Officers Training.

Mark also reported that he has processed many Zoning request in the last several weeks. Business license and tap on fees are up significantly from last year.

- **Streets** –Department Head Allen Reynolds reported everything was business as usual picking up garbage. Cutting the cemetery was a big project especially with all of the rain.
- **Police Department** – Chief Lamar Vick reported AEA week was pretty smooth. The PD received a \$2000 ADECA Grant coming up in May that will help pay for extra traffic stops. Chief Vick reported that these ADECA Funds will have to be spent between the 18th and the 30th of May.
- **Fire** – Chief Johnny Howard reported that his department is preparing for the ISO inspection. They are working with the town of Wilsonville to see if both of those can be done at the same time. The ladder truck came back a week ago, Wednesday. Mayor Handley thanked the Fire Department for all of their hard work. The Mayor announced that the Fire Department lost one of their own last week, and he asked everyone to bow for a moment of silence in honor of Brian Stevens.
- **Environmental Services** – Dale Lucas reported that he and his guys are working on the new lift station out in front of the Piggily Wiggly. Hydra Service was in town today looking at the lift stations. Dale took Skyler out to get his CDL Learners Permit and the State came in to inspect the plant. Everything went well and Chris took care of the inspection. The flow study is ongoing. Mayor Handley asked the Council to consider sewer projects to repair old work where problems were inadvertently caused by past projects.

Chief Vick noted that he had received a request to move a large piece of equipment through town. The Council asked Chief Vick to have a couple of officers available to aid in an escort of this large load through town.

Jon Harrison reported that he is working on Liberty Day. The Alabama Director of Tourism and the Director for ADECA will be in town on Monday to look at Old Mill Square and other projects here in town. There is a small carnival in town that will run from Thursday through Saturday benefiting the Kiwanis's Club. Relay 4 Life is coming up on May 8th and will be held at the Columbiana Sports Complex. Mayor Handley asked the Council to try to attend as many of these events as they can.

Council member Ruston introduced:

RESOLUTION 03-15-02

**AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH ALABAMA
PYROTECHNICS GUILD, INC FOR LIBERTY DAY 2015**

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 27, 2015, which contract is before this Council;

2. That the City will pay Alabama Pyrotechnics Guild, Inc. a deposit of \$3,500.00 after the execution of the contract and the balance of the contract, \$3,500.00 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 unanimously by roll call vote of all members of the Council, and the Mayor declared the same passed.

Council member Ruston introduced:

RESOLUTION 03-15-03
AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH SOUTHEASTERN
ATTRACTIONS FOR LIBERTY DAY 2015

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 26-27, 2015, which contract is before this Council;
2. That the City will pay Southeastern Attractions a deposit of \$9,278.56 after the execution of the contract, and the remainder of \$9,278.55 paid on June 1, 2015 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 Ruston moved and Council member King seconded the motion that said resolution be given vote, and said resolution unanimously passed by roll call vote of all members of the Council, and the Mayor declared the same passed.

Council member Mayfield introduced the following resolution:

RESOLUTION 04-15-02
RESOLUTION FOR ABC LICENSE FROM SWEET LIFE, LLC d/b/a BERNIE'S ON MAIN –
OUTDOOR EVENT "THE SHELBY COUNTY SHINDIG"

WHEREAS, the City of Columbiana has received an application from Sweet Life LLC d/b/a Bernie's on Main, through the Alcoholic Beverage Control Board requesting a 140-Special Event Retail license and an authorization to serve alcohol during an outdoor event "The Shelby County Shindig", held in the parking lot located behind Davis Drug and the Shelby County Art's Council buildings; and

WHEREAS, the City of Columbiana recognizes that this business has complied with the requirements of the State of Alabama to obtain such licenses;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Columbiana does hereby grant the request and charge the City Clerk with providing a letter to the Alcoholic Beverage Control Board indicating their approval of the 140-Special Event Retail license request for this event.

THEREUPON Council member Mayfield moved and Council member Ruston seconded the motion that said resolution be given a roll call vote, results as follows:

<u>Yes</u>	Council member Leslie Whiting	<u>No</u>	Council member Barbara Moore
<u>Yes</u>	Council member Ricky Ruston	<u>Yes</u>	Council member Kim King.
<u>Yes</u>	Council member Ouida Mayfield	<u>Yes</u>	Mayor Stancil Handley

Said resolution passed by majority vote of the Council, and the Mayor declared the same passed. Adopted this 7th day of April, 2015.

Council member Whiting introduced resolution:

RESOLUTION 04-15-03
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 April 7, 2015.

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. Adopted this the 7th day of April, 2015.

Mayor Handley read the following proclamation:

PROCLAMATION

WHEREAS: Strong family relationships constitute the foundation of our community; and

WHEREAS: Alienating behaviors are frequently seen in high-conflict divorces, separations, and asymmetrical custody arrangements but can occur in intact marriages; and

WHEREAS: Parental alienation is a term used to describe any number of behaviors and attitudes on the part of one parent or both parents designed to interfere, damage or destroy the relationship a child has with their other parent. It's a form of abuse that causes emotional trauma to children; and

WHEREAS: Parental alienation deprives children of their right to freely love and be loved by both parents, their extended family, and robs children of their sense of security; and

WHEREAS: Mental professionals agree that the negative effects of parental alienation can follow a child into adulthood with tragic consequences; and

WHEREAS: The recently published Diagnostic and Statistical Manual of Mental Disorders (DSM-5) made several references to the dysfunctional family dynamic of alienation to be a form of psychological child abuse; and

WHEREAS: Approximately 40,000 children in the State of Alabama were subjected to child custody determination in 2013; and

WHEREAS: Parental Alienation Prevention Week is intended to increase the knowledge and understanding of this problem to help Alabamians, institutions, the legal and mental health community, and leaders to better identify and combat such abusive behavior to children; and

WHEREAS: God so loved us, we also ought to love one another; love does no harm to its neighbor; therefore Children should be able to freely express the meaning of F.A.M.I.L.Y. = Father And Mother, I Love You; and

WHEREAS: In honor of Parental Alienation Prevention Week, come and show your support by taking 10 minutes out of your day at noon, on Saturday, April 25, to blow soap "Bubbles for Love". Each bubble we blow will represent the love our children have and should be allowed to share with both their parents.

NOW, THEREFORE, I, Mayor Stencil Handley, Mayor of the City of Columbiana, do hereby proclaim April 19 through April 25, 2015, as

PARENTAL ALIENATION PREVENTION WEEK

And April 25, 2015, as

PARENTAL ALIENATION AWARENESS "Bubbles of Love" DAY

Council member Ruston introduced resolution:

RESOLUTION 04-15-04

RESOLUTION FOR ABC LICENSE FOR B AND AN INC – RETAIL BEER & WINE

WHEREAS, the City of Columbiana has received an application from B AND AN INC, through the Alcoholic Beverage Control Board requesting a retail beer (off premise) 050 and retail wine (off premise) 070; and

WHEREAS, the City of Columbiana recognizes that this business has complied with the requirements of the State of Alabama to obtain such licenses;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Columbiana that the City Council of the City of Columbiana does hereby grant the request and charge the City Clerk with providing a letter to the Alcoholic Beverage Control Board indicating their approval of the license request.

THEREUPON Council member Whiting moved and Council member Ruston seconded the motion that said resolution be given vote, and said resolution passed unanimously by roll call vote. The results are as follows:

<u>Yes</u> Council member Leslie Whiting	<u>Yes</u> Council member Barbara Moore
<u>Yes</u> Council member Ricky Ruston	<u>Yes</u> Council member Kim King.
<u>Yes</u> Council member Ouida Mayfield	<u>Yes</u> Mayor Stancil Handley

The Mayor declared the same passed.

The Council moved to hold over the ORDER TO DESTROY RESOLUTIONS, 04-15-06 and 04-15-08 until the next regularly scheduled Council meeting on April 21, 2015.

MAYORS REPORT

- The Carnival has not been available to come although Kiwanis has requested in the past. They received a call 2 weeks ago checking to see if they could come set up in town. Their hope is that this will be an annual event.
- The meeting with the State Agencies that is scheduled for Monday the 13th is a direct result of the meeting with the Governor.

ANNOUNCEMENTS

None.

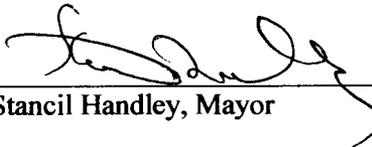
PUBLIC COMMENT

None.

There being no further business, Council member Whiting moved that the meeting be adjourned, Council member Ruston seconded and the motion passed by vote of all members of the Council present. Mayor Handley declared the meeting adjourned at 8:07 p.m.


 J Mark Frey, City Clerk




 Stancil Handley, Mayor