

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
September 20, 2016**

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 September 20, 2016. Mayor Handley called the meeting to order and 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.

The Mayor declared a quorum was present.

CONSENT AGENDA

A. Approval of Minutes 09-06-2016 Regular Meeting.

Council member Whiting made a motion to accept the Consent Agenda which was seconded by Council member Ruston. The council voted and the consent agenda passed unanimously by all members present.

GUEST – KENNETH PASCAL WITH THE FAMILY DAY PROCLAMATION

Mayor Handley welcomed special guest Kenneth Pascal and read the following proclamation.

FAMILY DAY PROCLAMATION

WHEREAS, children are our future and society's greatest asset, and committed families shape and guide children by preparing them for obstacles and encouraging them to overcome life's demanding challenges; and

WHEREAS, the cornerstone of an orderly society is the family, but Alabama's families have grown progressively weaker and children are living in a world where TVs, cell phones, and electronic devices have replaced playgrounds and conversation; and

WHEREAS, children who spend significant time with both parents show lower risks of suicide, dropout, teen pregnancy, prison time, and drug abuse; however, the importance of children having two parents is diminishing in society as approximately 40,000 Alabama children a year are victims of court ordered visitation with one parent for only two to six days a month; and

WHEREAS, also, widespread availability of illegal drugs from outside the state, along with an increase in homegrown marijuana and the local manufacture of methamphetamine and designer drugs, has resulted in an increased drug threat with an estimated 281,000 Alabamians needing treatment for drug and alcohol abuse in 2012; and

WHEREAS, children of concerned and active parents are far less likely to exhibit risky and unhealthy behaviors such as smoking, drinking, or using illegal drugs because of the valuable time spent with parents and the positive examples set by parents, and social scientists agree that shared parenting should be the norm for children of all ages; and

WHEREAS, simple daily activities like sharing a meal, a conversation, or a book can have an enormous impact on the life of a child; strong and engaged families help build a strong Alabama, and it is our responsibility as concerned family members to help create a solid foundation for the future health and happiness of all of Alabama's children; and

WHEREAS, Family Day has grown to promote the importance of family interaction and connecting with kids throughout the day, and to stress that children NEED both parents, and on Family Day we honor the devotion of parents and recognize their critical role in teaching children positive and healthy behaviors; and

WHEREAS, we encourage all Alabamians to visit CASAFamilyDay.org for information on talking with children about the perils of drug use, and we call on community and state leaders to support shared parenting because of its benefits for children.

NOW, THEREFORE, I, Dr. Stencil Handley, Mayor of the City of Columbiana, do hereby proclaim September 26, 2016, as FAMILY DAY, calling upon our citizens to join together in observing this day by spending time with their families and by engaging in appropriate ceremonies and activities to honor and strengthen our city's/state's families.

Mayor Handley read the following proclamation:

OCTOBER IS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, violence against women and children continues to become a more prevalent problem; and

WHEREAS, the problems of domestic violence are not confined to any group of people, but cross all economic, gender, racial, and societal barriers; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity through the systematic use of physical, emotional, sexual, psychological, and economic control and/or abuse; and

WHEREAS, the impact of domestic violence is wide-ranging, directly affecting families and society as a whole; and

WHEREAS, it is battered women themselves who have been at the forefront of efforts to bring peace to the home, and to society; and

WHEREAS, it is fitting to set aside a special time to bring this issue to the attention of everyone so they can become better informed and involved in programs to eliminate this epidemic from our society;

FURTHER, let us remember the victims of domestic violence, celebrate the survivors, and work together to eliminate domestic violence from our community.

NOW, THEREFORE, in recognition of the impact that domestic violence has on the health and well-being of our community I, Dr. Stencil Handley, Mayor of the City of Columbiana do hereby proclaim October 2016 as **DOMESTIC VIOLENCE AWARENESS MONTH**.

DATED this 20th day of 2016 day of September, 2016

DEPARTMENT HEAD REPORTS

- **Administration** – City Clerk Mark Frey reported that he will be filling an open position at City Hall that was vacated by Kelli Moore. He has received 4 qualified applications and hopes to fill the position as quickly as possible. Mark met with John DeLoach last week and is working to implement several recommendations that will increase physical and data security at City Hall.

The City has received notice from the LGHIB that all participants will receive a 4% increase in their health insurance premiums. This increase doesn't affect the City's amount

- **Streets and Maintenance** – Allen Reynolds reported that everything is business as usual with garbage, brush and grass cutting. His guys are working on a large crosswalk re-striping project. They are trying to complete 2 or 3 of these per day.
- **Environmental Services** – Dale Lucas reported that they have received all of the data from the company that has been doing the line video project. It appears that we will be able to save a significant amount of money on several of the sewer mains by slip lining instead of replacing. Dale is meeting with Rodney Shiflett tomorrow to work on the easement behind the old ECA building.

Smoke testing is scheduled for Sunday and everyone in the area will be notified of this project.

- **Police Department** – Chief Lamar Vick stated that everything is going good at the PD. Columbiana has had its first clown incident over at the Clear Springs Apartments. This is not something that we have dealt with in the past and Chief stated that he has identified the suspect and he is talking to the DA's office to see what they can be charged with.
- **Library** - Tom Rary reported that the Friends of the Library started their school program up again. There were 25 kids that came out and participated in Lego Day. On the 29th there will be the final Pizza Movie Night at the Library. October already has over 10 events and everyone is encouraged to participate. Shelby County has moved in to the renovated space and they will occupy this space at least through February and possibly July. When the County moves out, we will be expanding our Library into the new space.
- **Fire Department** – Chief Johnny Howard Jr. reported that they have run 4 or 5 minor brush fire calls. They spent time working with the Street Department for Grant Cole's funeral procession. 8 of his guys came out and worked all day on Sunday to help clean the streets and prepare the funeral procession route. Birmingham Fire came out and offered excellent resources including a

color guard. Chief Howard said that he was proud of how Fire and Rescue worked together to honor Grant. He started with the City on November 16th of 2000.

- **Rescue** – Matt Rush said that the last 3 days have been consumed with preparations for the funeral of Grant Cole. Countless agencies were involved in honoring Grant including personnel, trucks and flags that were stationed at every overpass and along the route as Grants body was transported on his firetruck from Birmingham to Columbiana. Matt thanked the City for all of the assistance in facilitating this large event to honor Grant. There were over 200 fire and rescue personnel who attended the funeral including a large procession that walked from First Baptist Church to the Cemetery.

Grant will be missed and the Mayor and Council expressed their appreciation for all that everyone did to honor him.

City Clerk Mark Frey briefly discussed Ordinance 09-16-02 Repealing Ordinance 05-16-01 and Amending Ordinance 12-12-01 to add an additional privilege tax on retail liquor sales for off premises consumption. The reason for this ordinance is to clarify that this only addresses liquor sold for off premises consumption.

Mayor Handley made a motion that this ordinance be considered at its first reading which was seconded by Council member Mayfield. The results of the vote:

	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	<u>X</u>	___
Council member Ouida Mayfield	<u>X</u>	___
Mayor Stencil Handley	<u>X</u>	___

Council member Mayfield introduced:

ORDINANCE NO. 09-16-02

AN ORDINANCE REPEALING ORDINANCE NO. 05-16-01 AND AMENDING ORDINANCE NO. 12-12-01 TO ADD AN ADDITIONAL PRIVILEGE TAX ON RETAIL LIQUOR SALES FOR OFF PREMISES CONSUMPTION

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. 12-12-01 as previously amended (“Business License Ordinance”) to add an additional privilege 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 Ordinance No. 05-16-01 is repealed.

Section 2. That § 32, Rate Schedule 8, of Ordinance No. 12-12-01 is amended to read as follows:

**“Rate Schedule #8
Beer, Wine and Liquor**

- 445 **Alcohol/Beer** – off premise - 050 \$50.00
- 722 **Alcohol/Beer** – on premise – 040 \$75.00
- 445 **Alcohol/Table Wine** – off premise - 060 \$75.00
- 722 **Alcohol/Table Wine** – on premise – 040 \$75.00
- 445 **Alcohol/Liquor/Package Stores** – off premise - 011 \$500.00
- 722 **Alcohol/Liquor** – Restaurant on premise - 020 \$500.00
- 722 **Alcohol/Liquor** – Lounge Retail Class I – 010 \$500.00
- 722 **Alcohol/Liquor** – Club Liquor Class II – 032 \$500.00
- 422 **Alcohol/Beer & Table Wine** – wholesale distributor -110 \$375.00
- 722 **Alcohol Special Event** – \$150.00 first day and \$100.00 each additional day

Requirements: Comply with all requirements pursuant to application for license with The Alcoholic Beverage Control Board
Rate Schedule

In addition, upon every person, firm, or corporation 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) for off-premises consumption an amount equal to two percent (2%) of the gross proceeds of such sales of the business.”

Section 3. This Ordinance Cumulative to General License Code or Ordinance. This ordinance shall not be construed to repeal any of the provisions of the general sales or use tax 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 taxes imposed by the City.

Section 4. 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 5. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This ordinance shall become effective on the first day of October, 2016, and the first payment of taxes hereunder shall be due and payable on the 20th day of November, 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 October and to each month of each calendar year thereafter from year to year.

Adopted and approved this 20th day of September, 2016.

DISCUSSION REGARDING MUNDY MOTORS

The Council discussed Mundy Motor's building request and the Mayor distributed photos of the newly proposed roof. The first proposal had an almost flat roof and the new proposed building has a steeper pitched roof.

Mundy Motors is also preparing to build their new building and have asked for \$150K in tax abatement to be collected at a 45% rate for up to 5 years. There was discussion by the Council and they are proposing a \$100K tax abatement collected at 40% for up to 4 years. Mayor Handley discussed this request with several other Mayor's and has asked City Clerk Frey to contact Bill Justice in order to determine how to set this up. Upon approval by legal counsel, this tax abatement is scheduled to begin the month following the ribbon cutting and occupation of the new building and will end upon reaching the \$100K or 4 years – whichever comes first.

MAYORS REPORT

- There was a truck out on the Old Mill Square property doing soil testing. This property needs to be raised so that it will drain properly. There is a large amount of dirt that was given to the City that was left over from the new apartment complex being built on Alabama Avenue.
- The Carson & Barnes Circus that came to town last week was a success. The elephants were the stars of the show. The Circus typically comes into town every 2 years and will debut new acts when they return.
- The Hoodlum Trail project is moving forward. The top 2 ½ miles have been cleared by Spire Gas Company. The City is in the second phase of approval of the \$389,000 grant through ADECA and will have an approximate \$100,000 match that will be added to the City's 2017FY Budget that is scheduled for approval at the next regular Council meeting.

ANNOUNCEMENTS

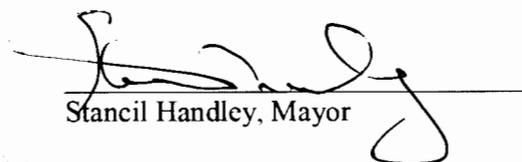
- The Shelby County Homecoming Parade will be held Friday at 1:45 and floats will be allowed for the first time in many years. Several local businesses helped make it possible to have floats by allowing them to be built in their secure facilities. Thanks to TreadWear, Kellis Vegetation Management, and Stancil Handley's Barn.

PUBLIC COMMENT

- None.

There being no further business, Council member King moved that the meeting be adjourned which was seconded by Council member Whiting. The motion passed by vote of all members of the Council present. Mayor Handley declared the meeting adjourned at 7:26 p.m.


J. Mark Frey, City Clerk


Stancil Handley, Mayor

