

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
May 2, 2017**

The City Council of the City of Columbiana, Alabama met in a Regular Session in the Council Chambers of Columbiana City Hall at 6:05 p.m., Tuesday May 2, 2017. Mayor Stancil 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:

The Mayor declared a quorum was present.

CONSENT AGENGA

- A. Approval of Minutes 04-18-2017 Regular Meeting
- B. Authorization for City Clerk Mark Frey to use the credit card for meals and accommodations at the Annual League of Municipalities Conference – May 20th - 23rd. Not to exceed \$650.

Council member Whiting made a motion to accept the Consent agenda as written which was seconded by Council member Ruston and unanimously passed by a vote of all members present.

DEPARTMENT HEAD REPORTS

- **Administration** – City Clerk Mark Frey reported that he has been working on several projects including the workers comp audit. Fran Sammons is retiring at the end of the year and he plans on hiring a new Bookkeeper / Assistant City Clerk in June. The Mayor stated that he felt it would be better to keep the title as Assistant City Clerk.
- **Library** – Library Director Tom Rary reported that the numbers continue to trend up for usage and circulation at the Library this year. A Superhero Party is planned for the 18th of May. Check the City Calendar for all of the library events.
- **Environmental Services** – Dale Lucas reported that the Main Street Sewer Project is going good and he is getting positive reports from citizens in regards to the workers on the streets. Dave Bechtel is working on the Sewer Main Replacement up on Hwy 70 and he is starting the rebid process.
- **Streets and Maintenance** – Allen Reynolds reported that everything is business as usual.
- **Fire Department** – Assistant Chief Brett Ashworth reported that everything was about where it normally is for this time of year with no surprises. He has been working on an AED project and

has been impressed with the new technology available. He mentioned that they are still having a problem with the pump on the brush truck and they may have to replace the pump.

- **Police Department** – Chief Lamar Vick reported that there has been a small increase of theft and there was some vandalism at the ball field concession stand. There were 75 first graders who came and toured City Hall, the Police Department, Storm Shelter and the Fire Department. Music on Main begins next Friday night.

Mayor Handley introduced Ordinance 05-17-01 and he asked Mark Frey to explain the ordinance to the Council. This ordinance replaces 04-13-01 in its entirety. This is the first reading.

ORDINANCE NO. 05-17-01

AN ORDINANCE OF THE CITY OF COLUMBIANA, ALABAMA, TO EXEMPT CERTAIN “COVERED ITEMS” FROM THE MUNICIPAL SALES AND USE TAX DURING THE “BACK-TO-SCHOOL SALES TAX HOLIDAY” AS AUTHORIZED 40-23-210 THROUGH 40-23-213, CODE OF ALABAMA 1975.

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

Section 1. That Ordinance 04-13-01 is repealed in its entirety.

Section 2. In conformity with the provisions 40-23-210 through 40-23-213, Code of Alabama 1975, and Act No. 2017-120, providing for a State Sales Tax Holiday, the City Council of Columbiana, Alabama, has affirmatively voted to grant the exemption of municipal sales and use taxes on certain purchases covered by 40-23-210 through 40-23-213, Code of Alabama 1975 during the third full weekend of July 2017, beginning at 12:01 a.m. on Friday, July 21, 2017 and ending at twelve midnight on Sunday, July 23, 2017 **and continuing each subsequent year thereafter during the same time period as the State’s “Back-to-School Sales Tax Holiday”** until and unless annual participation in the exemption is rescinded by further action of the council.

Section 3. This ordinance shall be subject to all terms, conditions, definitions, time periods, and rules as provided by 40-23-210 through 40-23-213, Code of Alabama 1975, and Act 2017-120.

Section 4. The City Clerk is hereby authorized and directed to certify a copy of this ordinance under the seal of the City of Columbiana, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 5. This ordinance shall become effective on May 23, 2017.

Council member Ruston introduced:

RESOLUTION 05-17-02

Authorizing Mayor to Sign Agreement with Bradley Arant Boulton Cummings LLP for Mundy Motor Tax Abatement Project

Whereas, the City of Columbiana recognizes the added benefit of encouraging retail development for all citizens of Columbiana; and

Whereas, Columbiana's City Attorney has recommended the use of Rod Kanter of Bradley Arant Boulton Cummings LLP as an expert in setting up this type of tax abatement program; and

Whereas, the cost of this legal service will be between \$5,000 and \$10,000, but no more than \$10,000; any of these fees paid by the City shall be reimbursed by Mundy Motor by reducing the abatement amount in order to cover legal cost of setting up this agreement.

Now, Therefore, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIANA, ALABAMA, that the Mayor is hereby authorized and empowered to sign and execute any and all documents necessary to facilitate the tax abatement project for Mundy Motor Company, including the provision for reimbursement of legal cost.

THEREUPON Council member King 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 present and the Mayor declared the same passed.

Passed, adopted and approved this 2nd day of May, 2017.

ABATEMENT PROPERTY ON HWY 47 NORTH

Mayor Handley recognized Mr. Edwardo Burquez who addressed the Council. Also in attendance was a lady who has been making \$400 monthly payments to Mr. Stewart for many years to purchase this property. Mr. Burquez distributed information about the Stewart Abatement property located on Hwy 47 North. He explained that the lady in attendance didn't speak English, but that she was another party involved in the property. He also stated that her name was not named on the les pendents duly filed in the probate office. City Clerk Mark Frey stated that a legal title search was done and there were no other parties who were listed on the property.

Mayor Handley asked Mr. Burquez to contact Kelly Fox and let the City know if there was anything that we can do to assist them in this matter. Based on the condition of the home, the plan is to continue with the abatement process. Mark Frey will let Kelly Fox know that she should expect a call from Mr. Burquez.

OTHER CITY BUSINESS – SIGNAGE VOTE

Mayor Handley stated that during the Council work session, all of the Council discussed input that has been received from citizens of Columbiana and non-citizens who wanted to weigh in on the fate of the signs. Currently the signs say “Home of Governor Robert Bentley”. Council member Mayfield called for a vote to keep the signs up but amend them to say “Home of Former Governor Robert Bentley”. The Council voted and the results were as follows: Yea 2 Nay 4
Mayor Handley declared that by a vote of 2 to 4, the signs will come down.

MAYOR’S REPORT

- Chris Mundy has opened up Columbiana Tractor and he is selling the LS Tractor brand
- June 10th is Columbiana Clean Up Day
- Music on Main will include Friday nights in May and June this year
- Liberty Day is being expanded and a large car show will be included this year

ANNOUNCEMENTS

- None

PUBLIC COMMENT

- Mark Frey stated that the Fire Chief saw an illegal mobile home being dropped off in town. Chief Vick made contact with the driver who didn’t have a permit or business license. The trailer was returned to where it came from due to the quick action of several departments all working together.

There being no further business, Council member King moved that the meeting be adjourned which was seconded by Council member Ruston. The motion passed by vote of all members of the Council present. Mayor Handley declared the meeting adjourned at 8:00 p.m.

J. Mark Frey, City Clerk

Stancil Handley, Mayor