

**REGULAR COUNCIL MEETING  
CITY OF COLUMBIANA, ALABAMA  
February 6, 2018**

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 February 6, 2018. 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 Ouida Mayfield  
                         Mayor Stancil Handley

Absent:            Council member Kim King

The Mayor declared a quorum was present.

**CONSENT AGENDA**

- A. Approval of Minutes 01-02-2018 Regular Meeting (no quorum on 01-16-18)
- B. Approval for Ali Payne to use the City Credit Card to cover expenses for overnight Eufaula Senior Trip. Not to exceed \$350.
- C. Approval for City Clerk Mark Frey to attend the Annual League of Municipalities Conference in Montgomery, May 19-22. Not to exceed \$650.
- D. Approval for City Clerk Mark Frey to attend AAMCA Clerks Training on March 21-23. Not to exceed \$590.

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

**CITY OF COLUMBIANA'S  
SCHOOL CHOICE WEEK PROCLAMATION**

**WHEREAS** all children in City of Columbiana should have access to the highest-quality education possible; and,

**WHEREAS** City of Columbiana recognizes the important role that an effective education plays in preparing all students in City of Columbiana to be successful adults; and,

**WHEREAS** quality education is critically important to the economic vitality of City of Columbiana; and,

**WHEREAS** City of Columbiana is home to a multitude of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

**WHEREAS**, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

**WHEREAS** City of Columbiana has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

**WHEREAS**, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

**NOW, THEREFORE, I, Stencil Handley do hereby recognize January 21-27, 2018 as City of Columbiana School Choice Week, and I call this observance to the attention of all of our citizens.**

**GUEST DAVID LANGHAM AND BRAD CHERRY – OLD MILL SQUARE FINANCING AND CORPORATE DISTRICT DISCUSSION**

David and Brad talked to the Council about the formation of the Cultural Facilities Cooperative District and the opportunities afforded through the formation of such a district.

**GUEST MELODY WHITTEN – 58 INC**

Mayor Handley welcomed guest Melody Whitten with 58 INC. Melody explained the formation of 58 INC by Shelby County and the Greater Shelby County Chamber of Commerce. This partnership acts as an economic engine to assist all of Shelby County with economic growth.

**DEPARTMENT HEAD REPORTS**

- **Administration** – City Clerk Mark Frey reported that the Auditor had finished up with the FY2017 Audit and he and his staff has been working on the 2020 Census prep. Business License renewals have been coming in and office staff have been busy. There have also been two informational subdivision requests that have come in.
- **Streets and Maintenance** – Allen Reynolds thanked Dale and everyone for covering his department as he was recovering from surgery.
- **Library** – Sheila Gallups reported that the Friends of the Library would be doing a Valentine’s Day Craft on Thursday. There are many activities planned for February. The new expansion is being painted and is nearing completion. The CEC inmates will be helping to refinish tables and chairs for the new space. The shelving for the new space is expected around the end of February.
- **Environmental Services** – Dale Lucas stated that Allen’s guys have worked as a team and done a good job of keeping everything going while he was out. The Butler Street CDBG project is nearing completion and the Sewer Main replacement and new lift station are moving forward. BLD Services is coordinating with SunCoast to get the streets repaired. Retainage will be held until the street repairs are completed.
- **Police Department** – Chief Lamar Vick reported that since the last meeting there were a couple of ice and snow events. Many employees stepped up to keep everything moving. Some employees worked double shifts to help cover when others were unable to make the trip to City Hall. Chief Vick reported also that his department is working to replace some old equipment including a new cruiser that was picked up from Opelika today. The Police Department is looking for part time officers and dispatchers.
- **Fire Department** – Fire Chief Johnny Howard reported that there were 2 fire trucks on GovDeals that have been inspected. After much discussion, the Council authorized the Mayor to spend up to \$40,000 for one or both of the trucks. The new Air Packs came in as well as the new brush unit. Mountain View Village installed the new Knox Box. Many of the fire fighters worked long hours during the ice event and the Chief expressed his appreciation. Shelby County assisted with sanding of some of the slick spots that were identified here in town and this was a big help.

Mayor Handley expressed his appreciation for all of our first responders and the job they do during emergency events here in Columbiana. He also stated the County is quick to assist when we are in need and he will contact Alex express our gratitude for their assistance.

**MARKETING REPORT**

Elizabeth Smith reported the following:

- The new City website is expected to be up by the end of the month.
- Cowboy Day is scheduled on February 17<sup>th</sup> and will include the 2<sup>nd</sup> annual Corn Hole Tournament and Chili Cook-off. The Randy Glenn Band will be performing as well.

**RESOLUTION 02-18-01**

It was moved by Council member Mayfield that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said resolution be suspended, and that unanimous consent to the immediate consideration of said resolution be given. The motion was seconded by Council member Whiting and was unanimously carried, those voting yea being:

	Yea	Nay		Yea	Nay
Council member Whiting	<u>X</u>	___	Council member Moore	<u>X</u>	___
Council member Ruston	<u>X</u>	___	Council member King	absent	___
Council member Mayfield	<u>X</u>	___	Mayor Handley	<u>X</u>	___

Council member Mayfield introduced:

**RESOLUTION NO. 02-18-01**

**A RESOLUTION APPROVING AN APPLICATION SEEKING PERMISSION TO INCORPORATE A PUBLIC PARK AND RECREATION BOARD IN THE CITY OF COLUMBIANA AND AUTHORIZING SUCH INCORPORATION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIANA, ALABAMA, as follows:

Section 1. That the City Council, upon evidence duly submitted to and considered by it, hereby finds and determines that the following application has been duly filed with the governing body of the City of Columbiana, that such application was signed by not less than three natural persons, and that each of said persons is a duly qualified elector of and owner of property in the City of Columbiana:

**APPLICATION FOR AUTHORITY TO FORM A PUBLIC PARK AND RECREATION BOARD**

TO THE GOVERNING BODY OF THE CITY OF COLUMBIANA, ALABAMA:

We, the undersigned natural persons, each of whom is a duly qualified elector of and owner of property in the City of Columbiana, Alabama, do hereby make application in writing seeking permission to incorporate a public park and recreation board as a public corporation under the provisions of Chapter 60 of Title 11 of the Code of Alabama 1975 (the "Enabling Law") and file this Application:

The public corporation proposes to acquire, construct and install, either directly or indirectly as a member of a capital improvement cooperative district formed under Chapter 99B of Title 11 of

the Code of Alabama 1975, one or more of the following capital improvements to be located in the City of Columbiana, Alabama: facilities for public park or other recreational uses, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheaters, administrative or office buildings, and all other facilities or purposes authorized or permitted under the Enabling Law.

A copy of the proposed form of certificate of incorporation for such public corporation is attached hereto as Exhibit A and made a part hereof. We do hereby request that this application be considered and reviewed, that permission be given to incorporate such public park and recreation board, and that a resolution be adopted by the governing body of the City of Columbiana, declaring that it has reviewed this application, has determined as a matter of fact that there is a public need for the proposed projects and that it is wise, expedient, necessary, and advisable that such a corporation be formed, has approved the proposed form of certificate of incorporation for said public corporation attached hereto and authorizes and directs the undersigned to proceed to incorporate the public park and recreation board, in the manner provided in the Enabling Law.

WITNESS OUR SIGNATURES this 6<sup>th</sup> day of February, 2018.

Print Name: Charles Smith

Print Name: Evan Major

Print Name: Richard Williams

**CERTIFICATE OF INCORPORATION  
OF PUBLIC PARK AND RECREATION BOARD OF THE CITY OF COLUMBIANA**

TO: THE HONORABLE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA:  
WHEREAS, the undersigned, Charles Smith (whose residence is 303 Mildred Street Columbiana, Alabama ), Evan Major (whose residence is 213 Mildred Street Columbiana, Alabama ), and Richard Williams (whose residence is 317 Hwy 47 South Columbiana, Alabama), have made application to the governing body of the City of Columbiana, Alabama (the "City"), for authority to incorporate a public park and recreation board in the City, a copy of such application being attached hereto and marked Annex A;

WHEREAS, on the 16th day of January, 2018, the governing body of the City adopted a resolution finding and determining that there is a public need for the projects proposed by such corporation, that it is wise, expedient, necessary, and advisable that such a corporation be formed, and authorizing and directing the undersigned to incorporate a public corporation for such purpose, a certified copy of such resolution so passed by said governing body being attached hereto and marked Annex B; and

WHEREAS, the certificate from the Alabama Secretary of State attached hereto and marked Annex C indicates that the name proposed for the corporation is not identical with or so nearly similar to that of another corporation already in existence in the State of Alabama as to lead to confusion and uncertainty.

NOW, THEREFORE, the undersigned, Charles Smith, Evan Major and Richard Williams, each of whom is a qualified elector of, and taxpayer in, the City, desiring to organize a body corporate under the laws of Alabama and particularly under Chapter 60 of Title 11 of the Code of Alabama (1975) (§§ 11-60-1 et seq.), as heretofore or hereafter amended or supplemented (the "Enabling Law"), and

being all of the incorporators of the corporation hereby organized, do make, sign and file this Certificate of Incorporation as follows:

ARTICLE 1

The name of the corporation is and shall be the "Public Park and Recreation Board of the City of Columbiana".

ARTICLE 2

The location of the principal office of the corporation shall be in Columbiana, Alabama, and the mailing address of the corporation shall be Columbiana City Hall, 107 Mildred Street, Columbiana, Alabama 35051.

ARTICLE 3

The purposes for which the corporation is proposed to be organized are to acquire, construct and install, either directly or indirectly as a member of a capital improvement cooperative district formed under Chapter 99B of Title 11 of the Code of Alabama 1975, one or more of the following capital improvements to be located in the City of Columbiana, Alabama: facilities for public park or other recreational uses, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheaters, administrative or office buildings, and all other facilities or purposes authorized or permitted under the Enabling Law.

ARTICLE 4

Corporate powers of the corporation shall be exercised by a Board of Directors that shall consist of three (3) members, which shall be elected in the manner provided by the Enabling Law.

ARTICLE 5

The period for the duration of the corporation shall be perpetual, unless sooner dissolved by operation of the Enabling Law.

ANNEX A

TO THE CERTIFICATE OF INCORPORATION OF  
THE PUBLIC PARK AND RECREATION BOARD OF THE CITY OF COLUMBIANA

See attached copy of Application to governing body of the City of Columbiana

ANNEX B

TO THE CERTIFICATE OF INCORPORATION OF  
THE PUBLIC PARK AND RECREATION BOARD OF THE CITY OF COLUMBIANA

See attached certified copy of resolution of the governing body of the City of Columbiana approving and authorizing incorporation of the Public Park and Recreation Board of the City of Columbiana.

ANNEX C

TO THE CERTIFICATE OF INCORPORATION OF  
THE PUBLIC PARK AND RECREATION BOARD OF THE CITY OF COLUMBIANA

See attached copy of Certificate of Alabama Secretary of State.

Section 2. That the City Council has reviewed and considered the foregoing application and has found and determined and does hereby find and determine as a matter of fact that there is a public need for the projects proposed by such corporation, and that it is wise, expedient, necessary, and advisable that such a corporation be formed.

Section 3. That the City Council does hereby approve the proposed form of certificate of incorporation of the corporation attached to the foregoing application as hereinabove set forth.

Section 4. That the City Council does hereby authorize the persons filing such application to proceed to form such corporation.

Section 5. That the City Council does hereby elect and appoint the following named persons as directors of the Public Park and Recreation Board of the City of Columbiana for the initial term of office ending on the date set opposite his or her name or on such date as the respective successor thereof is elected and qualified in his stead:

Name	Date of End of Term
Charles Smith	The second (2nd) anniversary of the date of filing for record the certificate of incorporation for the public park and recreation board
Evan Major	The fourth (4th) anniversary of the date of filing for record the certificate of incorporation for the public park and recreation board
Richard Williams	The sixth (6th) anniversary of the date of filing for record the certificate of incorporation for the public park and recreation board

Each of the above-referenced individuals is a duly qualified elector of and taxpayer in the City of Columbiana, and none of such individuals are officers or employees of the City of Columbiana, Alabama.

	Yea	Nay		Yea	Nay
Council member Whiting	<u>X</u>	___	Council member Moore	<u>X</u>	___
Council member Ruston	<u>X</u>	___	Council member King	___	absent___
Council member Mayfield	<u>X</u>	___	Mayor Handley	<u>X</u>	___

Duly passed and adopted this 6th day of February, 2018.

Council member Ruston introduced resolution 02-18-02 and clarified that the funding for these first radios would be for the PD only. The match for the FD radios will be coming in later.

**RESOLUTION 02-18-02  
AMENDING THE FY2018 BUDGET TO INCLUDE CITY MATCHING FUNDS FOR  
NEW AIRS58 RADIO SYSTEM**

**Whereas**, the City of Columbiana recognizes the benefit of participation in Shelby County’s new AIRS58 Emergency Radio system; and

**Whereas**, the City Council of the City of Columbiana has previously committed matching funds to participate in the new radio service but did not include this \$31,020.00 expenditure in the FY2018 Budget; and

**Whereas**, this purchase will best serve the citizens of the City of Columbiana by improving emergency communications and increasing reliability between our Fire Department, Police Department and Dispatch, and the Shelby County Sheriff’s Office and 911.

**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 for this purchase and authorizes the City Clerk to update the 2018 FY Budget to reflect this additional expenditure in order to maintain a balanced budget.

**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.

	Yea	Nay		Yea	Nay
Council member Whiting	<u>X</u>	___	Council member Moore	<u>X</u>	___
Council member Ruston	<u>X</u>	___	Council member King	absent	___
Council member Mayfield	<u>X</u>	___	Mayor Handley	<u>X</u>	___

Passed, adopted and approved this 6<sup>th</sup> day of February, 2018.

**RESOLUTION 02-18-03**

It was moved by Council member Mayfield that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said resolution be suspended, and that unanimous consent to the immediate consideration of said resolution be given. The motion was seconded by Council member Whiting and was unanimously carried, those voting yea being:

	Yea	Nay		Yea	Nay
Council member Whiting	<u>X</u>	___	Council member Moore	<u>X</u>	___
Council member Ruston	<u>X</u>	___	Council member King	absent	___
Council member Mayfield	<u>X</u>	___	Mayor Handley	<u>X</u>	___

**RESOLUTION 02-18-03**

**A RESOLUTION APPROVING AN APPLICATION SEEKING PERMISSION TO INCORPORATE A COOPERATIVE DISTRICT IN THE CITY OF COLUMBIANA AND AUTHORIZING SUCH INCORPORATION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIANA, ALABAMA,** as follows:

Section 1. That the City Council, upon evidence duly submitted to and considered by it, hereby finds and determines that the following application has been duly filed with the governing body of the City of Columbiana, that such application was signed by not less than three natural persons, and that each of said persons is a duly qualified elector of Shelby County, Alabama:

**APPLICATION FOR INCORPORATION OF THE CULTURAL FACILITIES COOPERATIVE DISTRICT OF THE CITY OF COLUMBIANA**

The undersigned (the "Applicants") do hereby apply to the City Council (the "City Council") of the City of Columbiana (the "City") and the Board of Directors (the "Board of Directors") of the Public Park and Recreation Board of the City of Columbiana (the "Park Board") for authority to incorporate and organize a public corporation as a capital improvement cooperative district (the "District") under the provisions of the statutes codified as Chapter 99B of Title 11 of the Code of

Alabama 1975, as heretofore or hereafter amended or supplemented (the "Act"), and state the following:

1. The District proposes to facilitate the financing, acquisition, and construction of certain capital improvement projects located within the City of Columbiana, Alabama (the "Projects") and described more particularly as follows: Any capital improvement, facility, structure, building, property, or appurtenances thereto of any nature, type, or description which any member of the District is authorized by any law of the State of Alabama to own, acquire, construct, or finance, including, but without limitation: facilities for public park or other recreational uses and all buildings, facilities, and improvements incident thereto or useful in connection therewith, including, but without limitation, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheaters, administrative or office buildings and public accommodation facilities (as defined in Section 11-60-1 of the Code of Alabama 1975).

2. The general areas in which the District proposes to acquire or construct the Projects are located within the City of Columbiana, Shelby County, Alabama within a ½ mile radius of Old Mill Square, which is located in the City of Columbiana between Walton Street and Summer Classics Way.

3. The City and the Park Board are the only proposed members of the District.

4. The District shall be governed by a board of directors which shall be comprised of three (3) directors. Two (2) initial directors and their successors shall be duly qualified electors of the City and shall be elected by the City Council and one (1) initial director and his/her successors shall be a duly qualified elector of the City and shall be elected by the Board of Directors. Each of the directors of the District that is chosen by the Board of Directors shall be a member of the Board of Directors. Any director elected by the Park Board who resigns or for any reason or ceases to be a member of the Board of Directors of the Park Board, as the case may be, shall be deemed to have resigned and created a vacancy on the board of directors of the District.

5. The proposed location of the principal office of the District shall be Columbiana City Hall, 107 Mildred Street, Columbiana, Alabama 35051.

6. Each of the Applicants is a duly qualified elector of Shelby County, Alabama.

7. Upon (i) dissolution of the District as provided by the Act, or (ii) a resolution duly adopted by the board of directors of the District at any time when the District has no bonds or other obligations outstanding, title to all funds and properties then owned by the District shall automatically pass to and vest in the City (or its successor).

8. Pursuant to Section 11-99B-5 of the Act, the certificate of incorporation of the District may only be amended after obtaining the written consent of the governing body of each authorizing subdivision of the District.

9. A copy of the proposed form of certificate of incorporation for the District is attached hereto as **Exhibit A** and made a part hereof. The Applicants do hereby request that the City Council and the Board of Directors each adopt a resolution declaring that it is wise, expedient and necessary that the proposed District be formed and authorizing the Applicants to proceed to form the proposed District by filing for record the certificate of incorporation in accordance with the provisions of Section 11-99B-4 of the Act.

10. This instrument may be executed in any number of counterparts, each of which so executed shall be deemed an original, but all such counterparts shall together constitute but one and the same instrument.



IN WITNESS WHEREOF, we have hereunto set our signatures this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Stancil Handley

\_\_\_\_\_  
J. Mark Frey

\_\_\_\_\_  
Evan Major

STATE OF ALABAMA                    )  
COUNTY OF SHELBY                 )

**CERTIFICATE OF INCORPORATION  
OF THE  
CULTURAL FACILITIES COOPERATIVE DISTRICT OF THE CITY OF COLUMBIANA**

**KNOW ALL MEN BY THESE PRESENTS** that the undersigned, in order to incorporate and organize a public corporation as a capital improvement cooperative district under the provisions of the statutes codified as Chapter 99B of Title 11 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented (the "Act"), and being all of the incorporators of said public corporation (the "District"), do make, sign, execute, acknowledge and file this certificate of incorporation as follows:

1. The names of the undersigned, the persons forming the District, are Stancil Handley, J. Mark Frey and Evan Major, and each of said persons is a duly qualified elector of Shelby County, Alabama.

2. The period for the duration of the District shall be perpetual, subject to the provisions of Section 11-99B-15 of the Act.

3. The City of Columbiana, Alabama (the "City") and the Public Park and Recreation Board of the City of Columbiana (the "Park Board") are the only authorizing subdivisions. The governing body of the City adopted its authorizing resolution in accordance with the Act on February 6, 2018, a certified copy of which is attached hereto as *Exhibit A* and made a part hereof. The governing body of the Park Board adopted its authorizing resolution in accordance with the Act on February 6, 2018, a certified copy of which is attached hereto as *Exhibit B* and made a part hereof.

4. The name of the District shall be the "Cultural Facilities Cooperative District of the City of Columbiana", and the location of the principal office of the District shall be Columbiana City Hall, 107 Mildred Street, Columbiana, Alabama 35051, which is within Shelby County, Alabama.

5. The District proposes to facilitate the financing, acquisition, and construction of certain capital improvement projects located within the City of Columbiana, Shelby County, Alabama (the "Projects") and described more particularly as follows: Any capital improvement, facility, structure, building, property, or appurtenances thereto of any nature, type, or description which any member of the District is authorized by any law of the State of Alabama to own, acquire, construct, or finance, including, but without limitation: facilities for public park or other recreational uses and all buildings, facilities, and improvements incident thereto or useful in connection therewith, including, but without limitation, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and public accommodation facilities (as defined in Section 11-60-1 of the Code of Alabama 1975). The general areas in which the District proposes to acquire or construct the Projects are located within the City of Columbiana, Shelby County, Alabama within a ½ mile radius of Old Mill Square, which is located in the City of Columbiana between Walton Street and Summer Classics Way.

6. The District shall be governed by a board of directors which shall be comprised of three (3) directors. Two (2) initial directors and their successors shall be duly qualified electors of the City and shall be elected by the governing body of the City and one (1) initial director and his/her successors shall be a duly qualified elector of the City and shall be elected by the governing body of the Park Board. Each of the directors of the District that is chosen by the governing body of the Park Board shall be a member of the governing body of the Park Board. Any director elected by the Park Board who resigns or for any reason ceases to be a member of the governing body of the Park Board, as the case may be, shall be deemed to have resigned and created a vacancy on the board of directors of the District.

7. The proposed name of the District shall be the "Cultural Facilities Cooperative District of the City of Columbiana". Attached hereto as *Exhibit C* and made a part hereof is a certificate by the Secretary of State of the State of Alabama stating that the name proposed for the District is not identical to that of any other corporation organized under the laws of the State of Alabama or so nearly similar thereto as to lead to confusion and uncertainty.

8. Upon (i) dissolution of the District as provided by the Act, or (ii) a resolution duly adopted by the board of directors of the District at any time when the District has no bonds or other obligations outstanding, title to all funds and properties then owned by the District shall automatically pass to and vest in the City (or its successor).

9. The application filed with the governing body of each authorizing subdivision in accordance with Section 11-99B-3 of the Act is identical to the copy thereof attached hereto as *Exhibit D*.

10. The District is incorporated for the objects and purposes set forth in the Act. In furtherance of said objects and purposes, the District shall have all powers conferred upon public corporations of like nature by the Act and all other powers conferred upon corporations generally by the laws of the State of Alabama not in conflict or inconsistent with the Act.

11. Pursuant to Section 11-99B-5 of the Act, this certificate of incorporation may only be amended after obtaining the written consent of the governing body of each authorizing subdivision of the District.

12. This instrument may be executed in any number of counterparts, each of which so executed shall be deemed an original, but all such counterparts shall together constitute but one and the same instrument.

Section 2. That the City Council has reviewed and considered the foregoing application and has found and determined and does hereby find and determine as a matter of fact that there is a public need for the projects proposed by such proposed district, and that it is wise, expedient, and necessary that the proposed district be formed.

Section 3. That the City Council does hereby approve the proposed form of certificate of incorporation of the district attached to the foregoing application as hereinabove set forth.

Section 4. That the City Council does hereby authorize the persons filing such application to proceed to form such district by the filing for record of a certificate of incorporation in accordance with the provisions of Section 11-99B-4 of the Code of Alabama 1975.

Section 5. That the City Council does hereby elect and appoint the following named persons as directors of the Cultural Facilities Cooperative District of the City of Columbiana for the initial term of office ending on the date set opposite his or her name or on such date as the respective successor thereof is elected and qualified in his stead:

Name	Date of End of Term
Stancel Handley	12:01 A.M. on the fourth (4th) anniversary of the date of filing for record the certificate of incorporation for the cooperative district
J. Mark Frey	12:01 A.M. on the fourth (4th) anniversary of the date of filing for record the certificate of incorporation for the cooperative district

Each of the above-referenced individuals is a duly qualified elector of the City of Columbiana

Council member Ruston introduced:

**RESOLUTION 02-18-05  
APPROVING ELIZABETH SMITH TO SIGN ADEM DOCUMENTS**

**WHEREAS**, the City of Columbiana is constructing a Multi-use facility called Old Mill Square on the site of the old cotton mill; and

**WHEREAS**, the City Clerk maintains policies and practices that allow the strategic management of the City's resources; and

**WHEREAS**, it has been required by the Alabama Department of Environmental Management that the City of Columbiana have in place a designee who is able to sign on behalf of the City; so

**THEREFORE, BE IT RESOLVED** that the Mayor and City Council appoints the City Marketing Coordinator, Elizabeth Smith, as the authorized signer for the ADEM documents and will perform all duties required to fulfill this duty.

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

	Yea	Nay		Yea	Nay
Council member Whiting	<u>  X  </u>	___	Council member Moore	<u>  X  </u>	___
Council member Ruston	<u>  X  </u>	___	Council member King	<u>  absent  </u>	___
Council member Mayfield	<u>  X  </u>	___	Mayor Handley	<u>  X  </u>	___

Adopted this 6<sup>th</sup> day of February, 2018.

**MAYOR'S REPORT**

- Mayor Handley will be going to Montgomery tomorrow to meet with Gov. Ivy
- We have identified several paving projects that we can partner with Shelby County on
- A movie production company has relocated here in Columbiana
- Cattleman's Rodeo is scheduled for February 24<sup>th</sup> at the Exhibition Center

## ANNOUNCEMENTS

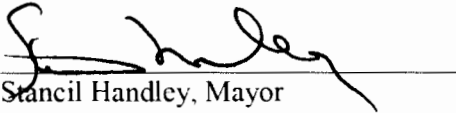
- None

## PUBLIC COMMENT

- None

There being no further business, Council member Ruston 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 8:02 p.m.

  
Mark Frey, City Clerk

  
Stencil Handley, Mayor



Council member Mayfield introduced:

**RESOLUTION 02-18-06**  
**A RESOLUTION AUTHORIZING CERTAIN ACTIONS WITH RESPECT TO**  
**GENERAL OBLIGATION WARRANTS, SERIES 2018,**  
**OF THE CITY OF COLUMBIANA, ALABAMA**

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF COLUMBIANA, ALABAMA (the "Council"), as follows:

**Section 1.** The Council has found and determined, and does hereby find, determine and declare, as follows:

(a) The Council has determined that it is in the best interests of the City of Columbiana, Alabama (the "City") to issue general obligation warrants in order to (i) finance the costs of acquiring and constructing a multipurpose event and community center located in the City and (ii) pay the costs of issuance of such general obligation warrants.

(b) It is necessary and desirable for the Council to authorize the structure and offering to the public market of general obligation warrants of the City which shall be designated General Obligation Warrants, Series 2018 (the "Series 2018 Warrants") for the foregoing purposes.

**Section 2.** Subject to Section 3 hereof, the Council does hereby approve, adopt, authorize, direct, ratify and confirm:

(a) the appointment and engagement of INTL FCStone Financial Inc., as underwriter (the "Underwriter") in connection with the issuance and sale of the Series 2018 Warrants; and

(b) the appointment and engagement of Maynard, Cooper & Gale, P.C. as bond counsel in connection with the issuance and sale of the Series 2018 Warrants and the preparation of the financing documents for the Series 2018 Warrants by such bond counsel.

**Section 3.** The issuance and sale of the Series 2018 Warrants by the City shall be subject to and conditioned upon:

(a) the final approval and authorization of the Series 2018 Warrants by the Council, including without limitation the purposes, use of proceeds, principal amounts, terms of maturity and payment dates, interest rates, offering prices and redemption prices and terms, and costs of issuance and credit enhancement, if any; and

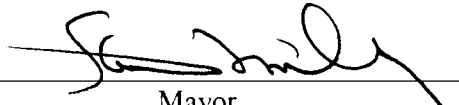
(b) the approving legal opinion of Maynard, Cooper & Gale, P.C., as bond counsel.

**Section 4.** All actions heretofore taken, and all agreements, documents, instruments and notices heretofore executed, delivered or made, by any of the officers of the City with respect to any matters referenced herein are hereby ratified and confirmed.

**Section 5.** All resolutions, or parts thereof, of the Council in conflict or inconsistent with any provision of this resolution hereby are, to the extent of such conflict or inconsistency, repealed.

**Section 6.** This resolution and order shall take effect immediately.

The above Resolution was duly adopted this 20<sup>th</sup> day of February, 2018.

  
\_\_\_\_\_  
Mayor

S E A L

Attest:   
\_\_\_\_\_  
City Clerk

