

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
July 17, 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 July 17, 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 07-03-2018 Regular Council Meeting
- B. Authorizing the transfer of Lacy Brown from Front Office Clerk / Bookkeeper to Assistant City Clerk at Pay Grade X Step 1 in the Administration Department.
- C. Authorizing the transfer of Elizabeth Taylor from Assistant City Clerk to Certified Court Clerk / Revenue Officer at Pay Grade XIII Step 1.

Council member Whiting made a motion to approve the minutes as presented which was seconded by Council member Ruston and followed by a unanimous yes vote of all members present. The Mayor declared the motion carried.

DEPARTMENT HEAD REPORTS

- **Library** – Sheila Gallups reported that the Summer Reading Program had over 125 kids participating this year. Tomorrow will end the program and there will be a drawing for those who participated. The prizes include a \$50 and two \$25 Piggly Wiggly Gift Cards. Hot dogs will also be served. *Ready Player One* will be the movie shown on Thursday.
- **Streets Department** – Allen Reynolds reported that the brush truck was back in service as of today. They are working to catch up on all of the brush calls and grass cutting. Friday he had an employee resign and Monday he re-hired a previous employee who was already trained.
- **Police Department** – Chief Lamar Vick reported that several of his officers are working on recertification. Chief Vick will be going to the Chief's Conference at the end of the month and will use less than \$200 on the City credit card. The two bicycle races held in town were a success and had very little impact on traffic. The Greater Shelby Chamber of Commerce hosted the event and it was a success.
- **Fire Department** – Chief Johnny Howard Jr. reported that they have been testing all of the air packs and the new bottles came in today. His department has also been testing all of the apparatuses. During the Shindig and Bicycle events, there were two heat related issues, but everything went very well. During the recent storm there were 23 trees down across the roads. The Mayor expressed the Council's appreciation for all of the Fire Department's assistance with getting the roads cleared.

- **Senior Center** – Director Ali Payne reported that everything was going really well and the center is averaging 45 seniors daily. They have many trips and Ali encouraged everyone to check the calendar for a list of upcoming events.
- **Environmental Services** – Dale Lucas reported that all projects are complete except for some paving and cleanup. The rain has delayed the wrap up of these projects, but they have already noticed some positive impact from the sewer projects.

Dale thanked everyone who helped make the Shelby County Shindig a success. The City Chefs were the overall winner and won first place for People’s Choice, Second Place for both Ribs and Chef’s Choice. Mayor Handley thanked Dale and all those who participated for making the event such a great success. The Council congratulated the team for the win.

MARKETING REPORT

Elizabeth Smith thanked everyone for helping with the Shindig and especially the Street Department for garbage and tent assistance.

- The Shelby County Shindig was a great success
- August 16th will be the annual Community Pep Rally @ 6PM on Main Street

Second reading of Ordinance 07-18-03:

ORDINANCE NO. 07-18-03

AN ORDINANCE AMENDING ORDINANCE NO. 04-00-01 TO REDUCE SALES AND USE TAXES ON FARM EQUIPMENT

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 (“Tax Ordinance”) to reduce the amount of sales and use taxes imposed on farm equipment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBIANA, ALABAMA, AS FOLLOWS:

Section 1. That Section 1(e) of the Tax Ordinance be amended to read as follows:

“Section 1. There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(e) Upon every person, firm or corporation engaged or continuing within the City in the business of selling at retail any machine, machinery or equipment which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefore which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to two percent (2%) of the gross proceeds of the sale thereof. Provided, however, the two percent (2%) rate herein prescribed with respect to parts, attachments, and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.”

Section 2. That Section 3(d) of the Tax Ordinance be amended to read as follows:

“Section 3.

(d) An excise tax is hereby levied and imposed on the storage, use or other consumption in the City of any machine, machinery or equipment which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefore which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, which is purchased at retail after the effective date of this ordinance, for the storage, use or other consumption in the City at the rate of two percent (2%) of the sales price of such property within the corporate limits of said City, regardless of whether the retailer is or is not engaged in the business in this City. Provided, however, the two percent (2%) rate herein prescribed with respect to parts, attachments, and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities. Where any used machine, machinery or equipment which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.”

Section 3. This Ordinance is cumulative to General License Code or Ordinance. This ordinance shall not be construed to amend or repeal any of the other 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 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 January 2018, and the first payment of taxes hereunder shall be due and payable on the 1st day of February 2018. This ordinance shall remain in full force and effect and shall apply to each month beginning with the month of the effective date and to each month of each calendar year thereafter from year to year.

	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>	___

The Ordinance passed unanimously and was posted by the City Clerk in accordance with State Law.

Council member Mayfield introduced:

**RESOLUTION 07-18-04
DONATION TO COLUMBIANA YOUTH BASEBALL**

WHEREAS, the City of Columbiana recognizes the benefit of supporting City sports, and the desire of the Park and Recreation Board to show their support of all the children of Columbiana in participation in the State Playoffs, and

BE IT RESOLVED that the City of Columbiana, upon the recommendation of the Park and Recreation Board, hereby awards the sum of \$750.00 to Columbiana Youth Ball program to be used to offset the cost for attendance at the 2018 State Playoffs.

THEREUPON Council member Mayfield moved and Council member Whiting seconded the motion that said resolution be given vote, and said resolution passed by 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	absent	___
Council member Mayfield	<u>X</u>	___	Mayor Handley	<u>X</u>	___

Adopted this 17th day of July, 2018.

Council member Ruston introduced:

**RESOLUTION 07-18-05
AUTHORIZING MAYOR TO SIGN AGREEMENT FOR LEASE OF
THE CITY FOOTBALL FIELD**

WHEREAS, the City of Columbiana recognizes the benefit of leasing out the football field at the City Park is in the best interest of the City generating additional funds that aid in the maintenance and upkeep of said facility, and

WHEREAS, Evangel Christian School doesn't currently have a facility to use for football games and is in need of a safe facility to utilize during the 2018 season.

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 lease of the football field for \$800 (\$400 per game) on the following dates: August 17th and September 28th, 2018. The City is holding a \$500 security deposit in the event there is damage.

THEREUPON Council member Whiting moved and Council member Mayfield seconded the motion that said resolution be given vote, and said resolution passed unanimously by a roll call vote of all members of the Council. Results are as follows:

	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 17th day of July, 2018.

Council member Ruston introduced:

**RESOLUTION 07-18-06
AUTHORIZING MAYOR TO SIGN CONTRACT
WITH UNIFIRST**

WHEREAS, the Mayor and Council for the City of Columbiana recognize the value of utilizing an outside firm to provide uniforms, uniform cleaning and an exchange program for said uniforms; and **WHEREAS**, the type of service needed, available and authorized:

In accordance with the *Code of Alabama 1975*, Section 41-16-51 and the *Code of Alabama 1975*, Section 16-13B-2, we have reviewed the competitive bidding process used by National IP A, a national purchasing cooperative, and their participating awarding authorities for the contracts awarded as of the date of this letter. We noted no matters we felt were contrary to proper purchasing procedures or routine governmental procurement practices. These contracts were awarded by various governmental entities, based on competitive bid requirements of their respective local governments.

Based on our review, we approve the competitive bidding process used by National IPA through November 30, 2019, for the purchase of goods or services; so

THEREFORE, BE IT RESOLVED by the City Council; the Mayor is authorized to sign any and all documents required to enter a contract with UniFirst for the uniform service for the City of Columbiana. Said agreement shall begin the day the contract is signed and end in 36 months.

Council member Whiting moved and Council member Ruston 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. The results of the roll call vote:

	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>	___

Adopted this 17th day of July, 2018.

OTHER CITY BUSINESS

- The Lot located behind City Hall is in need of being cleaned up. The Council asked Allen when he gets caught up – work on getting the lot cleaned up and the debris removed.
- The property on Bolton Lane, formally the Vansant house, is grown up and in need of attention. The property is currently owned by The Department of Urban Development and not being maintained properly. There is a tree on the edge of the ROW that has also blown over in a recent storm. The Council asked the Mayor to pursue getting it cleaned up. Mayor Handley asked Allen Reynolds to look at it and see what could be done in the ROW. The home may have to be abated.

MAYOR'S REPORT

- Premier Assisted Living is having a grand opening on July 23rd and everyone is invited out to celebrate.
- Old Mill Square was supposed to be hauling in dirt for the site on Monday, but they were delayed by rain. The project is still on schedule.

ANNOUNCEMENTS

- The Council asked about the Stewart abatement and asked if Mark Frey would contact them and let them know that the City is preparing to move forward with demolition.
- Council member Ruston announced that Elvin Hill Elementary has a new principal and everyone is gearing up for the new school year.
- The old pool hall building is in terrible shape and will be addressed by the Public Safety Committee tonight following the regular Council meeting.

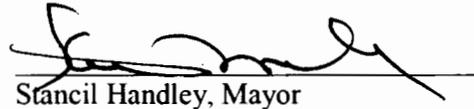
PUBLIC COMMENT

- 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 7:30 p.m.



J. Mark Frey, City Clerk



Stancil Handley, Mayor

