

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
December 17, 2019**

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. on Tuesday, December 17, 2019. Mayor Stancil Handley called the meeting to order and asked City Clerk, Charlene Tucker 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
Council Member Kim King
Mayor Stancil Handley

Absent:

None

The Mayor declared that a quorum was present.

CONSENT AGENDA

- A. Approval of Minutes 12-3-19 Regular Council Meeting
- B. Approval of Check Registers for December 1 and December 10, 2019 Accounts Payable Batches

Council Member Whiting made a motion to approve the consent agenda as presented, which was seconded by Council Member King and followed by a unanimous show of hands vote of all members present. The Mayor declared the motion carried.

DEPARTMENT HEAD REPORTS

- **Admin** – City Clerk Charlene Tucker reported that business license renewal letters have gone out. Around 7000 renewal letters were sent out, which is 1000 more than last year. Everything is going good at City Hall.
- **Streets** – Allen Reynolds reported that his department has been busy working on Christmas lights and street lights. A couple of street lights have been hit by trucks. This year’s Christmas parade was a success.
- **Fire** – Chief Johnny Howard, Jr. reported that the Christmas parade went well. They have not had any major losses. His department is working on training and inspections. Santa will be riding on the fire truck on the 20th. They need candy for the bags because they lost their sponsor who usually donates every year. The storm shelter was open last night during the storms and a lot of citizens utilized the shelter.

- **Environmental** – Dale Lucas reported that the water samples have been coming back with excellent marks. His new employees are learning everything they can. He has one that is shadowing him. They are working on the county lift station. That will take 30-40 days to complete.
- **Planning & Zoning** – Dale Lucas reported that he has been busy with planning and zoning. He has received a lot of re-zoning requests. There are a lot of new homes that are being built. The storm drains in Springs Crossing Sector 2 are going in.
- **Library** – Shelia Gallups reported that Feel Good, LLC is sponsoring the gingerbread house activity at the library on the 19th. This is for children to adults. Also on the 19th at 4:30, Mr. and Mrs. Claus will be at the library. There will be crafts and refreshments.
- **Marketing** – Elizabeth Smith gave the following dates:
 - Thursday, December 19 – Shelby County Boots and Bowties Silent Auction in the Grande Hall at Old Mills Square. This benefits the Shelby County Scholarship Fund.
 - Friday, December 20 at 1:00 is the Ugly Christmas Sweater Contest and Parade starting at 1:00 pm at the Senior Center.
 - Monday, December 23 at 7:00 am – Ribbon Cutting at Taco Bell
 - February 29, 2020 is Cowboy Day
- **Senior Center** – Ali Payne reported that Friday, December 20 is the Senior Center’s Christmas Party. They are wrapping up the Hawaii trip details and will be leaving May 4, 2020.
- **Police** – Chief Lamar Vick reported that everything is going good in his department. They are finishing up the training for the year. They received a \$4000.00 ADECA grant. The Christmas parade went well.

PRESENTATION TO CHIEF LAMAR VICK UPON RETIRING

The Mayor presented Police Chief Lamar Vick with his shield, service weapon and plaque. He was recognized for 28 years of service with the Columbiana Police Department. Vick thanked the Council, Mayor, Officers and Dispatchers for all of their support.

PRESENTATION OF TROPHIES FOR THE ANNUAL CITY OF COLUMBIANA CHRISTMAS PARADE WINNERS

This was the 17th annual Christmas Parade sponsored by the Beautification Board. Council Member Mayfield presented the following trophies:

- Santa’s Choice – Wilsonville Elementary School
- People’s Choice – Antique Vehicles
- Most Original – Grace Community Chapel
- Most Christmas Spirit – Sweet Potato Queens
- Best Christmas Theme – Girl Scout Troop 30564
- Grand Champion – Santa Claus and his Elves

Council Member Mayfield Introduced:

RESOLUTION NO. 12-19-02

**A RESOLUTION AUTHORIZING
A SPECIAL ECONOMIC DEVELOPMENT AGREEMENT
BY THE CITY OF COLUMBIANA, ALABAMA
AND
COLUMBIANA SQUARE, LLC**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIANA, ALABAMA (THE "COUNCIL"), AS GOVERNING BODY OF THE CITY OF COLUMBIANA, ALABAMA (the "Municipality"), as follows:

Section 1. The Council, upon evidence duly presented to and considered by it, has found and determined, and does hereby find, determine and declare as follows:

(a) Pursuant to the applicable laws of the State of Alabama, the Municipality and Columbiana Square, LLC (the "Owner") have prepared (i) that certain Special Economic Development Agreement to be dated the date of delivery (the "Special Economic Development Agreement"), as set forth in Exhibit A attached hereto and incorporated herein, for the purposes referenced therein.

(b) The Municipality is without absolute authority or power under any local constitutional amendment to do any of the actions or undertakings referenced in Amendment No. 772 of the Constitution of Alabama of 1901, as amended ("Amendment No. 772").

(c) The Municipality is authorized under Amendment No. 772 to become indebted, and to issue obligations as referenced therein, upon the full faith and credit of the Municipality, to a principal amount not exceeding 50% of the assessed value of taxable property therein, as determined for state taxation, in furtherance of the powers and authorities granted in Amendment No. 772.

(d) Pursuant to, and for the purposes of, Amendment No. 772, it is necessary, desirable and in the public interest for the Municipality to grant public funds and things of value for the economic development of the Municipality, and for such purpose to execute and deliver and perform the obligations under the Special Economic Development Agreement, including, without limitation, the issuance of its Limited Obligation Economic Development Revenue Warrant (Columbiana Square, LLC) in maximum principal amount of \$300,000 (the "Warrant"), pursuant to the terms of the Special Economic Development Agreement.

(e) The expenditure of public funds and the obligations to be undertaken by the Municipality on the terms and for the purposes specified in the Special Economic Development Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(f) (1) On December 4, 2019, the Municipality caused to be published in *The Shelby County Reporter*, which newspaper has the largest circulation in the Municipality, the notice required by Amendment No. 772(c)(2), a true and correct copy of which notice is attached hereto as **Exhibit B**.

(2) The information set forth in said notice is true and correct.

(3) Publication of said notice is hereby ratified and confirmed.

(g) (1) The assessed valuation of the taxable property in the Municipality for the preceding fiscal year (ending September 30, 2019 and on the basis of which taxes became due and payable on October 1, 2019) was not less than \$40,330,340.

(2) The total indebtedness of the Municipality chargeable against the debt limitation for the Municipality prescribed by Section 225 of the Constitution of Alabama of 1901, as amended, (which indebtedness does not include the Warrant issued under Amendment No. 772), is not more than twenty percent of said assessed valuation.

(3) The total indebtedness of the Municipality chargeable against the debt limitation for the Municipality prescribed by Amendment No. 772(a)(4) (which indebtedness does include the Warrant), is not more than fifty percent of said assessed valuation.

Section 2. The Council does hereby approve, adopt, authorize, direct, ratify and confirm:

(a) the agreements, covenants, and undertakings of the Municipality set forth in the Special Economic Development Agreement, including, without limitation, the issuance of the Warrant, and

(b) the terms and provisions of the Special Economic Development Agreement, in substantially the form and of substantially the content as set forth in **Exhibit A**, with such changes thereto (by addition or deletion) as the Mayor shall approve, which approval shall not extend or increase the obligations of the Municipality thereunder and shall be conclusively evidenced by execution and delivery of the Special Economic Development Agreement as hereinafter provided.

Section 3.

(a) The Mayor is hereby authorized and directed to execute and deliver the Special Economic Development Agreement and the Warrant for and on behalf of and in the name of the Municipality. The City Clerk is hereby authorized and directed to affix the official seal of the Municipality to the Special Economic Development Agreement and the Warrant and to attest the same.

(b) The Mayor and the City Clerk/Treasurer and the officers of the Municipality are each hereby authorized and directed to take all such actions, and execute, deliver and perform all such agreements, documents, instruments, notices, and petitions and proceedings, with respect to the Special Economic Development Agreement and the Warrant on the terms specified in the Special Economic Development Agreement, as the Mayor, the City Clerk/Treasurer and such officers shall determine to be necessary or desirable to carry out the provisions of this resolution, or the Special Economic Development Agreement, or duly and punctually observe and perform all agreements and obligations of the Municipality under the Special Economic Development Agreement.

Section 4. The Municipality desires, before the issuance of the Warrant referenced in the Special Economic Development Agreement, to validate the legality of all proceedings had or taken in connection therewith, the validity of the means provided for the payment of the Warrant and the validity of all covenants and provisions contained in this resolution and the Special Economic Development Agreement and the Warrant, by filing a petition against the taxpayers and citizens of the Municipality in the Circuit Court of Shelby County, Alabama. A complaint to validate such Warrant, proceedings, and covenants shall be filed and validation proceedings shall be instituted in the name of the Municipality and the members of the governing body of the Municipality. Maynard, Cooper & Gale, P.C., Birmingham, Alabama, is hereby designated and appointed as the attorneys of the Municipality to file such complaint, institute such proceedings, and to take all steps necessary to complete such validation proceedings in accordance with the provisions of Article 17 of Chapter 6 of Title 6 of the CODE OF ALABAMA 1975. Any actions heretofore taken by such attorneys in connection with the filing of such petition or such validation proceedings are hereby ratified and confirmed.

Section 5. All prior actions taken, and agreements, documents or notices executed and delivered, by the Mayor or any officer or member of the Council or other representative of the Municipality, in connection with the agreements, covenants, and undertakings of the Municipality hereby approved, or in connection with the preparation of the Special Economic Development Agreement and the terms and provisions thereof, are hereby approved, ratified and confirmed.

Section 6. All ordinances, resolutions, orders, or parts of any 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 7. This resolution shall take effect immediately.

THEREUPON Council Member Whiting moved and Council Member King seconded the motion that said resolution be given a roll call vote, and said resolution passed by majority vote of all members of the Council, and Mayor Handley declared the same passed. Results of the vote are as follows:

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

Council Member King Introduced:

RESOLUTION 12-19-03

AMENDING THE FY 2020 BUDGET TO INCLUDE ADDITIONAL EXPENDITURES FOR THE LIBRARY

WHEREAS, the Columbiana City Council has approved a beginning budget for FY 2020, and

WHEREAS, the Columbiana Public Library applied for the Library Services and Technology Act (LTSA) Grant from the Alabama Public Library Service but was not awarded this grant; and

WHEREAS, the Fiscal Year 2020 budget already includes a \$5000.00 city match for the grant that was not awarded and a \$1600.00 line item for two computers for the Library; and

WHEREAS, it is the responsibility of the City Council to approve a budget that is consistent with the revenue and expenditures reflecting their priorities for the City of Columbiana; and

WHEREAS, the expenditures referenced above requires an amendment to the FY 2020 budget.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Columbiana that the City Council hereby amends the Fiscal Year 2020 budget to include the Library expenditure in the amount of \$12,997.76 for computer equipment. This also authorizes the City Clerk/Treasurer to update the line account listed above for the FY 2020 budget.

THEREUPON Council Member Ruston moved and Council Member Mayfield 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. Results of the vote:

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

PUBLIC HEARING FOR ORDINANCE 11-19-04

Council Member Whiting made the motion to suspend the regular meeting to go into public hearing, which was seconded by Council Member King. There was a roll call vote of all members present and it was unanimous.

The Mayor called the public hearing to order to hear from anyone speaking for or against Ordinance 11-19-04. This ordinance is amending Section 41 of the City of Columbiana’s zoning ordinance, number 215.

No one spoke in favor of the ordinance.

No one spoke against the ordinance.

Council Member King made the motion to adjourn the public hearing, which was seconded by Council Member Mayfield. There was a show of hands vote by all members present and it was unanimous.

ORDINANCE NO. 11-19-04

AN ORDINANCE AMENDING THE CITY OF COLUMBIANA ZONING ORDINANCE, NO. 215

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

To revise Section 41, Enforcing Officer. The change will read as follows:

Section 41. ENFORCING OFFICER

The provisions of this ordinance shall be administered and enforced by the City's Planning and Zoning Director, Code Enforcement Officer or any other designee of the City. These officials shall have the right to enter upon any premises at any reasonable time prior to the issuance of certificate of occupancy for the purpose of making inspections of buildings or premises necessary to carry out their duties in the enforcement of this ordinance.

Effective Date - Publication

This ordinance shall take effect upon adoption and shall be published as required by law.

ADOPTED AND APPROVED THIS THE 17th DAY OF DECEMBER, 2019.

DISCUSSION – OTHER CITY BUSINESS

The City is trying to establish a Historical and Entertainment District, separately or together, that would encompass a ½ mile radius around the Shelby County Courthouse. The Historical District would keep historical homes from being torn down. The Mayor asked Council if they would continue to act as the Architectural Review Board or would they turn that over to the Planning and Zoning Board. This will be discussed at a later work session.

MAYOR'S REPORT

The ribbon cutting for Taco Bell will be Monday, December 23 at 7:00 am.

Thursday, December 19 is Boots and Bow Ties in the Grande Hall at Old Mill Square. Tickets are \$20.00 and it benefits the Shelby County Scholarship Fund.

The first musical performance was held in the Grande Hall last Thursday. It was the middle school and high school choir and band.

Building will start in Springs Crossing Sector 2 on January 15, 2020.

Other developers are now calling and wanting to build subdivisions in Columbiana. The Mayor has meetings with two developers on December 26.

There will be a public safety committee meeting following tonight's council meeting.

Judge Conwill is getting two bids for the abatement at 108 South Main Street.

ANNOUNCEMENTS

- None

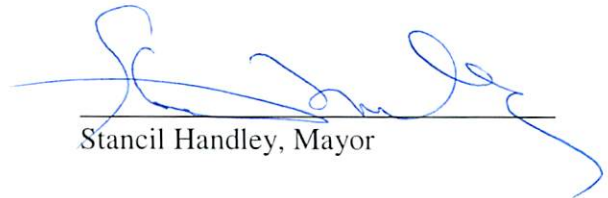
PUBLIC COMMENT

Brenda Sands thanked everyone who helped with the Holly Jolly Trolley Tours. 75 tickets were sold and only 18 of those were to citizens of Columbiana.

There being no further business, Council Member Whiting moved that the meeting be adjourned which was seconded by Council Member King. The motion passed by vote of all members of the Council present. Mayor Handley declared the meeting adjourned at 7:17 p.m.



Charlene Tucker, City Clerk



Stancil Handley, Mayor

