

**REGULAR COUNCIL MEETING  
CITY OF COLUMBIANA, ALABAMA  
April 18, 2023**

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, April 18, 2023. Mayor David Mitchell called the meeting to order and asked City Clerk, Charlene Tucker, to call roll after the invocation and pledge.

**Present:**

Council Member Karen Lilly  
Council Member Vickie Mizzell  
Council Member Ricky Ruston  
Council Member Kim King  
Council Member Ashley Phillips  
Mayor David Mitchell

**Absent:**

None

The Mayor declared that a quorum was present.

**Consent Agenda**

**A. Approval of Minutes 4-4-23 Regular Council Meeting**

There being no changes or amendments to the minutes, the Mayor declared the minutes approved.

**Department Head Reports**

**Police – Jeff Bowers reported the following:**

- Currently one on the job injury.
- We are currently on course with our 2023 budget.
- Taking applications for Police Officer - 2 positions open
- All vehicles are in good working order- new vehicle on the road
- All equipment is in good working order.
- Training continues for 2023
- We are working on slowing traffic at city ballparks and keeping people from driving on the sidewalk at the Sports Complex
- Shelby County High School and Elvin Hill Elementary School was on lockdown today. There was a report of a man with a gun in the area. It turned out to be a contractor with a nail gun working on a house in the area.

**Administration – Charlene Tucker reported the following:**

- No reports of safety issues.
- YTD revenues and expenses are on track.
- Fully staffed with three full time and one part-time employee.
- No repairs needed at City Hall at this time.

- Training is up to date.

**Court** – Mike Atchison reported the following:

- The first City of Columbiana Defensive Driving School class was held April 12, 2023. There were 11 attendees and class went well.
- Next court date is April 25, 2023.
- Next Driving School is May 10, 2023.
- Terri Reynolds and Joanna Seale have completed their Magistrate CEU's for 2023.

**Public Works** – Allen Reynolds reported the following:

- No injuries at this time
- At this time our current budget is on track.
- 3 positions open.
- Vehicles are up to date
- 24 yard garbage truck is out of shop and back in service
- We have monthly training meetings.
- We are in desperate need of a shop and office building to work on equipment.
- Both garbage trucks are up and running.
- Demolition of new shop is 80% completed. Hopefully we will have more numbers by end of week.

### **Board Reports**

The Planning Commission reported that they approved the plat for Springs Crossing Sector 4. This is 34 lots. They also approved a rezoning application for 21066 Highway 25. They tabled the rezoning application for 21421 Highway 25 until they can follow up with our city attorney.

The Park and Recreation Board reported that they will meet in May. Registration has started for flag football and that will go from May until July.

The Water Board held a regular business meeting. They have one job opening posted.

### **Public Hearing – Re-Zoning Property at 22676 Highway 25 from R-1 to B-1**

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

The public hearing is to hear from anyone speaking for or against the rezoning of tax parcel # 21 6 24 1 001 047.000 from split zoning of B-1 and R-1 to B-1. This property is located at 22676 Highway 25.

Charles Thornburg spoke in favor of the rezoning request. He stated that this property fronts two major roads and there is a large business that is interested in this property. This business would be very lucrative for the city. Mike Atchison also spoke in favor of the rezoning request. He stated that he drafted the contract for this property sale and that they business that is interested in the property is a national company and that it would benefit the city and be an asset.

Allen Ray spoke against the rezoning request. He stated that his home is across the street from this property and he is worried about traffic, safety and other issues that have not been considered.

Council Member Mizzell made a motion to adjourn the public hearing, which was seconded by Council Member Lilly. All members present were in favor of adjourning the public hearing.

### **Request to go into Executive Session**

Before the ordinance was voted on, Mayor Mitchell made a motion to go into executive session to discuss an economic development issue. The motion was seconded by Council Member King. Council went into executive session at 6:44 pm and returned at 6:49 pm. The regular council meeting was called back to order.

Mayor Mitchell introduced:

### **ORDINANCE NO. 04-23-06 AN ORDINANCE REZONING PROPERTY FROM R-1 TO B-1**

WHEREAS, the City of Columbiana has adopted a comprehensive zoning ordinance; and

WHEREAS, certain property located at 22676 Highway 25, Columbiana, AL is currently owned by Charles Thornburg; and

WHEREAS, after holding a public hearing on the matter, the Columbiana Planning and Zoning Commission has recommended that, at the request of the City of Columbiana, this parcel be rezoned from split zoning of B-1 and R-1 to B-1, subject to certain conditions; and

WHEREAS, the Columbiana City Council has held a public hearing on the Columbiana Planning and Zoning Commission's recommendation and carefully considered the said recommendation and the comments thereon;

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

Section 1. That the zoning district boundaries be amended so as to rezone the following property from split zoning of B-1 and R-1 to B-1, and that such rezoning be reflected on the Zoning Map of the City of Columbiana:

*Tax Parcel # 21 6 24 1 001 047.000*

Provided, however, that such rezoning is subject to the following condition: Compliance with the rules, regulations, policies, and procedures of the City of Columbiana, and

Section. 2. That the city clerk be directed to publish or post this ordinance as required by law.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Columbiana does adopt the above rezoning ordinance. The motion was made by Council Member Ruston and seconded by Council Member King and passed by a vote of the Council.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>X</u>	___
Council Member Mizzell	<u>X</u>	___	Council Member Phillips	<u>X</u>	___
Council Member Ruston	<u>X</u>	___	Mayor David Mitchell	<u>X</u>	___

**Public Hearing – Abating Property at 460 Highway 47 North, 317 Nelson Walker Road (AKA 15 & 25 Wood Lane, 1850 Highway 47 South and 1081 Egg and Butter Road**

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

The public hearing is to hear from anyone speaking for or against the abating of property at 460 Highway 47 North, 317 Nelson Walker Road (AKA 15 & 25 Wood Lane), 1850 Highway 47 South and 1081 Egg and Butter Road.

Kelly Fox gave information regarding the properties and the steps that have been taken to contact the owners of the properties. There will be another public hearing this summer or fall to place a lien on the properties if the city has them demolished.

Keith Holland spoke in favor of abating the properties.

No one spoke against abating the properties.

Council Member King made a motion to adjourn the public hearing, which was seconded by Council Member Mizzell. All members present were in favor of adjourning the public hearing.

Mayor Mitchell introduced:

**RESOLUTION 04-23-07**

**A RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 460 HIGHWAY 47 NORTH, COLUMBIANA ALABAMA, PARCEL ID# 21 6 23 1 001 009.000, IN COMPLIANCE WITH SECTIONS 11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16, INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH ORDINANCE NUMBER 05-14-06 OF COLUMBIANA, ALABAMA; AND CALLING FOR THE CITY TO CAUSE SAID DEMOLITION TO BE PERFORMED AND DIRECTING THE CITY ATTORNEY AND THE CITY CLERK TO CAUSE THE COST OF SUCH DEMOLITION TO BE CHARGED AGAINST THE LAND ON WHICH THE BUILDING OR STRUCTURE EXISTS AS A MUNICIPAL LIEN OR CAUSE SUCH COST TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNER OR OWNERS**

**WHEREAS**, the Appropriate Municipal Official of Columbiana, Alabama, determined that the condition of the building or structure located at **460 Highway 47 North, Columbiana, Alabama**, Parcel I.D. Number **21 6 23 1 001 009.000** is in such a condition as to make it dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

**WHEREAS**, contemporaneously with the filing of “Finding of Public Nuisance, Notice and Order to Remedy and Notice of Lis Pendens” on February 21, 2023, a copy of same was sent via certified mail, properly addressed and postage prepaid, to:

A. All person or persons, firm, association, or corporation last assessing the subject property for state taxes to the address on file in the Shelby County Revenue Commissioner's Office,

B. The record property owner or owners (including any owner or owners of an interest in the subject property) as shown from a search of records of the office the Judge of Probate of Shelby County, Alabama, at the owner or owners' last known address and at the address of the subject property,

C. All mortgagees of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama, to the address set forth in the mortgage or, if no address for the mortgagee is set forth in the mortgage, to the address determined to be the correct address by the Appropriate Municipal Official,

D. All lien holders of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama to the address set forth in the statement of lien or, if no address for the lien holder is set forth in the statement of lien, to the address determined to be the correct address by the Appropriate Municipal Official,

E. Such other persons who are otherwise known to the City Clerk or to the Appropriate Municipal Official who could have an interest in the subject property.

**WHEREAS**, contemporaneously with the filing of the “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of Lis Pendens”, a copy of the same was posted at or within three feet of an entrance to the building on the subject property and posted in three public places located within the City: Columbiana City Hall, Columbiana Public Library, and Columbiana Water Works.

**WHEREAS**, notice that the Appropriate Municipal Official has made a finding that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was also given to all interested parties and to the public at large by publication in the Shelby County Reporter.

**BE IT RESOLVED** by the City Council of Columbiana, Alabama while in regular session on April 18, 2023, at 6:00 p.m. as follows:

**Section 1.** A Public Hearing was held on April 18, 2023, at 6:00 p.m. and after due deliberation the Council of the City finds that the structure standing at **460 Highway 47 North, Columbiana, Alabama**, Parcel ID# **21 6 23 1 001 009.000** is unsafe to the extent of becoming a public nuisance to the citizens of the City and is due to be demolished in compliance with Sections 11-40-30 through 11-40-36 and Sections 11-53B-1 through 11-53B-16, inclusive, of the Code of Alabama (1975), and Ordinance Number 05-14-06 of the City;

**Section 2.** That the City shall cause said demolition to be performed by its own employees and/or by contractor(s); and

**Section 3.** That the City Attorney and the City Clerk are hereby directed to cause the cost of such demolition to be charged against the land on which the building or structure is located and shall constitute a lien on the property for the amount of the assessment or cause such cost to be recovered in a suit at law against the owner or owners.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Columbiana does adopt the above actions and wishes to proceed with demolition of said property. The motion was made by Council Member Ruston and seconded by Council Member King and passed by a vote of the Council.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>X</u>	___
Council Member Mizzell	<u>X</u>	___	Council Member Phillips	<u>X</u>	___
Council Member Ruston	<u>X</u>	___	Mayor David Mitchell	<u>X</u>	___

Mayor Mitchell introduced:

#### **RESOLUTION 04-23-08**

**A RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 317 NELSON WALKER ROAD (A/K/A 15 & 25 WOOD LANE), COLUMBIANA ALABAMA, PARCEL ID# 21 7 36 0 000 007.004, IN COMPLIANCE WITH SECTIONS 11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16, INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH ORDINANCE NUMBER 05-14-06 OF COLUMBIANA, ALABAMA; AND CALLING FOR THE CITY TO CAUSE SAID DEMOLITION TO BE PERFORMED AND DIRECTING THE CITY ATTORNEY AND THE CITY CLERK TO CAUSE THE COST OF SUCH DEMOLITION TO BE CHARGED AGAINST THE LAND ON WHICH THE BUILDING OR STRUCTURE EXISTS AS A MUNICIPAL LIEN OR CAUSE SUCH COST TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNER OR OWNERS**

**WHEREAS**, the Appropriate Municipal Official of Columbiana, Alabama, determined that the condition of the building or structure located at **317 Nelson Walker Road A/K/A 15 & 25 Wood Lane, Columbiana, Alabama, Parcel I.D. Number 21 7 36 0 000 007.004** is in such a condition as to make it dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

**WHEREAS**, contemporaneously with the filing of “Finding of Public Nuisance, Notice and Order to Remedy and Notice of Lis Pendens” on February 21, 2023, a copy of same was sent via certified mail, properly addressed and postage prepaid, to:

A. All person or persons, firm, association, or corporation last assessing the subject property for state taxes to the address on file in the Shelby County Revenue Commissioner's Office,

B. The record property owner or owners (including any owner or owners of an interest in the subject property) as shown from a search of records of the office the Judge of Probate of Shelby County, Alabama, at the owner or owners' last known address and at the address of the subject property,

C. All mortgagees of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama, to the address set forth in the mortgage or, if no address for the mortgagee is set forth in the mortgage, to the address determined to be the correct address by the Appropriate Municipal Official,

D. All lien holders of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama to the address set forth in the statement of lien or, if no address for the lien holder is set forth in the statement of lien, to the address determined to be the correct address by the Appropriate Municipal Official,

E. Such other persons who are otherwise known to the City Clerk or to the Appropriate Municipal Official who could have an interest in the subject property.

**WHEREAS**, contemporaneously with the filing of the "Finding of Public Nuisance, Notice and Order to Remedy, and Notice of Lis Pendens", a copy of the same was posted at or within three feet of an entrance to the building on the subject property and posted in three public places located within the City: Columbiana City Hall, Columbiana Public Library, and Columbiana Water Works.

**WHEREAS**, notice that the Appropriate Municipal Official has made a finding that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was also given to all interested parties and to the public at large by publication in the Shelby County Reporter.

**BE IT RESOLVED by the City Council of Columbiana, Alabama** while in regular session on April 18, 2023, at 6:00 p.m. as follows:

**Section 1.** A Public Hearing was held on April 18, 2023, at 6:00 p.m. and after due deliberation the Council of the City finds that the structure standing at **317 Nelson Walker Road A/K/A 15 & 25 Wood Lane, Columbiana, Alabama**, Parcel ID# **21 7 36 0 000 007.004** is unsafe to the extent of becoming a public nuisance to the citizens of the City and is due to be demolished in compliance with Sections 11-40-30 through 11-40-36 and Sections 11-53B-1 through 11-53B-16, inclusive, of the Code of Alabama (1975), and Ordinance Number 05-14-06 of the City;

**Section 2.** That the City shall cause said demolition to be performed by its own employees and/or by contractor(s); and

**Section 3.** That the City Attorney and the City Clerk are hereby directed to cause the cost of such demolition to be charged against the land on which the building or structure is located and shall constitute a lien on the property for the amount of the assessment or cause such cost to be recovered in a suit at law against the owner or owners.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Columbiana does adopt the above actions and wishes to proceed with demolition of said property. The motion was made by Council Member Ruston and seconded by Council Member Phillips and passed by a vote of the Council.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>X</u>	___
Council Member Mizzell	<u>X</u>	___	Council Member Phillips	<u>X</u>	___
Council Member Ruston	<u>X</u>	___	Mayor David Mitchell	<u>X</u>	___

Mayor Mitchell introduced:

**RESOLUTION 04-23-09**

**A RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 1850 HIGHWAY 47 SOUTH, COLUMBIANA ALABAMA, PARCEL ID# 29 1 01 0 000 016.002, IN COMPLIANCE WITH SECTIONS 11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16, INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH ORDINANCE NUMBER 05-14-06 OF COLUMBIANA, ALABAMA; AND CALLING FOR THE CITY TO CAUSE SAID DEMOLITION TO BE PERFORMED AND DIRECTING THE CITY ATTORNEY AND THE CITY CLERK TO CAUSE THE COST OF SUCH DEMOLITION TO BE CHARGED AGAINST THE LAND ON WHICH THE BUILDING OR STRUCTURE EXISTS AS A MUNICIPAL LIEN OR CAUSE SUCH COST TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNER OR OWNERS**

**WHEREAS**, the Appropriate Municipal Official of Columbiana, Alabama, determined that the condition of the building or structure located at **1850 Highway 47 South, Columbiana, Alabama**, Parcel I.D. Number **29 1 01 0 000 016.002** is in such a condition as to make it dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

**WHEREAS**, contemporaneously with the filing of "Finding of Public Nuisance, Notice and Order to Remedy and Notice of Lis Pendens" on February 21, 2023, a copy of same was sent via certified mail, properly addressed and postage prepaid, to:

A. All person or persons, firm, association, or corporation last assessing the subject property for state taxes to the address on file in the Shelby County Revenue Commissioner's Office,

B. The record property owner or owners (including any owner or owners of an interest in the subject property) as shown from a search of records of the office the Judge of Probate of Shelby County, Alabama, at the owner or owners' last known address and at the address of the subject property,

C. All mortgagees of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama, to the address set forth in the mortgage or, if no address for the mortgagee is set forth in the mortgage, to the address determined to be the correct address by the Appropriate Municipal Official,



D. All lien holders of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama to the address set forth in the statement of lien or, if no address for the lien holder is set forth in the statement of lien, to the address determined to be the correct address by the Appropriate Municipal Official,

E. Such other persons who are otherwise known to the City Clerk or to the Appropriate Municipal Official who could have an interest in the subject property.

**WHEREAS**, contemporaneously with the filing of the “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of Lis Pendens”, a copy of the same was posted at or within three feet of an entrance to the building on the subject property and posted in three public places located within the City: Columbiana City Hall, Columbiana Public Library, and Columbiana Water Works.

**WHEREAS**, notice that the Appropriate Municipal Official has made a finding that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was also given to all interested parties and to the public at large by publication in the Shelby County Reporter.

**BE IT RESOLVED by the City Council of Columbiana, Alabama** while in regular session on April 18, 2023, at 6:00 p.m. as follows:

**Section 1.** A Public Hearing was held on April 18, 2023, at 6:00 p.m. and after due deliberation the Council of the City finds that the structure standing at **1850 Highway 47 South, Columbiana, Alabama, Parcel ID# 29 1 01 0 000 016.002** is unsafe to the extent of becoming a public nuisance to the citizens of the City and is due to be demolished in compliance with Sections 11-40-30 through 11-40-36 and Sections 11-53B-1 through 11-53B-16, inclusive, of the Code of Alabama (1975), and Ordinance Number 05-14-06 of the City;

**Section 2.** That the City shall cause said demolition to be performed by its own employees and/or by contractor(s); and

**Section 3.** That the City Attorney and the City Clerk are hereby directed to cause the cost of such demolition to be charged against the land on which the building or structure is located and shall constitute a lien on the property for the amount of the assessment or cause such cost to be recovered in a suit at law against the owner or owners.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Columbiana does adopt the above actions and wishes to proceed with demolition of said property. The motion was made by Council Member Ruston and seconded by Council Member King and passed by a vote of the Council.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>X</u>	___
Council Member Mizzell	<u>X</u>	___	Council Member Phillips	<u>X</u>	___
Council Member Ruston	<u>X</u>	___	Mayor David Mitchell	<u>X</u>	___

Mayor Mitchell introduced:

**RESOLUTION 04-23-10**

**A RESOLUTION REGARDING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 1081 EGG AND BUTTER ROAD, COLUMBIANA, ALABAMA, PARCEL ID# 21 7 35 0 000 020.000, IN COMPLIANCE WITH SECTIONS 11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16, INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH ORDINANCE NUMBER 05-14-06 OF COLUMBIANA, ALABAMA; AND DECIDING NOT TO ORDER DEMOLITION AT THIS TIME**

**WHEREAS**, the Appropriate Municipal Official of Columbiana, Alabama, determined that the condition of the building or structure located at **1081 Egg and Butter Road, Columbiana, Alabama**, Parcel I.D. Number **21 7 35 0 000 020.000** is in such a condition as to make it dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

**WHEREAS**, contemporaneously with the filing of “Finding of Public Nuisance, Notice and Order to Remedy and Notice of Lis Pendens” on February 21, 2023, a copy of same was sent via certified mail, properly addressed and postage prepaid, to:

A. All person or persons, firm, association, or corporation last assessing the subject property for state taxes to the address on file in the Shelby County Revenue Commissioner’s Office,

B. The record property owner or owners (including any owner or owners of an interest in the subject property) as shown from a search of records of the office the Judge of Probate of Shelby County, Alabama, at the owner or owners’ last known address and at the address of the subject property,

C. All mortgagees of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama, to the address set forth in the mortgage or, if no address for the mortgagee is set forth in the mortgage, to the address determined to be the correct address by the Appropriate Municipal Official,

D. All lien holders of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama to the address set forth in the statement of lien or, if no address for the lien holder is set forth in the statement of lien, to the address determined to be the correct address by the Appropriate Municipal Official,

E. Such other persons who are otherwise known to the City Clerk or to the Appropriate Municipal Official who could have an interest in the subject property.

**WHEREAS**, contemporaneously with the filing of the “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of Lis Pendens”, a copy of the same was posted at or within three feet of an entrance to the building on the subject property and posted in three public places located within the City: Columbiana City Hall, Columbiana Public Library, and Columbiana Water Works.

**WHEREAS**, notice that the Appropriate Municipal Official has made a finding that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is

subject to demolition and that a public hearing would be held on a certain date was also given to all interested parties and to the public at large by publication in the Shelby County Reporter.

**BE IT RESOLVED** by the City Council of Columbiana, Alabama while in regular session on April 18, 2023, at 6:00 p.m. as follows:

**Section 1.** A Public Hearing was held on April 18, 2023, at 6:00 p.m. and after due deliberation, without waiver of any future recourse, the City Council finds that there is good cause not to demolish the structure at this time because the dangerous condition has been remedied to the City Council's satisfaction.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Columbiana does adopt the above actions and wishes to close the lis pendens of said property. The motion was made by Council Member Ruston and seconded by Council Member Phillips and passed by a vote of the Council.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>  X  </u>	<u>     </u>	Council Member King	<u>  X  </u>	<u>     </u>
Council Member Mizzell	<u>  X  </u>	<u>     </u>	Council Member Phillips	<u>  X  </u>	<u>     </u>
Council Member Ruston	<u>  X  </u>	<u>     </u>	Mayor David Mitchell	<u>  X  </u>	<u>     </u>

Mayor Mitchell introduced:

**RESOLUTION 04-23-11  
RESOLUTION FOR ABC LICENSE FOR  
JUST A TISH LLC**

**WHEREAS**, the City of Columbiana has received an application from **JUST A TISH LLC DBA JUST A TISH WINE AND MORE**, through the Alcoholic Beverage Control Board requesting an 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) Alcohol License Application; and

**WHEREAS**, the City of Columbiana recognizes that this business has complied with the requirements of the State of Alabama to obtain such licenses;

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Columbiana that the City Council of the City of Columbiana does hereby grant the request and charge the City Clerk with providing a letter to the Alcoholic Beverage Control Board indicating their approval of the license request.

**THEREUPON** Council Member Ruston moved and Council Member King seconded the motion that said resolution be given roll call vote, and said resolution passed by vote of all members of the Council, and the Mayor declared the same passed.

Results of the roll call vote:

	Yea:	Nay:
Council Member Karen Lilly	<u>  X  </u>	<u>     </u>
Council Member Vicky Mizzell	<u>  X  </u>	<u>     </u>
Council Member Rickey Ruston	<u>  X  </u>	<u>     </u>

Council Member Kim King  
Council Member Ashley Phillips  
Mayor David Mitchell

  X         
  X         
  X       

### **Proclaiming April 2023 as National Child Abuse Prevention Month**

**Whereas**, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone in our community; and

**Whereas**, our children are our most valuable resources and will shape the future of Columbiana, Alabama; and

**Whereas**, child abuse can have long-term psychological, emotional, and physical effects for victims of abuse, and

**Whereas**, effective child abuse prevention activities succeed because of the meaningful connections and partnerships created between child welfare, education, child advocacy centers, health, community-and-faith-based organizations, business and law enforcement agencies, citizens; and

**Whereas**, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to the social and emotional well-being of children and families in a safe, stable, nurturing environment.

**Now therefore be it resolved** that the City Council of the City of Columbiana, Alabama recognizes April 2023 as National Child Abuse Prevention Month in Columbiana, Alabama. We pledge to dedicate ourselves to the task of improving the quality of life for all children and families and to prevent child abuse.

### **Discussion – Other City Business**

Main Street Columbiana’s Design Committee presented their building color guide to the Architectural Review Board. After discussion Council Member King made a motion to approve the building color guide, which was seconded by Council Member Lilly. All members present voted yes and the building color guide was approved.

### **Mayor’s Report**

- Mayor’s Semi-annual Financial Condition Statement to Council
  - Section 11-43-84, Code of Alabama 1975, requires the mayor to present a semi-annual written statement, to the Council, of the City’s financial condition and show all temporary floating indebtedness, for what created, and the steps he/she will take to protect the credit of the City.
  - Notes:
    - Budgeting vs GASB accounting
      - Surplus Rule of Thumb = 2 months General Fund expenditures
    - Future budget overrun due to excess paving cost

- Credit
  - S&P Rating AA

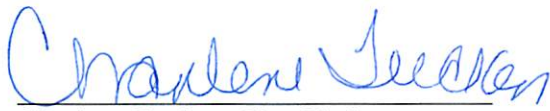
### Announcements

- April 22 at 8:00 am – Columbiana Clean-Up Day with the Beautification Board
- April 22 from 8:00 am – Noon – SCHS Key Club Painting Paw Prints on Washington Street
- Music on Main scheduled for Friday nights in June:
  - June 2 – TBD
  - June 9 – The Stepdads
  - June 16 – The Cash Domino Killers
  - June 23 – Liberty Day: Big City Rhythm
  - June 30 - TBD

### Public Comments

Keith Holland asked how the abatement process works and who starts that process. The Mayor gave information regarding the abatement process.

There being no further business, Council Member King moved that the meeting be adjourned which was seconded by Council Member Lilly. The motion passed by vote of all members of the Council present. Mayor Mitchell declared the meeting adjourned at 7:42 p.m.

  
Charlene Tucker, City Clerk

  
David Mitchell, Mayor

