

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
April 19, 2022**

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 19, 2022. 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 Ashley Phillips
Mayor David Mitchell

Absent:

Council Member Kim King

The Mayor declared that a quorum was present.

Consent Agenda

A. Approval of Minutes 4-5-22 Regular Council Meeting

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

Swear in Police Officer Alicia Simpson

The Mayor swore in police officer Alicia Simpson.

Discussion – Donna Beaulieu – Candidate for Circuit Court Judge

Donna Beaulieu introduced herself and gave information on her candidacy for Circuit Court Judge.

Discussion – Phillip Bahakel – Candidate for District Court Judge

Phillip Bahakel introduced himself and gave information on his candidacy for District Court Judge.

Discussion – Matt Casey – Candidate for District Attorney

Matt Casey introduced himself and gave information on his candidacy for District Attorney.

Department Head Reports

Police – Jeff Bowers reported the following:

- We currently have one on the job injury.
- We are currently on course with our 2022 budget.

- We are currently down one officer due to an on the job injury.
- New vehicle should arrive soon.
- All equipment is in good shape.
- Department training continues.
- CPD welcomes new Officer, Alicia Simpson.
- Zero tolerance on speeding in school zones, which includes the intersection of Highway 25 and Depot Street.

Administration – Charlene Tucker reported the following:

- No reports of safety issues.
- YTD revenues are up and expenses are down.
- Fully staffed with three full time employees and one part time employee.
- No repairs are needed at this time.
- Training is up to date. City Clerk has clerk's training April 27-29.

Court – Mike Atchison reported the following:

- Court attendance was above average for the first court date of April 12, 2022. Next Court is April 26, 2022.
- Budget is on track for the FY 2022 year.
- Lisa, Terri and Joanna attended training April 7-8, 2022. This completed the Magistrate certification for Lisa and Terri, with Joanna being re-certified.
- Judge Atchison attended the 2022 Spring Municipal Law Conference April 1, 2022.
- The next court will be held on April 26, 2022 at 2:00pm.

Public Works – Allen Reynolds reported the following:

- No injuries during this fiscal year.
- At this time our current budget is on track.
- We are currently down five employees.
- We are in need of two ¾ ton pick-up trucks long wheelbase for the sanitation department.
- Some of our equipment is in need of replacement and some are in need of repairs.
- We have monthly training meetings.
- We are in desperate need of a shop and office building to work on equipment.

Board Reports

The Planning and Zoning Board met last week and approved the re-zoning of the golf course from RSD (Residential Special District) to R-1. That will come to council on May 17 for a public hearing and vote. Amy Dixon, board member, addressed Council and gave an update on our ordinance. There will be a Planning and Zoning work session on Tuesday, April 26 at 5:00 pm to discuss the ordinance update and Council is invited to attend.

Council Member Ruston is working with Shelby County on new lighting for Bolton and Lewis fields. Shelby County will contract with Musco Lighting to perform the work and oversee the project. If approved, the project will take place after softball seasons ends. The total project cost is around \$300,000 and the city's cost will be around \$20,000. Council discussed the project and agreed that this will be a great benefit to the City and parks.

Mayor Mitchell introduced:

ORDINANCE NO. 04-22-05
AN ORDINANCE TO ANNEX PROPERTY

WHEREAS, Randy Goggans (WLP 70, LLC) has filed a petition with the City of Columbiana, Alabama, as required by §§ 11-42-20 and 11-42-21, Code of Alabama 1975, as amended, petitioning and requesting that the property hereinafter described be annexed to the municipality of the City of Columbiana, Alabama, which petition contained an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of the City of Columbiana, Alabama, and the signatures of all of the owners of the property described were signed thereto;

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

1. That the City of Columbiana, Alabama, does adopt this Ordinance assenting to the annexation of the following described property to the municipality of the City of Columbiana:

See attached Exhibits

2. That the corporate limits of the City of Columbiana, Alabama, be extended and rearranged so as to embrace and include such property, and such property shall become a part of the corporate area of such municipality upon the date of publication or posting of this Ordinance, as provided for in the Code of Alabama as cited above.

3. That the City Clerk be and he is hereby authorized and directed to file a copy of this Ordinance, including an accurate description of the property being annexed, together with a map of the said property showing its relationship to the corporate limits of the City of Columbiana, Alabama, to which said property is being annexed, in the office of the Judge of Probate of Shelby County, Alabama.

4. That the Zoning Map of the City of Columbiana, Alabama, and any other official maps or surveys of the City shall be amended to reflect the annexation of the above-described property, and that a copy of this Ordinance be transmitted to the City Planning Commission.

Council Member Ruston moved and Council Member Phillips seconded the motion that said ordinance be given vote, and said ordinance passed by vote of all members of the Council present, and the Mayor declared the same passed.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>absent</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>	___

Council Member Mizzell moved to suspend the rules and adopt the ordinance at the first reading and Council Member Lilly seconded. The motion passed by vote of all members of the Council present.

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

Public Hearing – Re-Zoning 987, 993 & 1281 Highway 70 from No Zoning to R-3

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

Amy Dixon spoke in favor of the re-zoning request stating that the developer, Randy Goggans, had agreed to lot sizes of 70’ front and 120’ depth.

Randy Goggans spoke in favor of the re-zoning request state that the surrounding properties are zoned R-3.

No one spoke against the re-zoning request.

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

Mayor Mitchell introduced:

ORDINANCE NO. 04-22-01 AN ORDINANCE REZONING PROPERTY FROM NO ZONING TO R-3

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

WHEREAS, certain property located at 987, 993 & 1281 Highway 70, Columbiana, AL is currently owned by WLP 70, LLC; and

WHEREAS, after holding a public hearing on the matter, the Columbiana Planning and Zoning Commission has recommended that, at the request of the property owners, these parcels be rezoned from No Zoning to R-3, 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 No Zoning to R-3, and that such rezoning be reflected on the Zoning Map of the City of Columbiana:

Tax Parcel # 21 8 28 0 000 001.000

Tax Parcel # 21 8 27 0 000 001.000

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.

Council Member Ruston moved and Council Member Phillips seconded the motion that said ordinance be given vote, and said ordinance passed by vote of all members of the Council present, and the Mayor declared the same passed.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>absent</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>	___

Council Member Mizzell moved to suspend the rules and adopt the ordinance at the first reading and Council Member Lilly seconded. The motion passed by vote of all members of the Council present.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>absent</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>	___

Amended minutes by City Council on December 20, 2022 to add the following legal description for Ordinance No. 04-22-05:

REZONE PARCEL 4

BEGIN at the NE Corner of the NE 1/4 of the SE 1/4 of Section 28, Township 21 South, Range 1 West, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence N87°58'25"E a distance of 1339.07'; thence S00°03'51"E a distance of 1245.83' to the Northwestern R.O.W. line of Norfolk Southern Railroad; thence S50°58'19"W and along said R.O.W. line a distance of 69.97' to a curve to the right, having a radius of 2820.00', subtended by a chord bearing S69°11'58"W, and a chord distance of 1764.14'; thence along the arc of said curve and along said R.O.W. line for a distance of 1794.25'; thence S87°25'37"W and along said R.O.W. line a distance of 959.62'; thence N02°22'26"W and leaving said R.O.W. line a distance of 283.14'; thence N00°10'13"E a distance of 249.25'; thence N00°12'07"E a distance of 1343.20'; thence N88°24'57"E a distance of 1329.30' to the POINT OF BEGINNING.

Said Parcel containing 106.40 acres, more or less.

NOTE:

This Parcel shown and described herein may be subject to setbacks, Right-of-Ways, easements, zoning and restrictions that may be found in the Probate Office of said County.

Mayor Mitchell introduced:

**ORDINANCE NO. 04-22-06
AMENDING ORDINANCE 07-22-48 – ESTABLISHING A
RECREATION BOARD**

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

1. Based upon the recommendation of the City Council, the council does hereby amend Ordinance 07-22-48, which established the Recreation Board.
2. The sections amended are:

Section Two.

Said Board shall consist of six members selected by the Mayor and City Council from residents of said City who have recognized interest in recreational activities. The term of the six member will be four and a half years.

3. All other provisions of the Ordinance shall remain in full force and effect.

All ordinances and portions of ordinances in conflict with the provisions of this ordinance are hereby repealed.

This Ordinance shall become effective upon its passage and publication or posting as required by law.

Council Member Ruston moved and Council Member Mizzell seconded the motion that said ordinance be given vote, and said ordinance passed by vote of all members of the Council present, and the Mayor declared the same passed.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>absent</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>	___

Council Member Mizzell moved to suspend the rules and adopt the ordinance at the first reading and Council Member Lilly seconded. The motion passed by vote of all members of the Council present.

	Yea	Nay		Yea	Nay
Council Member Lilly	<u>X</u>	___	Council Member King	<u>absent</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>	___

Discussion – Other City Business

None

Mayor's Report

- April 11 – Meeting with U.S. Senate Candidate Katie Britt
- May 3 – Semi-annual Financial Condition Statement to Council
 - Section 11-43-84, Code of Alabama 1975, requires the mayor to present a written statement to the council of the City's financial condition, show all temporary floating indebtedness, for what created, and the steps he/she will take to protect the credit of the City.
- May 11-14 – Alabama League of Municipalities Convention

Announcements

- 4-23-22 – Touch a Truck at Old Mill Square Park and Main Street from 10 am – 2 pm
- 4-30-22 – Rose Colored Glasses at SCAC
- 4-30-22 – Columbiana Main Street Work Day
- 5-7-22 – Art on Main Street for all Shelby County schools
- 5-13-22 – Red Clay Strays at SCAC
- Friday June 3, 10 and 17 – Music on Main
- Every Saturday this summer – Farmer's Market
- June 24-25 – Liberty Day

Public Comments

None

There being no further business, Council Member Ruston 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 7:25 p.m.



Charlene Tucker, City Clerk



David Mitchell, Mayor

