

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA
December 20, 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, December 20, 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 Ashley Phillips
Mayor David Mitchell

Absent:

Council Member Ricky Ruston
Council Member Kim King

The Mayor declared that a quorum was present.

Consent Agenda

- A. Approval of Minutes 12-6-22 Regular Council Meeting
- B. Approval of Minutes 12-13-22 Council Work Session

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

Department Head Reports

Police – Sasha Knighten reported the following:

- Currently two on the job injuries.
- We are currently on course with our 2023 budget.
- 2 Officer positions have been filled.
- Vehicles are in good shape.
- All equipment is in good shape.
- Department training continues.
- CPD has filled two officer positions. Candy cane buddies was a huge success again. The CPD served 20 families with not only gifts but also with a Christmas meal and a \$50 Piggly Wiggly gift card. CPD would like to thank all the local families and businesses for partnering with us.
- Please, if possible, have packages delivered when someone is home.

Administration – Charlene Tucker reported the following:

- No reports of safety issues.
- YTD revenues and expenses re on track
- Fully staffed with three full time and one part time employee.

- No repairs are needed at City Hall at this time.
- Training is up to date.
- Business license renewals have been mailed. Those are due January 1 and are delinquent February 15.

Court – Mike Atchison reported the following:

- Court collections are still holding steady at this time.
- There was only one court in December. Next court will be January 10, 2023.
- Lisa McFall and Terri Reynolds are celebrating their one year anniversary with Columbiana Municipal Court.
- All Municipal Courts are now obligated to send an annual report to Administrative Office of Courts.

Public Works – Allen Reynolds reported the following:

- No injuries during this fiscal year.
- At this time our current budget is on track.
- 4 positions open.
- 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.
- Working on Christmas lights.
- The paving project will start after the first of the year.

Board Reports

The Planning and Zoning Board had a work session and discussed updating our subdivision regulations related to storm drainage.

The Water Board is finishing the meter change out project.

Mayor Mitchell asked to suspend the rules and to approve all ordinances on tonight's agenda at the first reading. Council Member Phillips made the motion and it was seconded by Council Member Mizzell. Following is a vote of all members present: Council Member Lilly – yes, Council Member Mizzell – yes, Council Member Phillips – yes and Mayor Mitchell – yes. The motion passed to suspend the rules and to approved all ordinances on tonight's agenda at the first reading.

Mayor Mitchell introduced:

ORDINANCE NO. 12-22-01 AN ORDINANCE TO ANNEX PROPERTY

WHEREAS, Jon Seale 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.

5. The adoption of this Ordinance is contingent upon the re-zoning of this property. If the re-zoning requested is not approved and adopted by Council, the property will be de-annexed.

THEREUPON Council Member Phillips moved and Council Member Mizzell seconded the motion that said Ordinance be given vote, and said Ordinance 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 Lilly	<u> X </u>	<u> </u>	Council Member King	<u>absent</u>	<u> </u>
Council Member Mizzell	<u> X </u>	<u> </u>	Council Member Phillips	<u> X </u>	<u> </u>
Council Member Ruston	<u>absent</u>	<u> </u>	Mayor Mitchell	<u> X </u>	<u> </u>

**Public Hearing – Re-Zoning Property at 42 Rocky Ridge Road
From No Zoning to A-1**

Council Member Mizzell made the motion to suspend the regular council meeting, which was seconded by Council Member Lilly. Following is a vote of all members present: Council Member Lilly – yes, Council Member Mizzell – yes, Council Member Phillips – yes and Mayor Mitchell – yes.

John Lawley with Highpointe Partners spoke in favor of the rezoning request. No one spoke against the rezoning request.

Council Member Phillips made the motion to adjourn the Public Hearing, which was seconded by Council member Lilly. Following is a vote of all members present: Council Member Lilly – yes, Council Member Mizzell – yes, Council Member Phillips – yes and Mayor Mitchell – yes.

Mayor Mitchell introduced:

ORDINANCE NO. 12-22-02
AN ORDINANCE REZONING PROPERTY FROM NO ZONING TO A-1

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

WHEREAS, certain property located at 42 Rocky Ridge Road, Columbiana, AL is currently owned by Jon Seale; 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 owner, these parcels be rezoned from No Zoning to A-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 No Zoning to A-1, and that such rezoning be reflected on the Zoning Map of the City of Columbiana:

Tax Parcel # 21 5 15 4 001 001.000

Tax Parcel # 21 5 22 1 001 001.000

Tax Parcel # 21 6 14 3 001 002.000

Tax Parcel # 21 6 23 2 001 002.000

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.

THEREUPON Council Member Phillips moved and Council Member Mizzell seconded the motion that said Ordinance be given vote, and said Ordinance passed by roll call vote of all members of the Council present, and the Mayor declared the same passed.

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

Mayor Mitchell introduced:

ORDINANCE NO. 12-22-03 AN ORDINANCE TO ANNEX PROPERTY

WHEREAS, Highpointe Partners, 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.

5. The adoption of this Ordinance is contingent upon the re-zoning of this property. If the re-zoning requested is not approved and adopted by Council, the property will be de-annexed.

THEREUPON Council Member Phillips moved and Council Member Lilly seconded the motion that said Ordinance be given vote, and said Ordinance 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 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>absent</u>	___	Mayor Mitchell	<u>X</u>	___

**Public Hearing – Re-Zoning Property at Joinertown Road and Rocky Ridge Road
From No Zoning to A-1**

Council Member Mizzell made the motion to suspend the regular council meeting, which was seconded by Council Member Phillips. Following is a vote of all members present: Council Member Lilly – yes, Council Member Mizzell – yes, Council Member Phillips – yes and Mayor Mitchell – yes.

John Lawley with Highpointe Partners spoke in favor of the rezoning request. No one spoke against the rezoning request.

Council Member Phillips made the motion to adjourn the Public Hearing, which was seconded by Council member Mizzell. Following is a vote of all members present: Council Member Lilly – yes, Council Member Mizzell – yes, Council Member Phillips – yes and Mayor Mitchell – yes.

Mayor Mitchell introduced:

**ORDINANCE NO. 12-22-04
AN ORDINANCE REZONING PROPERTY FROM NO ZONING TO A-1**

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

WHEREAS, certain property located at Joinertown Road and Rocky Ridge Road, Columbiana, AL is currently owned by Highpointe Partners 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 owner, these parcels be rezoned from No Zoning to A-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 No Zoning to A-1, and that such rezoning be reflected on the Zoning Map of the City of Columbiana:

Tax Parcel # 21 5 15 4 001 001.000
Tax Parcel # 21 5 22 1 001 001.000

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.

THEREUPON Council Member Mizzell moved and Council Member Phillips seconded the motion that said Ordinance be given vote, and said Ordinance 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 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>absent</u>	___	Mayor Mitchell	<u>X</u>	___

Amending the Minutes of the April 19, 2022 Council Meeting

Randy Goggans requested that the property's legal description be added to the rezoning Ordinance 04-22-05. The City's legal counsel advised to amend the minutes to add the legal description. Council Member Mizzell made a motion to amend the April 19, 2022 minutes and to add the property's legal description, which was seconded by Council Member Lilly. There was a unanimous show of hands vote of all members present.

The following has been added to the April 19, 2022 Council Meeting Minutes:

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 Northwesterly 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.

Discussion – Other City Business

The City would like to recognize Clint Horton's work in creating the Polar Express Train. This is an outstanding addition to the City of Columbiana's Christmas festivities. We truly appreciate Clint's hard work and time involved in this spectacular project.

The appropriations for schools was discussed at the last work session. Instead of entering into a Memorandum of Agreement with the Board of Education for ten years for the repairs at the high school batting cages, the City will make a one-time payment of \$4500.00 and can review future payments at a later date.

Mayor's Report

- December 7 – Shelby County Senior Summit
- December 7 – Shelby County Chamber 3-Year Plan Review
- December 17 – Blanket Fort Hope Children's Home Ground Breaking
- December 23 – January 2 – Merry Christmas and Happy New Year!!!
- Recreation Economy for Rural Communities Update (EPA/ARC Planning Grant)
 - Steering Committee Meetings & Planning Sessions: October 5 – January 10
 - Seeking volunteers
 - On-site Workshop: January 19-20 (Open to public)
 - Implementation Session: February – April
 - Final Report: May

Announcements

- City offices closed on Friday, December 23 for Christmas. No garbage pickup.
- Snow in Old Mill Square on December 23 has been cancelled due to weather.
- City offices closed on Monday, December 26 for Christmas. No garbage pickup.
- City offices closed on Monday, January 2 for New Year's Day.

Public Comments

None

There being no further business, Council Member Phillips 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 7:06 p.m.


Charlene Tucker, City Clerk




David Mitchell, Mayor