

**REGULAR COUNCIL MEETING
CITY OF COLUMBIANA, ALABAMA**

May 10, 2021

Re-Scheduled from May 4, 2021 due to Inclement Weather

Before the council meeting, there was a presentation from the Small Business Administration (SBA) by Roberto Baltodano from 6:00 pm – 6:50 pm. Information was given in English and Spanish regarding the low interest loan through the SBA and contact information was provided for FEMA regarding tornado damage.

The City Council of the City of Columbiana, Alabama met in a Regular Session in the Council Chambers of Columbiana City Hall at 6:50 p.m. on Tuesday, May 10, 2021. 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 4-20-21 Regular Council Meeting

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

Department Head Reports

Fire – Mayor Mitchell reported the following:

- There have been no loss time injuries for FY2021 to date.
- Current budget is on track for FY2021 to date.
- Hired a new employee.
- No changes in vehicle fleet.
- Routine Maintenance on Apparatus
- Aging fleet – Down an admin vehicle. First out engine 12 years old.
- Facility – Possible second location in discussion.

Library – Sheila Gallups reported the following:

- More people are coming into the library and most are wearing masks.

- Budget is on track.
- Still planning on having our live summer reading program. We may also have a few virtual story times.
- We will need another fill-in before summer reading starts.

Environmental – Chris Lee reported the following:

- No injuries during this fiscal year.
- Our current budget is on track.
- We are fully staffed.
- All the office buildings are in good shape. We have in the budget to build an equipment storage building.
- We are currently working on upgrading some of our collection system.
- The treatment plant is meeting all ADEM requirements.
- We have a few more continuing education hours to get this year.
- Working with Shelby County on the proposed sidewalk project and sewer line relocation or repairs along Highway 70.

Senior Center – Ali Payne reported the following:

- Staff CPR recertification needed for two employees
- Delivering 52 Meals a day. 1144 meals served in April.
- Now open for exercise classes and some activities. Waiting for State Senior Services to give the OK for full opening.
- Hosting Retirement party for RSVP coordinator, Marvin Copes on May 20th from 8:30 am to 10:30 am at the Senior Center.
- Entry Doors need to be sanded and stained, possibly in the Spring
- Kitchen HVAC needed repair

Board Reports

None

Mayor Mitchell introduced:

**RESOLUTION 05-21-01
RESOLUTION FOR ABC LICENSE FOR
GREENAWALT HOSPITALITY LLC**

WHEREAS, the City of Columbiana has received an application from **GREENAWALT HOSPITALITY LLC D/B/A OLD MILL SQUARE**, through the Alcoholic Beverage Control Board requesting an 160 Special Retail – More Than 30 Days 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 King moved and Council Member Ruston 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>	___
Council Member Vicky Mizzell	<u>X</u>	___
Council Member Rickey Ruston	<u>X</u>	___
Council Member Kim King	<u>X</u>	___
Council Member Ashley Phillips	<u>X</u>	___
Mayor David Mitchell	<u>X</u>	___

Mayor Mitchell introduced:

Ordinance No. 05-21-02
An Ordinance Revising, Codifying and Compiling the General Ordinances of the
City of Columbiana, Alabama

WHEREAS The City Council of the City of Columbiana has deemed it necessary to codify the city's ordinances;

Therefore, BE IT ORDAINED by the City Council of the City of Columbiana, Alabama, as follows:

Section 1. Adoption. There is hereby adopted the "Columbiana Municipal Code" as revised, reformatted, codified, compiled, edited, and published by Code Publishing Company, Seattle, Washington.

Section 2. Title, Citation, and Reference. The above-mentioned code shall be known as the Columbiana Municipal Code. It shall be sufficient to refer to said code as the Columbiana Municipal Code in any prosecution for the violations of any provision thereof or in any proceeding at law or in equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part thereof as an addition to, amendment to, correction or repeal of the Columbiana Municipal Code. Further reference may be had to the titles, chapters, sections and subsections of the code and such references shall apply to those numbered titles, chapters, sections or subsections as they appear in the code.

Section 3. Purpose of Code. The provisions of this code and all proceedings under it are to be construed with a view to effect its objects and to promote substantial justice.

Section 4. Proof of Ordinances. Copies of such code in published form shall be received as the ordinances of permanent and general effect of the Columbiana Municipal Code without further proof by all courts and administrative tribunals of the state.

Section 5. Codification Authority. The city clerk or designee shall have the following specific authority as to editing, rearranging, and/or grouping of ordinances:

(1) Editing ordinances to the extent deemed necessary or desirable for the purpose of modernizing and clarifying the language of such ordinances, but without changing the substance or meaning of any such ordinance;

(2) Substituting for the term “this ordinance,” where necessary, the term “section,” “part,” “code,” “chapter,” “title,” or reference to specific section or chapter numbers, as the case may require;

(3) Correcting manifest errors in reference to other ordinances, laws and statutes, and manifest spelling, clerical or typographical errors, additions, or omissions;

(4) Dividing long sections into two or more sections and rearranging the order of sections to ensure a logical arrangement of subject matter;

(5) Changing the wording of section captions, if any, and providing captions to new chapters and sections;

(6) Striking provisions manifestly obsolete and eliminating conflicts and inconsistencies so as to give effect to the legislative intent.

Section 6. Authority of City Clerk to Make Minor Editorial Corrections to Amendments, Updates, and Revisions. The purpose of this section is to grant nonsubstantive editorial authority to format future ordinances, amendments, and revisions to the code so that textual changes are uniform to the provisions of the code.

(1) The city clerk and/or designee shall provide for a uniform style and form of the Columbiana Municipal Code by making minor corrections or revisions to any ordinances submitted for filing which do not affect their sense, meaning, effect or substance.

(2) Such changes include renumbering, relettering, capitalizing, punctuation, dividing provisions of the code, providing new headings and catchlines, and correcting omissions or captions.

(3) The city clerk or designee may substitute a current title of an agency, bureau, committee, or commission to conform to changes to titles or duties enacted by law or ordinance.

(4) The city clerk or designee may substitute references to a title, chapter, or section of the Columbiana Municipal Code to conform to changes enacted by ordinance.

(5) The city clerk or designee may also make minor editorial changes consistent with those outlined in this section.

(6) Changes are subject to the approval of the city attorney.

Section 7. Title, Chapter, and Section Headings or Catchlines. Title chapter, and section headings or catchlines contained in this code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section of this code.

Section 8. Reference Applies to All Amendments. Whenever a reference is made to this code as the Columbiana Municipal Code or to any portion thereof, or to any ordinance of the City, the reference shall apply to all amendments, corrections and additions heretofore, now, or hereafter made.

Section 9. Citations to Ordinances. Reference to the Columbiana Municipal Code in documents and matters of record prior to the effective date of this ordinance shall be construed to apply to the corresponding provisions of the code adopted in this ordinance.

Section 10. Ordinances Passed Prior to Adoption of Code. The last ordinance included in the initial code is Ordinance 03-20-01, passed March 17, 2020.

Section 11. Effect of Code on Past Actions and Obligations. Neither the adoption of this code nor the repeal or amendment of any ordinance or part or portion of any ordinance shall affect the prosecution for ordinance violations that were committed prior to the effective date of this code adoption. The adoption of this code shall not be construed as a waiver of any license, fee, penalty, debt, forfeiture or obligation due and unpaid to the City on the date this code takes effect. All rights, fines, entitlements, duties, and proceedings existing pursuant to any ordinance on the date of the adoption of this code shall remain in effect unless specifically repealed in this code adoption. No bonds or cash required to be posted, filed or deposited pursuant to any ordinance shall in any way be made invalid by this code adoption.

Section 12. Effect of Repeal. The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby.

Section 13. Inconsistent Ordinances. All general ordinances of the City that are inconsistent with this code are hereby superseded, rather than repealed, and in the event any portion of this code is for any reason found or held to be invalid, the superseded ordinance shall be revitalized and shall prevail.

Section 14. Severability. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council declares that it would have passed this code, at each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases have been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section 15. Applicability of general penalty. In case of the amendment of any section of such code for which a penalty is not provided, the general penalty as provided in Chapter 1.10 CMC shall apply to the section as amended; or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in such other section, shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 16. Repeal. Chapter 1.01 of the Columbiana Municipal Code is hereby repealed.

Council Member Ruston moved and Council Member King 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>	<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 Mitchell	<u> X </u>	<u> </u>

Discussion – Other City Business

Debt Refunding – The city will have the option to take the cash available when the debt refunding is finalized or reduce our debt service. These amounts depend on the market when the process is complete. Currently this could be \$550,000.00 in cash or a savings of \$20,000.00 per year. If the city takes the cash option, our debt service payment will remain the same.

There will be a Town Hall Meeting at Old Mill Square on June 15. The will be part of the regularly scheduled council meeting and the public will hear from all council members and department heads.

Recreation Facilities – The Recreation Board is looking at improvements at the girls' softball fields and buildings.

The city paving project for Main Street and Mildred Street will start at the end of May or June. The Waste Water Sewer Upgrade will increase the pipe size in front of First US Bank, will go behind NAPA and cross underneath Highway 25.

The City needs to develop a plan for storm water concerns. Mildred Street, along with other areas, have problems with storm water.

Mayor's Report

- 17,000+ COVID vaccines were administered in the Grande Hall at Old Mill Square
- The Small Business Administration (SBA) has a low interest loan program available for those affected by the March tornado. The city has not received any assistance or money from the Federal Emergency Management Agency (FEMA). Individuals can apply for FEMA assistance.
- The federal government passed the American Rescue Plan that will send money to state, county and local government. Columbiana should be receiving a little over \$843,000.00. Half of that should be received in May or June and the other half will be received in twelve months. The federal government still has not issued clear guidelines on how that money can be spent.
- The FEMA guidelines for debris removal state that "debris removal from private property is the responsibility of the individual property owner". The city's ordinance for garbage states that "building debris of all descriptions including scrap building materials, demolition waste,

dirt, tree stumps, tree trunks and limbs over 6 inches in diameter” are not collected by the city.

Announcements

- COVID Vaccination Clinics have been moved to other locations throughout Shelby County.
- Next Vaccination Clinic will be Thursday, May 13th at Chelsea Community Center
- We will continue to do “Food Truck Thursdays” each Thursday in May.
- New City of Columbiana Website should go live on Wednesday May 12th.
- Saturday, May 15th Arts on Main
- Friday, May 21st Paul Thorn at the SCAC Blackbox
- Saturday, May 22nd Big Al and the Heavyweights at the SCAC Blackbox
- Monday, May 24th SCHS Graduation

Public Comments

Danny Hartsell wanted council to be aware of the safety issue on Palm Street. It is bumpy and the road is buckled due to tree roots growing underneath.

Anne Violette asked who would be removing debris in front of her house on Deborah Drive. She states that some of this debris is not hers. The Mayor referred back to the city ordinance stating that the city does not remove construction debris, tin, metal, etc.

Daniel Hallmark asked what help the Hispanic residents could receive. The representative from the Small Business Administration informed everyone that to get their loan, the applicant had to be a US Citizen. FEMA has other parameters and they would have to be contacted separately.

Sandra Brown, Hickory Street & Gibson Farm Road, asked if she had to pay to have large stumps removed and the city received FEMA money, is there a possibility for the city to reimburse her. The mayor responded that would be the same as removing debris from private property and the city cannot do that.

Council Member Vickie Mizzell thanked the Police Department, on behalf of the Shelby Woods residents, for their hard work over the last few weeks.

The new Main Street Director, Brittany Davis, was introduced to everyone.

There being no further business, Council Member Ruston 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 Mitchell declared the meeting adjourned at 8:08 p.m.



Charlene Tucker, City Clerk



David Mitchell, Mayor

