

**REGULAR COUNCIL MEETING  
CITY OF COLUMBIANA, ALABAMA  
October 17, 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, October 17, 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 Ricky Ruston  
Council Member Kim King  
Council Member Ashley Phillips  
Mayor David Mitchell

**Absent:**

Council Member Vickie Mizzell

The Mayor declared that a quorum was present.

**Consent Agenda**

**A. Approval of Minutes 9-19-23 Regular Council Meeting**

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 one on the job injury
- We are currently on course with our 2024 budget.
- One position open
- All vehicles are in good working order and the new vehicle is in and being outfitted for the road
- All equipment is in good working order
- Training is complete for 2023. CPD completed 990 hours of training.
- ADECA starting back in Oct/Nov
- Watch for children out trick or treating. With the holidays upcoming please remember to schedule your deliveries for a time that your home if possible.

**Admin** – 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 are needed at City Hall at this time.
- Training is up to date. City Clerk and Assistant City Clerk completed Municipal Revenue Officer training online October 4-6

**Court** – Terri Reynolds reported the following:

- Next court will be October 24, 2023
- Next Driving School will be November 15, 2023
- Judge Atchison and the city Prosecutor have training coming up

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

- No injuries at this time.
- At this time our current budget is on track.
- 3 positions open.
- The metal on the new Public Works Building is 80% completed. Getting ready to send out bids for grade work & electrical.
- In the next 3-4 weeks getting ready to send out bids for planned paving project.

### **Board Reports**

The Planning Commission approved the re-zoning application for 455 Highway 70. They want all of their parcels to have the same zoning so they are asking for one parcel to go from M-1 to M-2 and another parcel to go from R-2 to M-2. There will be a public hearing at the November 9 Planning Commission meeting for this rezoning.

#### **Public Hearing – Re-Zoning Property at 1051 Highway 70 from R-3 to A-1 and Pre-Zoning Property at Westside Lane from No Zoning to B-2**

The Mayor asked for a motion to adjourn the Council Meeting to go into a Public Hearing. Council Member Ruston made a motion, which was seconded by Council Member King. There was a roll call vote of all members present and there was a unanimous vote to go into a Public Hearing.

The Mayor asked for anyone speaking for or against the re-zoning of Tax Parcel #21 8 27 0 000 001.000 (only for the portion of the property located in City limits) from R-3 to A-1. This property is located at 1051 Highway 70.

No one spoke in favor of the re-zoning request and no one spoke against the re-zoning request.

The Mayor asked for anyone speaking for or against the pre-zoning of Tax Parcel #21 8 28 1 001 001.001 from No Zoning to B-2. This property is located on Westside Lane.

Zack Kellis spoke in favor of the pre-zoning. All of the businesses on Westside Lane will fit in B-2 zoning and he will subdivide the large parcel in the future.

No one spoke against the pre-zoning request.

The Mayor asked for a motion to adjourn the Public Hearing. Council Member Phillips made a motion, which was seconded by Council Member Ruston. There was a voice vote of all members present and there was a unanimous vote to adjourn the Public Hearing and go back to the regular Council Meeting.

Mayor Mitchell introduced:

**ORDINANCE NO. 10-23-02**  
**AN ORDINANCE REZONING PROPERTY FROM R-3 TO A-1**

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

**WHEREAS**, certain property located at 1051 Highway 70, Columbiana, AL is currently owned by Waxahatchee Farm 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, this parcel be rezoned from R-3 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 R-3 to A-1, and that such rezoning be reflected on the Zoning Map of the City of Columbiana:

*Tax Parcel # 21 8 27 0 000 001.000 (Only for the portion of the property located in City limits, see legal description below.)*

**LEGAL DESCRIPTION**

*BEGIN at the SE Corner of the SE 1/4 of the SW 1/4 of Section 27, Township 21 South, Range 1 West, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence N00°03'33"E a distance of 1337.00'; thence N00°03'57"E a distance of 990.19' to the Southerly R.O.W. line of Norfolk Southern Railroad; thence S50°58'19"W and along said R.O.W. line a distance of 1704.80'; thence S00°20'52"W and leaving said R.O.W. line a distance of 1304.11'; thence N88°03'59"E a distance of 455.85'; thence N87°42'20"E a distance of 874.86' to the POINT OF BEGINNING.*

*Said Parcel containing 55.27 acres, more or less.*

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 King moved and Council Member Lilly seconded the motion to suspend the rules and adopt the ordinance at the first reading.

|                      |              |              |                     |              |              |
|----------------------|--------------|--------------|---------------------|--------------|--------------|
|                      | Yea          | Nay          |                     | Yea          | Nay          |
| Council Member Lilly | <u>  X  </u> | <u>     </u> | Council member King | <u>  X  </u> | <u>     </u> |

|                        |               |                         |          |     |
|------------------------|---------------|-------------------------|----------|-----|
| Council member Mizzell | <u>absent</u> | Council member Phillips | <u>X</u> | ___ |
| Council member Ruston  | <u>X</u>      | Mayor Mitchell          | <u>X</u> | ___ |

**THEREUPON** Council Member King moved and Council Member Ruston 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>X</u> | ___ |
| Council member Mizzell | <u>absent</u> | ___ | Council member Phillips | <u>X</u> | ___ |
| Council member Ruston  | <u>X</u>      | ___ | Mayor Mitchell          | <u>X</u> | ___ |

Mayor Mitchell introduced:

**ORDINANCE NO. 10-23-03  
AN ORDINANCE TO PREZONE PROPERTY  
FROM NO ZONING TO B-2**

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

**WHEREAS**, certain property located at Westside Lane, Columbiana, AL is currently owned by Six Seven D, 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, this parcel be rezoned from No Zoning to B-2, 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 B-2, and that such rezoning be reflected on the Zoning Map of the City of Columbiana:

*Tax Parcel # 21 8 28 1 001 001.001*

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 King moved and Council Member Lilly seconded the motion to suspend the rules and adopt the ordinance at the first reading.

|                      |          |     |                     |          |     |
|----------------------|----------|-----|---------------------|----------|-----|
|                      | Yea      | Nay |                     | Yea      | Nay |
| Council Member Lilly | <u>X</u> | ___ | Council member King | <u>X</u> | ___ |

|                        |               |                         |          |             |
|------------------------|---------------|-------------------------|----------|-------------|
| Council member Mizzell | <u>absent</u> | Council member Phillips | <u>X</u> | <u>    </u> |
| Council member Ruston  | <u>X</u>      | Mayor Mitchell          | <u>X</u> | <u>    </u> |

**THEREUPON** 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>      | <u>    </u> | Council member King     | <u>X</u> | <u>    </u> |
| Council member Mizzell | <u>absent</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> |

Mayor Mitchell introduced:

**ORDINANCE NO. 10-23-01  
AN ORDINANCE TO ANNEX PROPERTY**

**WHEREAS**, Zack Kellis DBA SixSeven D, 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.

**THEREUPON** 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>absent</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> |

**Public Hearing – Final Assessment of Abated Property at 460 Highway 47, 317 Nelson Walker Road and 1850 Highway 47 South**

The Mayor asked for a motion to adjourn the Council Meeting to go into a Public Hearing. Council Member Phillips made a motion, which was seconded by Council Member Ruston. There was a roll call vote of all members present and there was a unanimous vote to go into a Public Hearing.

The Mayor asked for anyone speaking for or against the final assessments for the abated property at 460 Highway 47 North, 317 Nelson Walker Road (AKA 15 & 25 Wood Lane) and 1850 Highway 47 South.

No one spoke in favor of the final assessments and no one spoke against the final assessments.

The Mayor asked for a motion to adjourn the Public Hearing. Council Member Ruston made a motion, which was seconded by Council Member King. There was a voice vote of all members present and there was a unanimous vote to adjourn the Public Hearing and go back to the regular Council Meeting.

Mayor Mitchell introduced:

**RESOLUTION 10-23-04**  
**A RESOLUTION ASCERTAINING, FIXING AND DETERMINING THE**  
**AMOUNT OF ASSESSMENT TO BE CHARGED AS A LIEN ON THE**  
**PROPERTY KNOWN AS 460 HIGHWAY 47, COLUMBIANA, ALABAMA;**  
**PARCEL ID# 21 6 23 1 001 009.000, IN THE CITY OF COLUMBIANA,**  
**ALABAMA, AS A RESULT OF THE CITY ORDERING THE DEMOLITION**  
**OF THE BUILDING ON THE PROPERTY PURSUANT TO ORDINANCE**  
**NO. 05-14-06**

**WHEREAS**, heretofore the City Council of Columbiana, Alabama, after due and lawful notice was given and a public hearing held in accordance with Ordinance No. 05-14-06, declared that a building located within the City was unsafe to the extent that it was a public nuisance and ordered the demolition of said building located on the following described property, to wit:

**STREET ADDRESS:**

460 Highway 47, Columbiana, Alabama 35051

**LEGAL DESCRIPTION:**

Commence at the point where that certain drain ditch forming the South boundary of E. D. Farr's land intersects the East right of way line of Columbiana-Chelsea paved highway and run in a northwesterly direction along the East line of said highway 243 feet to the point of beginning; thence run in a northeasterly direction and almost perpendicular to said highway and along a drain ditch to that certain branch forming the easterly boundary of E. D. Farr land; thence in a northerly direction along said branch to the North line of SE 1/4 of NE 1/4 of Section 23, Township 21 South, Range 1 West; thence run West along said forty acres line to the East line of said highway; thence along same in a southeasterly direction to the point of beginning.

**PARCEL IDENTIFICATION NUMBER:**

21 6 23 1 001 009.000

**INTERESTED PERSONS:**

Next of Kin of Agnes Elizabeth Stewart

**WHEREAS**, the City has completed demolition of said building at the City's expense; and

**WHEREAS**, the appropriate municipal official has made a report to the Council of said costs, including the cost of complying with Ordinance No. 05-14-06, the sum of which was **\$8,115.97**; and

**WHEREAS**, the City Clerk set the report of costs for a public hearing at a meeting of the Council on October 17, 2023 at 6:00 p.m. and gave no less than ten (10) days notice of the public hearing by certified mail to all persons or entities listed in Section 7(b)(1) of Ordinance No. 05-14-06; and

**WHEREAS**, said public hearing was held by the Council; and

**WHEREAS**, it is now the desire of the Council to fix the costs which it finds were reasonably incurred in connection with the demolition and assess the costs against the previously described land upon which said building was located.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of Columbiana, Alabama while in regular session on October 17, 2023 at 6:00 p.m. as follows:

**Section 1.** That the Council hereby assesses the sum of **\$8,115.97** to be the costs reasonably incurred by the City in connection with the demolition of the building located on the following described property, to wit:

**STREET ADDRESS:**

460 Highway 47, Columbiana, Alabama 35051

**LEGAL DESCRIPTION:**

Commence at the point where that certain drain ditch forming the South boundary of E. D. Farr's land intersects the East right of way line of Columbiana-

Chelsea paved highway and run in a northwesterly direction along the East line of said highway 243 feet to the point of beginning; thence run in a northeasterly direction and almost perpendicular to said highway and along a drain ditch to that certain branch forming the easterly boundary of E. D. Farr land; thence in a northerly direction along said branch to the North line of SE 1/4 of NE 1/4 of Section 23, Township 21 South, Range 1 West; thence run West along said forty acres line to the East line of said highway; thence along same in a southeasterly direction to the point of beginning.

**PARCEL IDENTIFICATION NUMBER:**

21 6 23 1 001 009.000

**INTERESTED PERSONS:**

Next of Kin of Agnes Elizabeth Stewart

**Section 2.** That the City Clerk be authorized and directed to file a certified copy of this resolution in the offices of the Judge of Probate of Shelby County, Alabama, and the Shelby County Revenue Commissioner, whereupon filing, the Shelby County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax and remit the amount to the City.

**THEREUPON** Council Member King moved and Council Member Phillips seconded the motion that said resolution be given a roll call vote, and the results were as follows:

|                        |               |              |                         |              |              |
|------------------------|---------------|--------------|-------------------------|--------------|--------------|
|                        | Yea           | Nay          |                         | Yea          | Nay          |
| Council Member Lilly   | <u>  X  </u>  | <u>     </u> | Council Member King     | <u>  X  </u> | <u>     </u> |
| Council Member Mizzell | <u>absent</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> |

Mayor Mitchell introduced:

**RESOLUTION 10-23-05  
A RESOLUTION ASCERTAINING, FIXING AND DETERMINING THE  
AMOUNT OF ASSESSMENT TO BE CHARGED AS A LIEN ON THE  
PROPERTY KNOWN AS 317 NELSON WALKER ROAD, COLUMBIANA,  
ALABAMA; PARCEL ID# 21 7 36 0 000 007.004, IN THE CITY OF  
COLUMBIANA, ALABAMA, AS A RESULT OF THE CITY ORDERING  
THE DEMOLITION OF THE BUILDING ON THE PROPERTY PURSUANT  
TO ORDINANCE NO. 05-14-06**

**WHEREAS**, heretofore the City Council of Columbiana, Alabama, after due and lawful notice was given and a public hearing held in accordance with Ordinance No. 05-14-06, declared that a building located within the City was unsafe to the extent that it was a public nuisance and ordered the demolition of said building located on the following described property, to wit:

**STREET ADDRESS:**



317 Nelson Walker Road, Columbiana, Alabama 35051  
(a/k/a 15 & 25 Wood Lane, Columbiana, Alabama 35051)

**LEGAL DESCRIPTION:**

Commence at the southwest corner of SW1/4 of SW1/4, Section 36, Township 21, Range 1 West and run thence north 85 deg. East 2010 feet to center of the right of way line of L and N Railroad; thence along the same north 23 deg. 30 min. West 2985 feet; thence south 85 deg. West 975 feet; thence south 2 deg. 30 min. East 840.2 feet to the point of beginning; thence north 2 deg. 30 min. West 840.2 feet; thence north 85 deg. East 420 feet; thence southeast 430 feet, and parallel to the west line of said forty acre plot to a starting point; thence continue along the same line 215 feet, more or less, to the northwest corner of the plot of land deeded to Jacquelyn Kennedy; thence east along the same north line 197 feet; thence north and parallel to the west line 215 feet, more or less; thence west and parallel to the north line of said forty acre plot 197 feet to the point of beginning.

**PARCEL IDENTIFICATION NUMBER:**

21 7 36 0 000 007.004

**INTERESTED PERSONS:**

Taleasha D. Smoot  
Heirs of Evie Hunter

**WHEREAS**, the City has completed demolition of said building at the City's expense; and

**WHEREAS**, the appropriate municipal official has made a report to the Council of said costs, including the cost of complying with Ordinance No. 05-14-06, the sum of which was **\$9,352.68** and

**WHEREAS**, the City Clerk set the report of costs for a public hearing at a meeting of the Council on October 17, 2023 at 6:00 p.m. and gave no less than ten (10) days notice of the public hearing by certified mail to all persons or entities listed in Section 7(b)(1) of Ordinance No. 05-14-06; and

**WHEREAS**, said public hearing was held by the Council; and

**WHEREAS**, it is now the desire of the Council to fix the costs which it finds were reasonably incurred in connection with the demolition and assess the costs against the previously described land upon which said building was located.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of Columbiana, Alabama while in regular session on October 17, 2023 at 6:00 p.m. as follows:

**Section 1.** That the Council hereby assesses the sum of **\$9,352.68** to be the costs reasonably incurred by the City in connection with the demolition of the building located on the following described property, to wit:

**STREET ADDRESS:**

317 Nelson Walker Road, Columbiana, Alabama 35051  
(a/k/a 15 & 25 Wood Lane, Columbiana, Alabama 35051)

**LEGAL DESCRIPTION:**

Commence at the southwest corner of SW1/4 of SW1/4, Section 36, Township 21, Range 1 West and run thence north 85 deg. East 2010 feet to center of the right of way line of L and N Railroad; thence along the same north 23 deg. 30 min. West 2985 feet; thence south 85 deg. West 975 feet; thence south 2 deg. 30 min. East 840.2 feet to the point of beginning; thence north 2 deg. 30 min. West 840.2 feet; thence north 85 deg. East 420 feet; thence southeast 430 feet, and parallel to the west line of said forty acre plot to a starting point; thence continue along the same line 215 feet, more or less, to the northwest corner of the plot of land deeded to Jacquelyn Kennedy; thence east along the same north line 197 feet; thence north and parallel to the west line 215 feet, more or less; thence west and parallel to the north line of said forty acre plot 197 feet to the point of beginning.

**PARCEL IDENTIFICATION NUMBER:**

21 7 36 0 000 007.004

**INTERESTED PERSONS:**

Taleasha D. Smoot  
Heirs of Evie Hunter

**Section 2.** That the City Clerk be authorized and directed to file a certified copy of this resolution in the offices of the Judge of Probate of Shelby County, Alabama, and the Shelby County Revenue Commissioner, whereupon filing, the Shelby County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax and remit the amount to the City.

**THEREUPON** Council Member King moved and Council Member Lilly seconded the motion that said resolution be given a roll call vote, and the results were as follows:

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

Mayor Mitchell introduced:

**RESOLUTION 10-23-06**  
**A RESOLUTION ASCERTAINING, FIXING AND DETERMINING THE**  
**AMOUNT OF ASSESSMENT TO BE CHARGED AS A LIEN ON THE**  
**PROPERTY KNOWN AS 1850 HIGHWAY 47 SOUTH, COLUMBIANA,**  
**ALABAMA; PARCEL ID# 29 1 01 0 000 016.002, IN THE CITY OF**

**COLUMBIANA, ALABAMA, AS A RESULT OF THE CITY ORDERING  
THE DEMOLITION OF THE BUILDING ON THE PROPERTY PURSUANT  
TO ORDINANCE NO. 05-14-06**

**WHEREAS**, heretofore the City Council of Columbiana, Alabama, after due and lawful notice was given and a public hearing held in accordance with Ordinance No. 05-14-06, declared that a building located within the City was unsafe to the extent that it was a public nuisance and ordered the demolition of said building located on the following described property, to wit:

**STREET ADDRESS:**

1850 Highway 47 South, Columbiana, Alabama 35051

**LEGAL DESCRIPTION:**

Commence at a 1 1/2" pipe at the Southeast corner of Section 1, Township 22 South, Range 1 West; thence run North 0 degrees 14 minutes 05 seconds East along the East boundary line of said Section 1, a distance of 2646.17 feet to the Northeast corner of the SE 1/4 of said Section 1; thence turn an angle of 92 degrees 44 minutes 58 seconds to the left and run West along the North boundary line of said SE 1/4 a distance of 1324.45 feet to the Southeast corner of the SW 1/4 of NE 1/4 of said Section 1; thence continue West along the North boundary line of said SE 1/4 a distance of 25.45 feet to the point of beginning on the West 40 foot right of way line of Shelby County Highway No. 47; thence continue Westerly along the North boundary line of said SE 1/4 a distance of 212.34 feet to a point; thence turn an angle of 90 degrees to the right and run a distance of 78.32 feet to a point; thence turn an angle of 39 degrees 57 minutes 16 seconds to the left and run a distance of 129.07 feet to a point; thence turn an angle of 58 degrees 36 minutes 51 seconds to the left and run a distance of 202.35 feet to a point; thence turn an angle of 81 degrees 25 minutes 53 seconds to the left and run a distance of 147.11 feet to a point on the South boundary line of the SW 1/4 of NE 1/4 of said Section 1; thence turn an angle of 90 degrees to the right and run West along said South boundary line a distance of 615.73 feet to a point on the East 40 foot right of way line of the Old L&N Railroad (now owned by ALAGASCO); thence turn An angle of 97 degrees 36 minutes 34 seconds to the right and run Northerly along said right of way line and along a curve to the left (concave Westerly and having a radius of 1819.04 feet and a central angle of 10 degrees 50 minutes 08 seconds), an arc distance of 344.01 feet to a point; thence turn an angle of 61 degrees 25 minutes 40 seconds to the right and leaving said right of way line run Northeasterly a distance of 691.85 feet to a point on the West 40 foot right of way line of Shelby County Highway No. 47; thence turn an angle of 81 degrees 18 minutes 29 seconds to the right and run along said right of way line a distance of 141.53 feet to a point; thence continue along said right of way line and along a curve to the right (concave Southwesterly and having a radius of 3779.72 feet and a central angle of 3 degrees 40 minutes 46 seconds), an arc distance of 242.73 feet to a point; thence turn an angle of 11 degrees 57 minutes 27 seconds to the right and continue along said right of way line a distance of 50.41 feet to a point; thence turn an angle of 11 degrees 03 minutes 57.5 minutes to the left and run along said right of way line and along a

curve to the right (concave Southwesterly and having a radius of 3769.72 feet and a central angle of 3 degrees 00 minutes 01 seconds), an arc distance of 197.40 feet to a point; thence turn an angle of 11 degrees 03 minutes 57.5 seconds to the left and run along said right of way line a distance of 50.41 feet to a point; thence turn an angle of 11 degrees 48 minutes 58 seconds to the right and continue along said right of way line and along a curve to the right (concave Southwesterly and having a radius of 3779.72 feet and a central angle of 1 degree 46 minutes 12 seconds) an arc distance of 116.77 feet to a point; thence continue along said right of way line and along the tangent of said curve a distance of 76.10 feet to the point of beginning. Said parcel of land is lying in the SW 1/4 of NE 1/4, Section 1, Township 22 South, Range 1 West, Shelby County, Alabama.

**PARCEL IDENTIFICATION NUMBER:**

29 1 01 0 000 016.002

**INTERESTED PERSONS:**

Wallace Campbell Community Center, Inc.

**WHEREAS**, the City has completed demolition of said building at the City's expense; and

**WHEREAS**, the appropriate municipal official has made a report to the Council of said costs, including the cost of complying with Ordinance No. 05-14-06, the sum of which was **\$10,519.58**; and

**WHEREAS**, the City Clerk set the report of costs for a public hearing at a meeting of the Council on October 17, 2023 at 6:00 p.m. and gave no less than ten (10) days notice of the public hearing by certified mail to all persons or entities listed in Section 7(b)(1) of Ordinance No. 05-14-06; and

**WHEREAS**, said public hearing was held by the Council; and

**WHEREAS**, it is now the desire of the Council to fix the costs which it finds were reasonably incurred in connection with the demolition and assess the costs against the previously described land upon which said building was located.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of Columbiana, Alabama while in regular session on October 17, 2023 at 6:00 p.m. as follows:

**Section 1.** That the Council hereby assesses the sum of **\$10,519.58** to be the costs reasonably incurred by the City in connection with the demolition of the building located on the following described property, to wit:

**STREET ADDRESS:**

1850 Highway 47 South, Columbiana, Alabama 35051

**LEGAL DESCRIPTION:**

Commence at a 1 1/2" pipe at the Southeast corner of Section 1, Township 22 South, Range 1 West; thence run North 0 degrees 14 minutes 05 seconds East along the East boundary line of said Section 1, a distance of 2646.17 feet to the Northeast corner of the SE 1/4 of said Section 1; thence turn an angle of 92 degrees 44 minutes 58 seconds to the left and run West along the North boundary line of said SE 1/4 a distance of 1324.45 feet to the Southeast corner of the SW 1/4 of NE 1/4 of said Section 1; thence continue West along the North boundary line of said SE 1/4 a distance of 25.45 feet to the point of beginning on the West 40 foot right of way line of Shelby County Highway No. 47; thence continue Westerly along the North boundary line of said SE 1/4 a distance of 212.34 feet to a point; thence turn an angle of 90 degrees to the right and run a distance of 78.32 feet to a point; thence turn an angle of 39 degrees 57 minutes 16 seconds to the left and run a distance of 129.07 feet to a point; thence turn an angle of 58 degrees 36 minutes 51 seconds to the left and run a distance of 202.35 feet to a point; thence turn an angle of 81 degrees 25 minutes 53 seconds to the left and run a distance of 147.11 feet to a point on the South boundary line of the SW 1/4 of NE 1/4 of said Section 1; thence turn an angle of 90 degrees to the right and run West along said South boundary line a distance of 615.73 feet to a point on the East 40 foot right of way line of the Old L&N Railroad (now owned by ALAGASCO); thence turn An angle of 97 degrees 36 minutes 34 seconds to the right and run Northerly along said right of way line and along a curve to the left (concave Westerly and having a radius of 1819.04 feet and a central angle of 10 degrees 50 minutes 08 seconds), an arc distance of 344.01 feet to a point; thence turn an angle of 61 degrees 25 minutes 40 seconds to the right and leaving said right of way line run Northeasterly a distance of 691.85 feet to a point on the West 40 foot right of way line of Shelby County Highway No. 47; thence turn an angle of 81 degrees 18 minutes 29 seconds to the right and run along said right of way line a distance of 141.53 feet to a point; thence continue along said right of way line and along a curve to the right (concave Southwesterly and having a radius of 3779.72 feet and a central angle of 3 degrees 40 minutes 46 seconds), an arc distance of 242.73 feet to a point; thence turn an angle of 11 degrees 57 minutes 27 seconds to the right and continue along said right of way line a distance of 50.41 feet to a point; thence turn an angle of 11 degrees 03 minutes 57.5 minutes to the left and run along said right of way line and along a curve to the right (concave Southwesterly and having a radius of 3769.72 feet and a central angle of 3 degrees 00 minutes 01 seconds), an arc distance of 197.40 feet to a point; thence turn an angle of 11 degrees 03 minutes 57.5 seconds to the left and run along said right of way line a distance of 50.41 feet to a point; thence turn an angle of 11 degrees 48 minutes 58'seconds to the right and continue along said right of way line and along a curve to the right (concave Southwesterly and having a radius of 3779.72 feet and a central angle of 1 degree 46 minutes 12 seconds) an arc distance of 116.77 feet to a point; thence continue along said right of way line and along the tangent of said curve a distance of 76.10 feet to the point of beginning. Said parcel of land is lying in the SW 1/4 of NE 1/4, Section 1, Township 22 South, Range 1 West, Shelby County, Alabama.

**PARCEL IDENTIFICATION NUMBER:**

29 1 01 0 000 016.002

**INTERESTED PERSONS:**

Wallace Campbell Community Center, Inc.

**Section 2.** That the City Clerk be authorized and directed to file a certified copy of this resolution in the offices of the Judge of Probate of Shelby County, Alabama, and the Shelby County Revenue Commissioner, whereupon filing, the Shelby County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the property and shall collect the amount as if it were a tax and remit the amount to the City.

**THEREUPON** Council Member King moved and Council Member Phillips seconded the motion that said resolution be given a roll call vote, and the results were as follows:

|                        | Yea           | Nay          |                         | Yea          | Nay          |
|------------------------|---------------|--------------|-------------------------|--------------|--------------|
| Council Member Lilly   | <u>  X  </u>  | <u>     </u> | Council Member King     | <u>  X  </u> | <u>     </u> |
| Council Member Mizzell | <u>absent</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> |

Mayor Mitchell introduced:

**RESOLUTION 10-23-07  
AUTHORIZING MAYOR TO SIGN TRAFFIC ENFORCEMENT  
AGREEMENT WITH ADECA**

**BE IT RESOLVED**, by the City of Columbiana as follows:

1. That the City enters into an agreement with ADECA (Alabama Department of Economic and Community Affairs) for Traffic Enforcement, which agreement is before this Council.
2. That ADECA will reimburse the City for overtime hours worked by officers for the grant.
3. That the agreement be executed in the name of the City, for and on behalf of the City, by its Mayor.
4. That it be attested by the Clerk and the seal of the City affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

Council Member Ruston moved and Council Member Lilly seconded the motion that said resolution be given vote, and said resolution 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>absent</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> |

Mayor Mitchell introduced:

**RESOLUTION 10-23-08  
AWARD OF BID  
CHEVROLET SILVERADO 1500 4WD CREW TRUCK**

**WHEREAS** the City of Columbiana advertised for a Chevrolet Silverado 1500 4WD Crew Truck and received one qualified bid; and

**WHEREAS** the only bid received was from Buster Miles Chevrolet for \$47,500.00.

**BE IT RESOLVED** that the City Council of the City of Columbiana, Alabama hereby awards the bid in the amount of \$47,500.00 to Buster Miles Chevrolet for a Chevrolet Silverado 1500 4WD Crew Truck in accordance with the bid documents and specifications submitted and opened at 2:00 P.M, October 13, 2023.

The Mayor is hereby authorized to sign the contract for services pursuant to the specifications of the bid.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the contract by all parties, that a copy of such agreement be kept on file by the City Clerk.

**THEREUPON** Council Member Ruston 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 the Mayor declared the same passed. Results of the vote are as follows:

|                        | Yea           | Nay          |                         | Yea          | Nay          |
|------------------------|---------------|--------------|-------------------------|--------------|--------------|
| Council Member Lilly   | <u>  X  </u>  | <u>     </u> | Council Member King     | <u>  X  </u> | <u>     </u> |
| Council Member Mizzell | <u>absent</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> |

Mayor Mitchell introduced:

**RESOLUTION 10-23-09  
AWARD OF BID  
CHEVROLET EQUINOX**

**WHEREAS** the City of Columbiana advertised for a Chevrolet Equinox and received one qualified bid; and

**WHEREAS** the only bid received was from Buster Miles Chevrolet for \$26,600.00.

**BE IT RESOLVED** that the City Council of the City of Columbiana, Alabama hereby awards the bid in the amount of \$26,600.00 to Buster Miles Chevrolet for a Chevrolet Equinox in accordance with the bid documents and specifications submitted and opened at 1:30 P.M, October 13, 2023.

The Mayor is hereby authorized to sign the contract for services pursuant to the specifications of the bid.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the contract by all parties, that a copy of such agreement be kept on file by the City Clerk.

**THEREUPON** Council Member Phillips 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 the Mayor declared the same passed. Results of the vote are as follows:

|                        |               |              |                         |              |              |
|------------------------|---------------|--------------|-------------------------|--------------|--------------|
|                        | Yea           | Nay          |                         | Yea          | Nay          |
| Council Member Lilly   | <u>  X  </u>  | <u>     </u> | Council Member King     | <u>  X  </u> | <u>     </u> |
| Council Member Mizzell | <u>absent</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> |

Mayor Mitchell introduced:

**RESOLUTION 10-23-10  
AUTHORIZING THE MAYOR TO SIGN A  
MEMORANDUM OF UNDERSTANDING WITH FINDER DATA SHARING**

**WHEREAS**, the Columbiana Police Department would benefit from the information they would obtain from Finder Data Sharing Network for police records and other data sources to increase officer safety, maximize investigator efficiency and to reduce crime, and

**WHEREAS**, the cost associated with this service is in the Police Department's FY 2024 budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Columbiana City Council authorizes the Mayor to sign a MOU with Finder Data Sharing;

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the contract by all parties, that a copy of such agreement be kept on file by the City Clerk.

**THEREUPON** Council Member King moved and Council Member Ruston 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.

|                        |               |              |                         |              |              |
|------------------------|---------------|--------------|-------------------------|--------------|--------------|
|                        | Yea           | Nay          |                         | Yea          | Nay          |
| Council Member Lilly   | <u>  X  </u>  | <u>     </u> | Council Member King     | <u>  X  </u> | <u>     </u> |
| Council Member Mizzell | <u>absent</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 10-23-11  
AUTHORIZATION MAYOR TO SIGN AGREEMENT FOR**



## **EMPLOYEE ASSISTANCE PLAN (EAP)**

**WHEREAS**, the City Council of the City of Columbiana has the responsibility to make sound business decisions that will positively affect the current and future needs of the City and employees; and

**WHEREAS**, it has been determined that utilizing Uprise Health for the administration of the Employee Assistance Plan (EAP) will be beneficial for both the City and employees.

**NOW, THEREFORE, BE IT RESOLVED** by the Columbiana City Council that the Mayor is hereby authorized to execute any and all paperwork required to execute agreement with Uprise Health for the purpose of administering the Employee Assistance Plan at an annual cost of \$5000.00.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the contract by all parties, that a copy of such agreement be kept on file by the City Clerk.

**THEREUPON** Council Member Ruston moved and Council Member Lilly seconded the motion that said resolution be given vote, and said resolution 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>absent</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> |

Mayor Mitchell introduced:

## **RESOLUTION 10-23-12 RESOLUTION FOR ABC LICENSE FOR EAGLES INVESTMENTS GROUP INC**

**WHEREAS**, the City of Columbiana has received an application from **EAGLES INVESTMENTS GROUP INC DBA COLUMBIANA TEXACO**, through the Alcoholic Beverage Control Board requesting an 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) Liquor 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 Phillips 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>absent</u> | <u>      </u> |
| Council Member Rickey Ruston   | <u>  X  </u>  | <u>      </u> |
| Council Member Kim King        | <u>  X  </u>  | <u>      </u> |
| Council Member Ashley Phillips | <u>  X  </u>  | <u>      </u> |
| Mayor David Mitchell           | <u>  X  </u>  | <u>      </u> |

### **Discussion – Appointing Representative and Alternate for Shelby County Urban County Policy Board**

The City has to appoint a representative and alternate for the Shelby County Urban County Policy Board. The Mayor nominated Council Member Ruston as the representative and City Clerk Charlene Tucker as the alternate. There were no other nominations. The Mayor made a motion to approve, which was seconded by Council Member King. There was a unanimous vote of all members present and Council Member Ruston was appointed as the representative and City Clerk Charlene Tucker was appointed as the alternate for the Shelby County Urban County Policy Board.

### **Discussion – Property Adjacent to City Hall**

The Mayor has spoken to Mr. Harmon and he wants to purchase a 25’ strip of the property adjacent to City Hall. If we do this, we can ask for the right of first refusal to buy his property. The Council said that they would discuss this at a later date.

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

Council Member Ruston discussed the vandalism at the softball fields and the sports complex. The City needs to look at options for cameras in the parks.

### **Mayor’s Report**

- Public Works Facility Progress & Update
- Beautification Board SCHS Wildcat Banners are up around the high school
- October 5: The Shelby County Chamber Recreation All Star Luncheon at The Grande Hall
  - Liberty Day won in the festival category
- October 11: Mayor’s Luncheon with Representative Gary Palmer at Hoover City Hall has been cancelled
- October 23: Orchestra Partners Key Stakeholder Luncheon at The Grande Hall


### **Announcements**

- Friday, October 20 – SCHS Homecoming. Parade at 1:45, Game at 6:30
- Saturday, October 28 – Main Street Columbiana Witches Ride
- Tuesday, October 31 – Monsters on Main

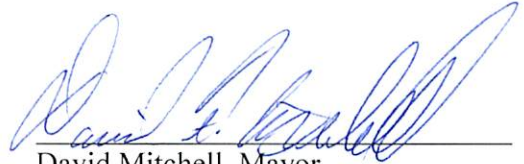
## Public Comments

None

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 7:03 p.m.



Charlene Tucker, City Clerk



David Mitchell, Mayor

