

**REGULAR COUNCIL MEETING  
CITY OF COLUMBIANA, ALABAMA  
December 7, 2021**

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 7, 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 11-16 Regular Council Meeting

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

B. Re-Appointment of John Jones to the Columbiana Housing Authority – term to expire October 17, 2026

This is the Mayor’s appointment and no further vote is needed.

C. Appoint Fran Folmer to the Beautification Board to fill Karen Powell’s vacancy – term to expire October 1, 2022

Council Member King made the recommendation and motion, which was seconded by Council Member Phillips. There were unanimous yay votes and no nays.

**Swear in Police Officer David Honeycutt**

Mayor Mitchell swore in Police Officer David Honeycutt.

**Department Head Reports**

**Fire** – Johnny Howard, Jr. reported the following:

- There has been no loss time injuries for FY2022 to date.
- Current budget is on track for FY2022 to date.

- Three new employees but there are still in their probationary period.
- Possible second station location.
- No changes in vehicle fleet.
- Routine Maintenance on Apparatus – all have passed tests
- EMS Training is ongoing
- ISO audit is complete and we received a 3, which is the best rating that a volunteer fire department can get.

**Library** – Shelia Gallups reported the following:

- No issues with safety.
- Budget is fine.
- We lost our evening shift employee but have a new one starting on December 16<sup>th</sup>.
- Staying steady with patrons.
- Have the opportunity to apply for \$10,000 LSTA grant this year with match of \$2500. This is for fiscal year 2023.
- Still need someone to clean our building.

**Environmental** – Dale Lucas reported the following:

- No injuries during this fiscal year.
- We came in over budget on the sewer projects due to increased pipe cost.
- We are fully staffed.
- The office buildings are in good shape.
- We are currently working on upgrading some of our collection system.
- No change in compliance.
- Up to date on training.
- The new Dry Prime portable pump should be delivered this month.
- The equipment storage building material has been delivered. We will start building next month.
- I received my state license renewal to operate the wastewater plant.
- The collection system is getting a lot of material from the Shelby County Jail. This is a problem because it clogs our pumps. The material includes inmate clothing, bed sheets, t-shirts, etc.

**Community Affairs & Senior Services** – Ali Payne reported the following:

- Events:
  - Christmas Parade was a success
  - Friday, December 10<sup>th</sup> Winter Wonderland in Old Mill Square Park
  - Saturday, December 11: 9-11 Santa on Main, 1-4 Tour of Homes
- Senior Center served 1144 meals in November
- Main Street has opened up Façade Grant applications for merchants are those applications are available on the Website.
- Currently looking for a new Main Street Director.

## Board Reports

Park and Recreation reported that the fences at Bolton and Lewis fields should be starting soon.

### **Public Hearing – Re-Zoning Property at 1201 Highway 70 from No Zoning to B-1 and R-3**

Council Member Ruston made a motion to suspend the regular council meeting and have a public hearing, which was seconded by Council Member Phillips. A roll call vote was given and the results were as follows: Council Member Lilly – yes, Council Member Mizzell – yes, Council Member Ruston – yes, Council Member King – yes, Mayor Mitchell – yes.

The Mayor called the Public Hearing to order for the re-zoning of Tax Parcel #21 8 27 0 000 001.000 from No Zoning to B-1 and R-3. This property is located at 1201 Highway 70.

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

No one spoke against the re-zoning request.

Council Member Ruston made a motion to adjourn the Public Hearing, which was seconded by Council Member King.

Mayor Mitchell introduced:

### **ORDINANCE NO. 12-21-01 AN ORDINANCE REZONING PROPERTY FROM NO ZONING TO B-1 AND R-3**

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

WHEREAS, certain property located at 1201 Highway 70, Columbiana, AL is currently owned by The Westervelt Company; 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 WLP70 LLC, this parcel be rezoned from No Zoning to B-1 and 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 B-1 (Parcel 1) and R-3 (Parcel 2 and 3) as described below, and that such rezoning be reflected on the Zoning Map of the City of Columbiana:

*Tax Parcel # 21 8 27 0 000 001.000*

PARCEL 1 - BEGIN at the NE Corner of the SW 1/4 of the NW 1/4 of Section 27, Township 21 South, Range 1 West, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence N21°15'46"E a distance of 223.57' to the Southerly R.O.W. line of Alabama Highway 70; thence N68°50'05"W and along said R.O.W. line a distance of 233.75' to a curve to the left, having a radius of 2283.11', subtended by a chord bearing N70°08'09"W, and a chord distance of 103.70'; thence along the arc of said curve and along said R.O.W. line for a distance of 103.70'; thence N18°33'46"E and along said R.O.W. line a distance of 10.00' to a curve to the left, having a radius of 2293.11', and subtended by a chord bearing N78°35'06"W, and a chord distance of 570.66'; thence along the arc of said curve and along said R.O.W. line for a distance of 572.14'; thence S04°11'21"W and leaving said R.O.W. line a distance of 590.20'; thence S84°54'53"E a distance of 837.27'; thence N00°03'51"W a distance of 212.44' to the POINT OF BEGINNING. Said Parcel containing 10.46 acres, more or less.

PARCEL 2 - BEGIN at the NW Corner of the NE 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°03'51"W a distance of 1123.81'; thence N84°54'53"W a distance of 1343.15'; thence S00°01'53"W a distance of 431.09'; thence S00°04'30"E a distance of 859.12'; thence N87°58'25"E a distance of 1339.07' to the POINT OF BEGINNING. Said Parcel containing 37.08 acres, more or less.

PARCEL 3 - BEGIN at the NE Corner of the NE 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 S87°43'35"W a distance of 1335.81'; thence S00°03'51"E a distance of 1245.83' to the Northerly R.O.W. line of Norfolk Southern Railroad; thence N50°58'19"E and along said R.O.W. line a distance of 1716.07'; thence N00°03'57"E and leaving said R.O.W. line a distance of 218.21' to the POINT OF BEGINNING. Said Parcel containing 22.42 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 Mayor Mitchell seconded the motion that said ordinance be given a roll call vote, and said ordinance 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>abstained</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 12-21-02  
AWARD OF BID – HIGHWAY 70 SEWER REPLACEMENT**

**WHEREAS** the City of Columbiana solicited and received bids from qualified companies to complete the Highway 70 Sewer Replacement project in accordance with the approved plans and specifications, and

**WHEREAS** the City of Columbiana has evaluated the bids received and has determined that Willoughby Contracting Co Inc is the low bidder; and

**BE IT RESOLVED** that the City Council of the City of Columbiana, Alabama hereby awards the bid in the amount of \$661,950.00 to Willoughby Contracting Co Inc for the Highway 70 Sewer Replacement project in accordance with the bid documents and specifications submitted.

**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>	___	Council Member King	<u>  X  </u>	___
Council Member Mizzell	<u>  X  </u>	___	Council Member Phillips	<u>  X  </u>	___
Council Member Ruston	<u>  X  </u>	___	Mayor Mitchell	<u>  X  </u>	___

Mayor Mitchell introduced:

**RESOLUTION 12-21-03  
AUTHORIZING MAYOR TO ENTER INTO A LEGAL SERVICES AGREEMENT FOR  
OPIOID LITIGATION**

**WHEREAS**, the Mayor and Council for the City of Columbiana recognize the value of utilizing legal firms to represent the city; and

**WHEREAS**, the legal firms of Friedman, Dazzio, Zulanas & Bowling and Ellis, Head, Owens & Justice represent the City to pursue damages incurred as a result of the illegal sale, distribution and marketing of opioids and opioid derivative drugs in the City; and

**WHEREAS**, the legal firms for such services will be paid a sum equal to 25% of the total amount recovered for disbursements due at the time of judgment or settlement of the lawsuit. If nothing is recovered, the City will not owe any legal fee or expenses; so

**THEREFORE, BE IT RESOLVED** by the City Council; the Mayor is authorized to enter into a legal services agreement for opioid litigation for the City of Columbiana. Said agreement shall begin the day the contract is signed.

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

Mayor Mitchell introduced:

**RESOLUTION 12-21-04  
AMENDING CITY PAY GRADES**

**WHEREAS**, the Columbiana City Council recognizes the need to stay competitive in hiring new employees, and

**WHEREAS**, the Columbiana City Council also recognizes the need to maintain current employees, and

**WHEREAS**, the Columbiana City Council received a recommendation from the Policy and Personnel Committee to amend the City’s pay grades.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Columbiana that the City Council hereby adopts the attached amended pay grades, to be effective on the next payroll.

**THEREUPON** Council Member Phillips moved and Council Member Mizzell 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. Results of the vote:

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

Mayor Mitchell introduced:

**ORDINANCE NO. 12-21-05  
AN ORDINANCE AMENDING THE CITY’S  
PERSONNEL RULES AND REGULATIONS**

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

1. Based upon the recommendation of the Policy Committee, the council does hereby amend the Personnel Rules and Regulations.

2. The sections amended are:

**V. Leave of Absence, Section 3. Annual Leave – Vacation Time**

Each full-time employee will be eligible for one (1) vacation day per month. After 10 years of employment, each full-time employee will be eligible for one and a half day (1 ½) vacation day per month. After 20 years of employment, each full-time employee will be eligible for two (2) vacation days per month.

Each full-time employee shall accrue vacation time on the first day of the month. The maximum amount of vacation time that an employee can accrue is 240 hours, which is 30 days.

3. All other provisions of the Personnel Rules and Regulations shall remain in full force and effect and employees and job applicants are advised of the existence of this policy.
4. The Personnel Rules and Regulations are included in the employee handbook provided to all new employees. Existing employees are hereby notified of changes to said Personnel Rules and Regulations and copy shall be provided to each employee.

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.

**THEREUPON** Council Member Ruston 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. Results of the vote:

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

Mayor Mitchell introduced:

**ORDINANCE NO. 12-21-06  
AN ORDINANCE AMENDING ORDINANCE NO. 03-19-01  
REGARDING EMPLOYEE HEALTH INSURANCE PREMIUMS**

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

**Section 1 Purpose**

The purpose of this ordinance is to establish a standard policy for determining the City’s

and the employee's contribution toward the cost of health insurance premiums for the City of Columbiana employees.

**Section 2 Employer Share of Medical Premium**

The City of Columbiana, in an effort to control costs while still providing a benefit to its employees, hereby establishes the following:

That upon adoption of this ordinance, the City will pay 100% (one hundred percent) toward the premium for single coverage.

The City will pay 80% (eighty percent) toward the premium for family coverage.

The additional 20% (twenty percent) of the premium for family coverage shall be paid by the employee through payroll deduction.

As the cost of health insurance increases or decreases, so will the amount of the contribution for the City and the employee but the percentages listed above will remain the same.

Once an employee becomes eligible for retirement through the Retirement Systems of Alabama, the City will pay for the employee's single coverage until age 65 (sixty-five) based on the service years listed below:

- After 10 years of continuous service with the City, the City will pay 50%
- After 20 years of continuous service with the City, the City will pay 75%
- After 25 years of continuous service with the City, the City will pay 100%

The years of service and retirement age is based on the Retirement Systems of Alabama guidelines and the tier that the employee was hired in at.

**Section 3 Effective Date - Publication**

This ordinance shall take effect upon adoption and shall be published as required by law.

**THEREUPON** Council Member Mizzell 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. Results of the vote:

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

**Discussion – Other City Business**

The Council met as the Architectural Review Board to review plans and paint colors for 455 Highway 70. Council Member King made a motion to approve the plans and colors as presented,



which was seconded by Council Member Ruston. There was a unanimous vote of all members present.

### Mayor's Report

None

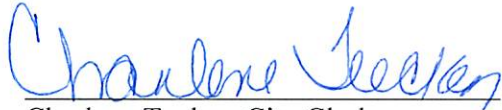
### Announcements

- Friday, December 10 & 17 – Christmas in the Park from 5-8 pm.
- Saturday, December 11 - Main Street Breakfast with Santa from 9-11 am.
- Saturday, December 11 – Beautification Board Christmas Tour of Homes from 1-4 pm.

### Public Comments

Council Member Ruston announced with PT Solutions will be opening in the building in from of Piggly Wiggly in January.

There being no further business, Council Member King moved that the meeting be adjourned which was seconded by Council Member Ruston. The motion passed by vote of all members of the Council present. Mayor Mitchell declared the meeting adjourned at 7:05 p.m.



Charlene Tucker, City Clerk



David Mitchell, Mayor

