

# MINUTES

## Montevallo City Council Work Session

April 9, 2018

5:30 p.m. at City Hall

**Mayor Hollie Cost, Council Member Rusty Nix, Council Member Willie Goldsmith, Council Member Tiffany Bunt, and Council Member Matt Walker were in attendance.**

Mayor Cost called the Work Session to order at 5:30 p.m.

Fire Chief Bill Reid informed the Council that he had good news – the call volume for March was lower this year compared to last. On top of that, all their equipment seems to be in good working order.

Police Chief Jeremy Littleton presented his report:

Montevallo Police Department Stats

	January-18	February-18	March-18	April-18	May-18	June-18	July-18	August-18	September-18	October-18	November-18	December-18	Total
Total Reports	110	101	101	128									440
Criminal Cases	78	36	57	70									241
Non-Criminal	8	15	26	30									49
Traffic Accidents	14	11	14	15									39
Traffic Citations	120	134	104	117									475
DUI Arrests	3	3	2	3									11
Public Intox Arr	2	2	2	2									8
Alias Arrests	24	16	14	18									72
Juvenile Arrests	1	0	0	1									2
Misd Arrests	12	12	7	9									40
Felony Arrests	3	1	7	7									18
Drug Related	4	3	8	9									24
Total Arrest	50	37	35	49									171
Auto Thefts	1	2	0	0									3
Burglaries	4	0	2	2									8
Auto Recoveries	0	0	0	0									0
Auto Burglaries	1	2	1	1									5
Criminal Mischief	5	3	0	0									8
DV. Related	15	13	9	11									48
Assaults	0	2	0	1									3
Fraud/Forgery	9	2	1	2									14
Harass / Reck	5	9	4	5									23
Misc. Offenses	18	18	19	25									80
Robberies	0	0	0	2									2
Thefts / Attempts	14	16	9	10									49
Suicide Attempts	1	0	1	1									3
Suicides	0	0	0	0									0
Deaths	1	1	1	2									5

Karen Kiker  
12:58 PM  
4/6/2018

Mayor Cost noted that only two members of the Abatement Board were in attendance at their last meeting. She urged the Council to remind their respective representatives on that board of the importance of their being at the meetings.

Herschel Hale, Chairman of the Arbor & Beautification Board, noted that Friday was the deadline for the Beautification Award nominations. He said they have received a number of good nominations this year and that the winners would be announced soon.

Mayor Cost said she has talked with our Landscape Specialist, Irvin Stone, about a plan for replacing trees. She said she will present the plan to the Arbor Board and Council Member Peterson soon. She said there are local citizens who have expressed an interest in donating trees to be planted in honor of their loved ones.




Council Member Peterson informed the Council that we collected 1800 lbs. of material during the City clean-up day Saturday. He also mentioned that UM will start running fiber optic cable along Main Street next week. He said that project should be completed by the first part of May.

Shane Baugh, Director of Parks and Recreation, said the spring sports program are keeping his crew extremely busy. We are hosting lots of games this season. We have a beaver problem at Shoal Creek Park. They've added additional rock along the creek bank at Orr Park to help control erosion. They need to spread dirt over it. They are putting the rest of the fence up this week.

Council Member Nix reported that the Annual Easter Egg Hunt went well. He said attendance was down a bit this year, but we had stiff competition from Alabaster and their helicopter. In spite of that, we still had over 100 children participate. He said they will try to advertise the event better next year.

Council Member Nix drew everyone's attention to the Golf Course Report:

## Montevallo Golf Club 2018 APRIL 9<sup>th</sup> City Council Report

<u>Rounds Played</u>	<u>ROUNDS</u>	<u>AVG. DAILY RDS.</u>	<u>YTD (FISCAL YEAR)</u>
March 2017	526	16.96	3164
March 2018	697 	30.3 	2630 

There were **8** days in March 2018 with no rounds played due to extremely incimate weather and maintenance. Records research indicates the winter months of 2016-2017 were significantly milder than those of the 2017 - 2018 winter season. The significant increase in the Average Daily Rounds and Rounds played for the month of March 2018 demonstrate a tangible, positive response to the Course Reclamation Project improvements and the efforts of the Course Superintendent and his groundskeepers.

*Current monthly & YTD statistics account for days w/o rounds due to closure for weather & maintenance.*

### Upcoming Tournaments / Events

**April:** One tournament scheduled to date; numerous inquiries for others have been made.

**May:** Six (6) tournaments are currently scheduled, including the Chamber of Commerce and Montevallo Police Explorers tournaments.

## General

- The course continues to improve as a result of the efforts of all employees, and golfers have offered many positive and encouraging comments regarding the changes.
- Staff is taking advantage of inclement weather closures to attend to tasks that have received little attention in the past, i.e. major limb/sticks/tree debris removal, waste pickup from areas visible from the cart path, landscaping on various holes, etc.
- Positive feedback and word-of-mouth conversations have resulted in two (2) middle and high school coaches scheduling meetings to secure MGC as their school home courses for the coming school year. This is in addition to the return of two teams already competing at MGC for home matches.
- MGC has signed three (3) new members during March 2018.

Council Member Nix noted that the Finance Committee recommends holding off on considering the request for additional improvements to the greens at the course until we can obtain some additional information from UM.

Mayor Cost mentioned that we have some funds left over from the Creek Bank Project at Orr Park and asked Council Member Nix and Walker to work with her to design informational signage for the park.

Council Member Bunt presented her report:

## SCHOOLS

FFA Farm Day was this past Saturday. Even though it was wet and cold, it was a great event.

This week - Greek Week at the University

April 18-21 Forte Festival

April 19 Center for the Arts groundbreaking

April 21 Warrior Challenge

## ARTS COUNCIL

Arts Fest, April 21, 10-5 Need volunteers!

Lauren Bartell presented the Library report:

PARNELL MEMORIAL LIBRARY  
MONTHLY REPORT  
MARCH 2018

CIRCULATION: 1951 items charged  
(decreased by 26%)

EBOOK CIRCULATION: 1640 items accessed

COMPUTER USE: 473 users  
(no change)

STORYTIME/4: 122 people attended  
(increased by 4%)

MOVIES/4: 113 people attended  
(increased by 23%)

ADDITIONAL CHILDREN'S PROGRAMS/6: 136

ADULT PROGRAMS/8: 185

DEPOSITS:	3/1/2018	\$98.70
	3/5/2018	\$26.30
	3/12/2018	\$135.75
	3/16/2018	\$160.85
	3/21/2018	\$51.60
	3/28/2018	\$86.75
	3/28/2018	\$100.00
	3/29/2018	\$84.80
		<hr/>
		\$744.75

# PARNELL MEMORIAL LIBRARY MONTHLY REPORT MARCH 2018

## Notes:

- 1) Total program participation is up over 50% since October 2017
- 2) We received a large donation of young adult books from Nicole Gause.
- 3) We have expanded our Spanish language significantly with new bilingual titles for both children and adults courtesy of our FY 2018 LSTA grant.

Abigail Heuton, the Junior City Council Mayor, noted that the City Council approved the ordinance at the last meeting formally establishing Montevallo's Junior City Council. She also informed the Council that the MJCC will be participating in UM's Warrior Challenge and will be volunteering for the upcoming Art Show.

Mayor Cost added that on April 16<sup>th</sup> they will host guests from Selma who are interested in learning more about how the MJCC works because they are considering starting their own program. She said there may also be folks from Russellville at the meeting who are interested in doing the same thing.

Council Member Walker reported that the Finance Committee met on April 5<sup>th</sup> and asked the City Clerk to contact the City Attorney about writing a letter to Spire.

Steve Gilbert, Director of the Montevallo Chamber of Commerce, informed the Council that they collected 4,568 lbs. of electronics during the Electronics Recycling Day program this year. He also reminded the Council that the Chamber Picnic will be held on May 3<sup>rd</sup> at Parnell Memorial Library and the Chamber Golf Tournament will be held on May 10<sup>th</sup>. In addition, he encouraged everyone to attend the Strategic Planning Meeting on April 24<sup>th</sup>. This will be the first of three such meetings. It will be held at 6:00 p.m. at Parnell Memorial Library.

Mayor Cost informed everyone that we hired a new Main Street Director – Courtney Bennett. Ms. Bennet starts work on April 30<sup>th</sup>.

She then reviewed the remaining Agenda items with the Council. With regard to the Non-discrimination Ordinance, she noted that this will be the first reading of the ordinance and that no vote will be taken this evening.

With regard to the quote from Active Air for an HVAC Service Contract for City Hall and the Library, Council Member Nix suggested that we look into the possibility of training one of our employees to do that work as a means of saving that money. Mayor Cost said she would talk to Mr. Hamby about that possibility.

Under Other Business, the Mayor informed the Council they are all invited to an Open House at the Boys & Girls Club on April 13<sup>th</sup>.

She also mentioned that she was invited to attend a special ceremony on Memorial Day at the Veteran's Cemetery. She said she will not be able to attend and asked if anyone on the Council would be able to take her place. Council Member Nix said he would be available to attend.

The City Clerk informed the Council that the paving bids came in under what we expected and was approved as described below.

On 2/12/18:

As recommended by the Finance Committee, Councilperson Nix made a motion to approve the MDCD paving plan for Phase II and Industrial Park Rd and West Street in Phase III totaling approximately \$555,000 to be paid for using funds allocated through MDCD, with an additional \$35,000 coming from the City's 4 Cent Gas Tax Fund to cover the difference. Councilperson Goldsmith seconded. ALL AYES . . . MOTION APPROVED.

City of Monteville Paving Project  
Phase II

Street or Route	Priority Rating	Length	Width	Square Yards	Pavement Type	Concrete Curb and Gutter	Curb Replacement (feet)	Cost of Curb Repair	Seal Lane (feet)	Cost of Seal	Leaving (feet)	Cost of Leaving	Milling (Ct Yds.)	Cost of Milling	Manhole Adjust to Grade	Water Valve no. Adj.	Total Cost
Industrial Park Rd (SR-124 to Crest Dr.)	3	2044	30	61332	Asphalt	Yes	900	\$ 4,000.00	1	\$ 1,700.00	\$ 44,982.79	8533	\$ 24,807.47				\$ 68,790.26
West Street (SR-124 to Shelby County Maintenance Joint)	3	1830	30	54930	Asphalt	Yes	200	\$ 3,000.00	17	\$ 44,700.00	\$ 43,333.79	6439	\$ 8,872.47				\$ 100,835.42
North Broadway Street	3	1433	24	34392	Asphalt	Yes	0	\$ -	0	\$ -	\$ 27,173.50	0	\$ -				\$ 27,173.50
Oak Street (SR-124 to Crestview Dr.)	3	3038	30	91134	Asphalt	Yes	900	\$ 3,600.00	8	\$ 18,500.00	\$ 70,782.79	10687	\$ 19,634.55				\$ 112,417.34
Valley Street (West of SR-124 to Crestview Dr.)	3	8480	24	203520	Asphalt	Yes	200	\$ 3,000.00	4	\$ 11,000.00	\$ 70,989.83	9994	\$ 25,683.31				\$ 108,584.14
West Street (Between Crestview Dr. and North Blvd.)	3	1007	30	30210	Asphalt	Yes	200	\$ 3,000.00	0	\$ -	\$ 23,642.78	3857	\$ 9,847.29				\$ 36,449.97
GRAND TOTAL **																	
\$ 480,321.17																	

Note: Manhole Adjust and Sewer Department will be responsible for locating and clearing manholes and making adjustments where needed.

City of Monteville Paving Project  
Phase III

Street or Route	Priority Rating	Length	Width	Square Yards	Pavement Type	Concrete Curb and Gutter	Curb Replacement (feet)	Cost of Curb Repair	Seal Lane (feet)	Cost of Seal	Leaving (feet)	Cost of Leaving	Milling (Ct Yds.)	Cost of Milling	Manhole Adjust to Grade	Water Valve no. Adj.	Total Cost
Industrial Park Road	3	2340	30	70200	Asphalt	Yes	0	\$ -	443.50	\$ 14,837.50		7500	\$ 11,000.00				\$ 25,837.50
West Street	3	180	24	4320	Asphalt	Yes	0	\$ -	79.20	\$ 4,752.00		800	\$ 4,400.00				\$ 9,152.00
Lincolnville Drive	3	2100	22	46200	Asphalt	Yes	0	\$ -	423.50	\$ 10,947.50		5133	\$ 7,958.47				\$ 18,905.47
Monteville Road	3	2100	22	46200	Asphalt	Yes	0	\$ -	427.50	\$ 10,545.00		5102	\$ 6,952.44				\$ 17,492.44
Monteville Road	3	840	22	18480	Asphalt	Yes	0	\$ -	187.50	\$ 10,642.75		2275	\$ 9,529.87				\$ 20,172.62
Monteville Road	3	1040	22	22880	Asphalt	Yes	0	\$ -	190.00	\$ 4,710.00		4522	\$ 10,080.74				\$ 14,790.74
GRAND TOTAL **																	
\$ 136,662.36																	

Note: Manhole Adjust and Sewer Department will be responsible for locating and clearing manholes and making adjustments where needed.

The council approved the \$480,321.17 in estimated paving costs for Phase II, plus Industrial Park Rd and West Street in Phase III, totaling \$555,000. The \$384,515.19 bid we received from the county includes all of these roads, plus a section of Shelby Street from SR-119 to the Shelby County maintenance joint and the portion of Pineview at the intersection of Crestview Dr. east of SR-119. The cost for all of this is below the original estimate of \$555,000 which was approved by the council. It does not, as Trey mentioned, include the cost of intersection ramps and sidewalk costs. If I am looking at this correctly, I would imagine that the curb and gutter cost will not be more than the \$170,484.81 difference between what was estimated and what was actually bid. Therefore, we should be in good shape.

The Council will need to approve the addition of these new roads.

Mayor Cost said that next summer we hope to complete the paving of the remainders of Oak and Valley Streets.

Council Member Nix informed everyone that the Historical Commission will meet Sunday, April 15<sup>th</sup> at 2:00 p.m. at the Library. Among other things, they will be discussing plans for Perry Hall.

**Montevallo City Council Meeting  
April 9, 2018  
6:00 p.m. at City Hall**

**Mayor Hollie Cost, Council Member Rusty Nix, Council Member Willie Goldsmith, Council Member Bunt and Council Member Matt Walker were in attendance.**

**Pledge of Allegiance**

**Meeting Call to Order** - Mayor Cost called the regular meeting to order at 6:00 p.m.

**Approval and/or corrections of the minutes – 03/26/2018** - Council Member Walker made a motion to approve the Minutes from March 26, 2018. Council Member Bunt seconded. Council Member Peterson Abstained. ALL OTHERS VOTED AYE . . . MOTION APPROVED.

**Recognitions / Awards: NONE**

**Opportunities for citizens to speak to the Council:**

George Henry addressed the Council to express his opposition to the proposed NDO. Among other things, he said he feels this ordinance discriminates against Christians.

**Committee Reports and Consideration of Bills:**

**Public Health & Safety** (Police, Fire, Code Enforcement, Housing Abatement) – Discussed earlier.

**Sustainability** (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives) – Discussed earlier.

**Recreation, Preservation and Community Development** (Parks & Recreation, Golf Course, Youth Athletics, Trails, Planning & Zoning, Annexations,) – Discussed earlier.

**Education, Arts & Outreach** (Schools, UM, Boys & Girls Club, Library, American Village, Sister City Commission, Artwalk) – Discussed earlier.

**Finance, Economic Development & Tourism** (Finance, MDCD, IDB, Chamber, Historical Commission, Main Street) – Discussed earlier.

Council Member Nix made a motion to approve payment of the bills as presented. Council Member Goldsmith seconded. ALL AYES . . . MOTION APPROVED.

**Consent Agenda:** NONE

**New Business:**

“Bubbles for Love” Proclamation: Mayor Cost read and presented the following proclamation to Kenneth Pascal:



**“BUBBLES FOR LOVE” PROCLAMATION**

**WHEREAS:** Strong family relationships constitute the foundation of our community; and

**WHEREAS:** Alienating behaviors are frequently seen in high-conflict divorces, separations and asymmetrical custody arrangements but can occur in intact marriages; and

**WHEREAS:** Parental alienation is a term used to describe any number of behaviors and attitudes on the part of one parent or both parents designed to interfere, damage or destroy the relationship a child has with their other parent. It’s a form of abuse that causes emotional trauma to children; and

**WHEREAS:** Parental alienation deprives children of their right to freely love and be loved by both parents, their extended family, and robs children of their sense of security; and

**WHEREAS:** Mental health professionals agree that the negative effects of parental can follow a child into adulthood with tragic consequences; and

**WHEREAS:** The recently published Diagnostic and Statistical Manual of Mental Disorders (DSM – 5) made several references to the dysfunctional family dynamic of alienation to be a form of psychological child abuse; and



**WHEREAS:** Approximately 40,000 children in the State of Alabama were subjected to child custody determination in 2013; and

**WHEREAS:** Parental Alienation Prevention Week is intended to increase the knowledge and understanding of this problem to help Alabamians, institutions, the legal and mental health community, and leaders to better identify and combat such abusive behavior to children; and

**WHEREAS:** God so loved us, we also ought to love one another; love does not harm to its neighbor; therefore Children should be able to freely express the meaning of F.A.M.I.L.Y.;

**F**ather **A**nd **M**other, **I** **L**ove **Y**ou; and

**WHEREAS:** In honor of Parental Alienation Prevention Week, come and show your support by taking 10 minutes out of your day at noon, on Wednesday, April 25, to blow soap “Bubbles for Love”. Each bubble we blow will represent the love our children have and should be allowed to share with both their parents.

**NOW, THEREFORE,** we, the Mayor and City Council of the City of Montevallo, do hereby proclaim April 22 through April 28, 2018, as PARENTAL ALIENATION PREVENTION WEEK and April 25, 2018, as PARENTAL ALIENATION AWARENESS “Bubbles of Love” DAY.

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Hollie C. Cost, Mayor

Mr. Pascal thanked Mayor Cost and encouraged everyone to participate in the event.

Non-discrimination Ordinance: The city Clerk read the following ordinance into the record as its official first reading:

**Ordinance \_\_\_\_\_ (EDITED 3.21.18)**

**NON-DISCRIMINATION ORDINANCE – AN ORDINANCE AMENDING CHAPTER 16 OF THE MONTEVALLO MUNICIPAL CODE**

**Whereas**, the City of Montevallo desires to affirm the dignity and worth of each citizen of this city regardless of race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status;

**Now, therefore, be it hereby ordained by the City of Montevallo, Alabama that Chapter 16 of the City of Montevallo Municipal Code be amended to include the following:**

## **Chapter 16 - OFFENSES AND MISCELLANEOUS PROVISIONS**

### **Article IV. - NON DISCRIMINATION ORDINANCE**

#### **Division 1 - Unlawful discrimination**

##### **Sec. 16-70. - Purpose.**

By enacting this division, it is the purpose and intent of the City Council of Montevallo, Alabama, within constitutional limits, to protect the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status, and to promote the public health and welfare of all persons who live and work in the City of Montevallo.

##### **Sec. 16-71. - Definitions.**

For the purposes of this division, the following terms shall have the following meanings:

**Age.** An individual's status as having obtained forty or more years of age.

**Discriminate, Discrimination, or Discriminatory.** Any act, policy or practice that, regardless of intent, having the effect of subjecting any person to differential treatment as a result of that person's race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status.

**Race:** Race discrimination involves treating someone unfavorably because he or she is of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, certain facial features, etc.)

**Color:** Color discrimination involves treating someone unfavorably because of skin color complexion.

**National origin:** An individual's characteristics related to his or her place of birth, the individual's ancestor's place of birth, language, culture, accent, ethnicity, or appearance of ethnicity.

**Sex:** The status and characteristics of being male or female. This shall be interpreted to include pregnancy, childbirth, and related medical conditions.

**Disability:** A physical or mental impairment that substantially limits one or more major life activities.

**Familial status:** The condition of one or more minors residing with their parent or parents or the minor's legal guardian.

**Employee:** Any individual employed by or seeking employment from an employer, excluding any individual employed by his or her parents, spouse, or child.

**Employer:** A person who employs one or more employees in the City of Montevallo or any agent of such person, other than as excepted under Sections 16-73 and 16-82 of this ordinance. Employer shall include the City of Montevallo and any city contractor.

**Marital Status:** An individual's past, current, or prospective status as single, married, divorced, or widowed.

**Sexual Orientation:** Including, but not limited to, homosexuality, heterosexuality, or bisexuality.

**Gender Identity:** The spectrum of gender-related identity, expression, appearance or mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.

**Place of Public Resort, Accommodation, Assemblage, or Amusement:** Any place, store, or other establishment, either licensed or unlicensed, that supplies accommodations, goods, or services to the general public, or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds. The term does not include any of the following:

- a. Any lodging establishment which contains not more than three rooms for rent and which is actually occupied by the proprietor of such establishment as a primary residence.
- b. Any private club, bona fide membership organization, or other establishment that is not in fact open to the public.

**Religion:** All aspects of religious belief, observance, and practice.

**Veteran Status:** An individual's status as one who served in the active United States Army, Air Force, Navy, Marines or Coast Guard, and who was discharged or released under conditions other than dishonorable.

### **Sec. 16-72. - Civil Rights Declared.**

Within constitutional and statutory limits, the right of an otherwise qualified person to be free from discrimination because of that person's race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status is recognized as and declared to be a civil right, the deprivation of which is declared to be a violation of this division subject to penalty as provided in Sec. 16-75. This right shall include, but not be limited to, all of the following:

1. The right to obtain and hold employment and the benefits associated therewith without discrimination.
2. The right to the full, reasonable enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement without discrimination.

3. The right to engage in property transactions, including obtaining housing for rental or sale and credit therefore, without discrimination.
4. The right to obtain an education free from discrimination in a safe and supportive learning environment.
5. The right to exercise any right granted under this division without suffering coercion or retaliation.

**Sec. 16-73. - Exceptions.**

Notwithstanding the foregoing, the following are not discriminatory practices prohibited by Sec. 16-72 of this division:

1. A religious corporation, association, or society that employs an individual of a particular religion to perform work connected with the performance of religious activities or any operation or other activity undertaken by the religious corporation, association, or society.
2. An employer who observes the conditions of a bona fide affirmative action plan or a bona fide seniority system which is not a pretext to evade the purposes of this ordinance.
3. County, State or Federal governmental employers, contractors or sub-contractors who observe the conditions of their own non-discrimination policies.
4. An employer or owner/operator of a place of public resort, accommodation, assemblage, or amusement who makes a good faith effort to make reasonable accommodations and is able to demonstrate that additional accommodations would impose an undue hardship on the employer or owner/operator. In determining whether an accommodation would impose an undue hardship, the factors considered may include, but are not limited to:
  - a. The frequency with which members of the public will be served by the accommodation.
  - b. The size of the employer or place of public resort with respect to physical size, annual gross revenues, and the number of employees.
  - c. The extent to which persons with disabilities will be further served by the accommodation.
  - d. The type of operation.
  - e. The nature and amount of both direct and indirect costs of making the accommodation and the reasonableness for that location to finance the accommodation.
  - f. The extent to which any persons may be adversely affected by the accommodation.
5. An individual or family who employs a person or persons in their private residence. This includes, but is not limited to: in-home child care (nannies and babysitters), individuals hired for household work, and individuals hired for home repair and maintenance.

**Sec. 16-74. - Complaints.**

1. A person must file a complaint under this division within 180 days following the occurrence of the alleged unlawful discriminatory action.
2. The City Clerk's office is the official depository for all bona fide complaints for alleged violations under this division.
3. Within 30 days of receiving a complaint, the City Clerk's office shall review the allegation with the alleging party.

4. A complainant that continues to allege a violation of this division shall be referred to the Municipal Court for adjudication of the complaint and imposition of a penalty as provided in Sec. 16-75 of this division.

**Sec. 16-75 - Penalty for violation.**

A violation of this division may be punished by a fine of not more than one hundred dollars (\$100.00) at the discretion of the municipal court. Each day that any violation continues shall constitute a separate offense.

**Division 2 - Municipal contracts**

**Sec. 16-81. - Nondiscrimination provisions to be included in municipal contracts.**

Except as expressly excluded under Sec. 16-73, the city and all city departments and agencies shall include in every municipal contract hereafter entered into the following provisions:

“During the performance of this contract the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status. Such action shall include but not be limited to the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

(2) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further municipal contracts.

Sec. 16-82. - Exceptions.

1. This division shall not apply to contracts between the city and units of government, including but not limited to federal government, state government, county government, municipal government, public school systems, and public institutions of higher education.

2. The city council may waive or suspend the application of the provisions of this division in cases where the size or nature of the purchase, contract, job or services or other special circumstances make compliance therewith impracticable or unnecessary.

**Division 4 - Severability**

If any provision of this ordinance or its application to any particular person or circumstance is held invalid, that provision or its application is severable and does not affect the validity of other provisions or applications of this ordinance.

**Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

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**Hollie C. Cost, Mayor**

**ATTEST:**

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**Herman Lehman, City Clerk & Treasurer**

Mayor Cost reminded everyone that the initial version of this proposed ordinance was presented to the City Council by members of the Montevallo Acceptance Project (MAP) nearly two years ago. Since then, no other ordinance that she knows of has received the amount of time, consideration and effort as this one has. Thanked everyone for their input on this ordinance. She said that her hope is that, no matter what happens with regard to this ordinance, that everyone in our community continues to be as respectful to one another as they have been throughout this lengthy process. Once again, Mayor Cost pointed out that this was the first reading of the ordinance and that it will be placed on the Agenda for consideration at the Council's next meeting.

Council Member Nix reminded everyone that in order for this ordinance to be considered at the next meeting, it must receive a motion and a second.

Active Air HVAC Service Contract – City Hall & Library: As discussed earlier, the Mayor said she would talk to Mr. Hamby about this.

**Old Business:**

Greens Improvements at Golf Course using remaining Mahler Funds (\$32,610.01) Sur-line Turf low bid: As discussed, no action will be taken at this time.

SPIRE / ALAGASCO (update) – Discussed earlier.

**Board Appointments:** NONE

**Other Business:**

Council Member Peterson said he would like to know if additional streets can be added to the paving list this summer if we find that we have additional funds. The Mayor said she would check on that. He then

made a motion to approve the paving bids, including new list for paving. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

Abigail Heuton suggested that the Council recognize members of the MJCC at an upcoming meeting.

**Citizen Participation:**

Buddy Freeman, on behalf of MAP, expressed his organization's appreciation for all of the hard work and consideration the City Council has put into the proposed NDO. He said he appreciates that the discussions we've had as a community have been respectful. He said they believe this ordinance will be a benefit to everyone in Montevallo because it protects the rights of all individuals – especially members of the LGBTQ community. He said this will be a great step forward for our community.

Christopher Thornton addressed the Council and expressed his position to the NDO. He said he believes the ordinance will pass largely because the Mayor and majority of the Council are employed by UM. If this passes, he feels members of the LGBTQ community will try to use the law to set-up people and go after businesses. He also detailed a number of other reasons he felt this ordinance should not be approved. He said the people of Montevallo need to take their city back from the University.

Bobbie Pierson addressed the Council and expressed his support for the NDO. He asked folks to step back and look at the proposal to see how it will hurt them. He said he felt confident they would see they will not be hurt. This can only help.

There being no further business before the Council, Council Member Nix made a motion to adjourn. Council Member Walker seconded. ALL AYES . . . MEETING ADJOURNED at 6:39 p.m.

Submitted by:

Herman Lehman  
City Clerk