

**MINUTES**

**Montevallo City Council Work Session**

**May 28, 2013**

**5:30 p.m. at City Hall**

Mayor Hollie Cost, Council Member Rusty Nix, Council Member Willie Goldsmith, Council Member Sharon Gilbert and Council Member Dee Woodham were in attendance. Council Member Don Hughes was absent.

Mayor Cost called the work session to order at 5:30 p.m. She then reviewed the Agenda items with the council.

Ordinance Creating a Recreation Board to Manage City Parks Trail Program – Mayor Cost recommended to the council that our ad hoc trail committee be formalized as a city board. Council Member Woodham commented that the language of the ordinance seemed rather broad. Council Member Nix expressed his concern that we may be giving this board more power than other boards.

**ORDINANCE #**

**AN ORDINANCE CREATING A RECREATION BOARD TO  
MANAGE CITY PARKS TRAIL PROGRAM**

WHEREAS, the City Council of Montevallo, Alabama, has determined that it will benefit the health and welfare of the citizens of the City to promote a healthier lifestyle through exercise and outdoor activity by utilizing the Montevallo Parks Trail,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA, AS FOLLOWS:

**Section 1. Creation of board.**

There is hereby created a recreation board to be known as the Montevallo Parks Trail Program Board to direct, supervise, and promote the utilization of the Montevallo Parks Trail.

**Section 2. Membership of board.**

The Board shall consist of five (5) members to be selected by the City Council from residents of the City who have a recognized interest in recreational activities. Members shall serve staggered terms, and the initial terms shall be as follows: one for a term of one year; one for a term of two years; one for a term of three years; one for a term of four years; and one for a term of five years. As the terms of members expire, their successors shall be selected for terms of five years each. Vacancies in unexpired terms shall be filled by the City Council. The Board shall elect from its membership a chairman and secretary and such other officers as it deems necessary to serve at its pleasure. The Board shall adopt rules and regulations covering the

procedures of the Board and the use of lands, buildings, equipment, and other facilities under its jurisdiction. Members of the Board shall serve without compensation.

### **Section 3. Powers and duties.**

The Board shall be responsible for the direction, supervision and promotion of the Montevallo Parks Trail Program so as to contribute to the general welfare of the residents of the City. The Board shall have control over all lands, buildings, equipment, and other facilities assigned for recreational **trail** purposes to the Board by the City Council or purchased or leased by it from funds provided by the City Council or other sources. The Board shall cooperate with other local agencies and state and federal agencies for the purpose of maintaining and improving the Montevallo Parks Trail Program and facilities for the City. The Board shall have power to accept financial and other aid and grants from any public or private agency, person, or entity. **The board shall not have the power of Condemnation or the right of Eminent Domain.**

**Section 4.** The provisions of this Ordinance are severable, and if any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the remainder of this Ordinance, which shall remain in full force and effect.

**Section 5.** This Ordinance shall become effective upon its passage and publication or posting as required by law.

It was suggested that the language highlighted above be added under Section 3. Powers and duties.

The Mayor noted that our architects with Turner Batson have prepared some draft floor plans detailing possible modifications to City Hall. Both Council Member Nix and Goldsmith expressed their preference for the plan which included a larger council chamber. Council Member Woodham said she preferred we incorporate sufficient room in the plans to accommodate future growth and needs.

Mayor Cost informed the council she and Council Member Woodham met recently with Tom Walker and toured the new facilities at American Village. She said we are looking at the possibility of increasing our contribution to American Village.

Council Member Woodham said their meeting went very well. The building projects at American Village, like the new Veteran's Shrine, are very impressive. She said they are working to attract more adult visitors to the Village, which will also include an amphitheater, walking trails, spots for individual memorials / markers, etc. She said their improvements will create a lot of economic activity throughout Montevallo. It is definitely a tremendous asset to our city.

Mayor Cost noted that Mr. Walker also stressed the critical importance to the Village of locating a lodging facility in Montevallo. He said they are currently sending their guests to lodging in Calera.

Council Member Woodham said Mr. Walker asked that the City contribute \$100,000 toward their current efforts. She said this money would come from the MDCD. She said participation at this level would give our City proper recognition as a major donor in the effort.

Council Member Woodham asked if the council should hold another special work session to finalize the Comprehensive Capital Improvement Plan. Mayor Cost suggested the council meet on Thursday, June 6<sup>th</sup> at 4:30 p.m. to review the Property Maintenance Code and at the same time on Wednesday, June 5<sup>th</sup> to review the Comprehensive Capital Improvement Plan.

The Mayor reported that the Emergency Policy is still being worked on but should be ready soon.

Residential Leased / Rental Property Code – Will discuss in detail on June 6<sup>th</sup>.

Bid Procedures – With regard to bid procedures, Council Member Woodham commented that she felt it was a good idea to include the City Clerk on all bids. Mayor Cost noted that Council Member Hughes had brought this up and that she wanted to wait until he was in attendance to consider this item.

Golf Course – Mayor Cost asked that the council send her any questions or concerns they have regarding the golf course.

***Montevallo City Council Meeting***  
**May 28, 2013**  
**6:00 p.m. at City Hall**

Mayor Hollie Cost, Council Member Rusty Nix, Council Member Willie Goldsmith, Council Member Sharon Gilbert and Council Member Dee Woodham were in attendance. Council Member Don Hughes was absent.

***(Rescheduled in observance of Memorial Day)***

**Pledge of Allegiance**

**Meeting Call to Order** – The Mayor called the meeting to order at 6:00 p.m.

**Approval and/or corrections of the minutes** –

Council Member Nix made a motion to approve the Minutes from May 13, 2013 as corrected. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

Council Member Goldsmith made a motion to approve the Minutes from April 10, 2013 as corrected. Council Member Woodham seconded. Council Member Gilbert ABSTAINED. ALL OTHERS VOTED AYE . . . MOTION APPROVED.

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

Thomas Lilly thanked everyone for their thoughts and prayers during his recent illness. He said he was feeling much better.

Mike Hrobak, president of the Hidden Forest Homeowner's Association, complained that there was trash burning on properties outside the City Limits next to their subdivision. Ms. Laura Spencer of Hidden Forest asked about the No Burn Order and whether or not we could enforce county residents to follow the ban, as well. Mr. Hrobak said one person's actions are poisoning everyone else.

Mayor Cost explained that we have no jurisdiction in that case. She suggested they consider filing a civil suit against the property owner. We can't enforce laws outside of our city.

Ms. Spencer asked the Mayor to contact someone at the County on her behalf. She said her husband is on oxygen and this creates a problem for him.

The Mayor said she would be happy to do that.

### **Committee Reports and Consideration of Bills:**

**Public Health & Safety** (Police, Fire, Code Enforcement, Housing Abatement) – Chief Littleton presented his report:

#### **Council Meeting May 28, 2013**

Criminal **29**

Non-Criminal **13**

Traffic Accidents **23**

Total Arrest **26**

Domestics **6**

School Foot Patrols **25**

No major problems over the holiday weekend

Roof on police department repaired. (Invoice \$750.00) Request approval to take from capital funds.

Request \$300.00 from forfeiture fund to buy lunch for Southeastern Explorer Camp being held on the University Campus in mid-June.

Council Member Goldsmith asked the Mayor about our Code Enforcement Officer. The Mayor explained that we determined it would not work to have a full-time employee split the Fire

Marshall and Code Enforcement Officer duties. She said the Fire Marshall can assist us with checking on business licenses, but can't do the other. She said we will use an APOST Certified Officer to provide code enforcement services.

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

Mayor Cost informed the council that Council Member Hughes was ill. She reported that the recycling center is no longer able to accept glass because Argos can no longer use it in their process. So far, we have been unable to locate another source which will take our glass.

Council Member Nix suggested we check with other cement companies. David Belk said he is working on that.

Herschel Hale reported that the Beautification Awards were a great success. He said they are considering amending the selection criteria for next year to permit consideration of homes that are not visible from the main road.

Mr. Belk informed the council there is a dead tree along East Boundary Street which needs to be cut down. We can have it cur down for \$1,600 or have it cut down and the stump ground for \$2,000. He said he has the money if his budget. Council Member Nix made a motion to spend \$2,000 to have the tree cut and stump ground. Council Member Goldsmith seconded. ALL AYES . . . MOTION APPROVED.

Mr. Belk said he has three surplus vehicles at the Shop which can be declared surplus. He said he talked to a scrapyard in Pea Ridge that will pay \$8 per 100 pounds of metal. However, Circle K will pay \$12 per 100 pounds. We w8ill have to haul the trucks to either location.

**Recreation, Preservation and Community Development** (Parks & recreation, Golf Course, Youth Athletics, Trails, Historical Commission, Planning & Zoning, Annexations) –

Council Member Nix said the Park Board recommends the City name two fields at Stephens Park after two Montevallo natives who played in the old Negro League – Clifford DuBose, Sr. and Raymond Haggins, Sr. The Mayor said this was an excellent idea and asked that the Park Board organize an award ceremony to go along with that renaming. Council Member Nix said he would gather more information before the council would be expected to vote on this recommendation.

Council Member Nix reported that the Youth Athletics program is winding down for the season. Mr. Belk noted they have a few travel games left.

Mayor Cost informed the council there is a meeting at Stephens Park at 9:00 a.m. on Wednesday to look at what needs to be done to improve the park and determine who is responsible to maintain what at the park.

Council Member Woodham noted that some constituents have requested Orr Park be open after dark. She said this is something we should consider. Council Member Nix reminded everyone

that the problems we were having with vandalism have improved since we closed the park at night. David Belk said he also thought the fact we made improvements to the park facilities has helped to decrease the amount of vandalism.

**Education, Arts & Outreach** (Schools, UM, Boys & Girls Club, Library, American Village, Sister City Commission, Artwalk, Middle School Grant) –

Council Member Gilbert reported the UM Summer Term has started and that the Boys & Girls Club program is underway at two locations – UM and the High School. The Sister City Commission is looking for funding to send two students to Japan. They are holding a fundraiser golf tournament on June 15<sup>th</sup>. There will also be a 5-K run and yards sale fundraisers.

Allie Williams presented the library report:

*The BIG BOOK SALE is going to be June 1<sup>st</sup> and 3<sup>rd</sup>. We received hundreds of book donations from the people of Montevallo that we either added to our collection or put with the sale items. We have books priced from 5 cents up to \$3.00 and a lot of DVDs as well.*

*Summer Reading Kickoff is June 6<sup>th</sup> at 5:15 for registration and 6:00 p.m. for the performance, which is a storytelling act called “Good Times Traveling Theatre.” We promoted this in the Chamber and sent notices up to the elementary school to go home with each child so we’re hoping for a good turnout.*

*Nature Camp starts with their kickoff meeting on Sunday the 9<sup>th</sup>. It will run all week.*

*The ESOL classes ended on May 16<sup>th</sup>. The class members had a party to celebrate their last date and we are already getting questions about a class in the fall. As of right now, they intend to have at least one class. There may be a need for two, but that will not be determined for a while.*

*The garden at the library is completed, the benches are installed, and there are planters filled with flowers on the back patio. It is all beautiful and a very nice place to visit.*

Ms. Williams mentioned, as well, that they are still having internet problems due to Charter Cable.

**Finance, Economic Development & Tourism** (Finance, MDCD, IDB, Chamber) –

Council Member Woodham noted two large bills – approximately \$5,000 for the Regions case attorney fees and \$1,700 for our city attorney fees. She informed the council that our Sales Tax revenues for the month of April were up around \$17,000 and that we are ahead year-to-date by around \$42,000. Council Member Woodham said she has been working to secure the refinance of the MDCD loan. She said she was also able to recently attend the Alabama League of Municipalities convention in Montgomery.

David Belk asked if the MDCD was still planning to provide us with \$8,000 to improve the Recreation Building. Council Member Woodham said she would confirm that.

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

**Consent Agenda:** NONE

**New Business:**

Ordinance Creating a Recreation Board to Manage City Parks Trail Program –  
**ORDINANCE #**

COUNCIL MEMBER  
INTRODUCED THE FOLLOWING ORDINANCE

COUNCIL MEMBER  
SECONDED THE ORDINANCE

AN ORDINANCE CREATING A RECREATION BOARD TO  
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Approved and adopted this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor Hollie Cost

Attest:

\_\_\_\_\_  
Herman Lehman, City Clerk

(This was the first reading.)

**Old Business:**

Improvements to City Hall – TurnerBatson – Discussed earlier.

Capital Improvement Proposal – Discussed earlier.

Emergency Policy – Discussed earlier.

Residential Leased / Rental Property Code – Discussed earlier.

Bid Procedures – Discussed earlier.

Golf Course – Discussed earlier.



### **Board Appointments**

Arbor & Beautification – The Mayor informed the council we have 3 of our Arbor & Beautification Board members whose terms expire at the end of May. All three would like to be appointed for a second four year term on the Board - John McKinnon, Billy Tyler and Joan Pickett. She said this is her recommendation. Council Member Woodham made a motion to reappoint the Mayor’s nominees as requested. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

Council Member Nix mentioned there will be an opening on the Water & Sewer Board toward the end of June. They will recommend a replacement soon.

### **Other Business**

Chief Littleton asked for approval to spend \$300 from the Forfeiture Fund to purchase lunch for the Southeastern Explorer Association during their meeting at UM. Council Member Goldsmith made the motion. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

Chief Littleton informed the council that the roof repair to his building will cost \$750 and would like the funds to come from something other than the Police Department budget. Council Member Nix made a motion the repairs be paid from the city (10%) reserve fund. Council Member Woodham seconded. ALL AYES . . . MOTION APPROVED.

### **Citizen Participation**

Mike Hrobak asked if anything could be done to prevent the wheels on the garbage carts from being broken by the garbage truck. Mr. Belk informed him that we are looking into alternative service providers. Mr. Hrobak also volunteered to serve as a member of the Planning Commission if there is an opening.

Laura Spencer asked if city council members attend county commission meetings. The Mayor explained that their meeting times conflict with ours. However, we work closely with the County Commission. Ms. Spencer asked our building inspector to look at 1044 Hidden Forest Drive. She said they do not have a building permit.

Jason Peterson asked us to be sure to keep our Minutes on the website up-to-date.

There being no other business before the council, the meeting was adjourned by acclamation at 6:48 p.m.

Submitted by:

Herman Lehman  
City Clerk