

**Montevallo City Council Work Session  
April 27, 2015  
5:30 p.m. at City Hall**

Mayor Hollie Cost and Council members Willie Goldsmith, Jason Peterson, Rusty Nix, Sharon Gilbert and Dee Woodham were in attendance.

Mayor Hollie Cost called the work session to order at 5:31 p.m.

Chief Littleton of the Police Department gave his report:

**Council Meeting April 27, 2015**

|                   |    |
|-------------------|----|
| Total Cases       | 65 |
| Traffic Accidents | 16 |
| Traffic Citations | 95 |
| Total Arrests     | 20 |
| Burglaries        | 3  |
| Auto Burglaries   | 0  |
| Domestics         | 10 |
| Assaults          | 2  |
| Fraud/Forgery     | 3  |

Request \$3600.00 from Forfeiture Fund for payment of radio tower being removed.

# Code Enforcement Activity Report

## April 13, 2015 – April 27, 2015

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|  |     |
|--|-----|
| <u>Junk Cars Inspections</u>             | -0  |
| Pending                                  | -0  |
| Closed                                   | -0  |
| <br>                                     |     |
| <u>Animal Complaints Inspections</u>     | -0  |
| Pending                                  | -0  |
| Closed                                   | -0  |
| <br>                                     |     |
| <u>Abandoned Buildings/Houses</u>        | -1  |
| Pending                                  | -30 |
| Closed                                   | -0  |
| <br>                                     |     |
| <u>Un-Kept Property Inspections</u>      | -1  |
| Pending                                  | -3  |
| Closed                                   | -1  |
| <br>                                     |     |
| <u>Misc. Complaints</u>                  | -0  |
| Pending                                  | -0  |
| Closed                                   | -0  |
| <br>                                     |     |
| <u>Total New Inspections This Period</u> | -2  |
| <u>Total Inspection Year To Date</u>     | -21 |

### **Inspections This Period**

Fallen tree in Princeton Park Subdivision.

Trailer on Holloway Hill – Complaint received, structure added to Unsafe Structure list. Owner spoken to about removing structure himself.

### **Inspections Pending Continued from Last Period**

Property on Hwy 25 – Inoperable vehicle removed. Large amounts of debris still on property.

Norfolk Southern Railroad will clear area behind Scott's Village. Equipment coming from Mobile and RR scheduling to close tracks. Spoke to maintenance supervisor. He advised his superiors determine when equipment will come.

Unkept property on Evansville Circle.

### **Cases Closed this Period**

Fallen tree in Princeton Park Subdivision. Tree is on private property.

The Abatement Board is awaiting the decision of the finance committee on available funds before beginning the process on the five selected houses.

The Chief requested \$3,600 from the forfeiture fund to remove the radio tower. He also informed the council that man working on the property along Hwy 119 is not violating any laws or ordinances at this point.

Chief Reid of the Fire Department reported that they've had a busy two weeks. They had five structure fires and have assisted both Brierfield and Alabaster with various fires. ISO is planning to visit on May 13<sup>th</sup>. This ISO evaluation will be different from the last as they have new evaluation criteria but the Fire Department is hopeful they will pass. The first round of grant awards have been announced but no one in this area has received anything yet. We are hopeful we will receive a micro grant at the very least. There is no word yet on the truck grant.

Director of Public Works Kirk Hamby reported that the Public Works Department was able to get a lot done of the past couple of weeks. All of the right-of-ways have been cut at least four times and the whole city has been cut at least once. The state highway department will cut the right-of-ways on Hwy 119 past the Mahler property. The new trail at the Mahler property was also cut last Wednesday. Part of Island Street is to be paved at the end of the week. The paving will start before 8 a.m. and end by 2:30 p.m. to accommodate school traffic. They will repaint the crosswalk at the elementary school and at the intersection of North Boundary and Island Street.

The Arbor & Beautification committee gave out its awards.

The Family Fun and Fitness Day had over 650 participants. The Shoal Creek advisory board met for the first time and there will be more info to report in meetings to come. On February 23<sup>rd</sup> the historical commission met. They will host a public hearing soon. The city will need to look into ordinances about food truck at the Alabama Coach building.

Golf Club Director Ed Davis reported that the Golf Club finished its season with Montevallo's middle and high schools. The Chamber of Commerce tournament was successful. The Golf Club has two Boys & Girls Club camps planned and at least three other golf camps planned for this summer.

The Montevallo High School graduation will be May 18<sup>th</sup> and the University graduation will be May 2<sup>nd</sup>. Things are going well with the Sister City Commission and students and families are currently preparing for the trip. The first week of October the new mayor of Echizen will come to visit.

The Finance Committee meets on Wednesday at 4:30. The largest bill in the packets was \$8200 for Barge Wagner. The handicap signs will be placed at Stephens Park shortly. The track facility is 85% complete. Fiber optics and more lighting need to be placed at the UM softball field. The street signs are almost finished. The Meet-Me-on-Main Friday night event will be a way to get more people on Main Street this summer.

### **New Business**

Golf Board Request to Extend Golf Course Lease to October 2019 & Golf Board Request to Lease New Golf Carts from Club Car – Ed Davis reported that golf carts have about a four year lifespan and the Club Car golf carts would cut down lease costs by around 35%. Council Member Nix asked if this was the lowest bid. Mr. Davis explained that it wasn't the lowest but it was the best bid because the quality of the equipment is far superior to the lowest qualified bidder.

The Boys & Girls Club Partnership teen program will be discussed at a later date.

HB185 Opposition – A nursing organization wants to do away with the requirement that they obtain a business license permit in every city they do business. The City Council agreed that this proposal may open up the floodgates for other businesses to do the same. The Council discussed how nearby municipalities have come together to block this legislation. Mayor Cost suggested that Montevallo join their efforts.

National Police Week Proclamation – The proclamation will be discussed at next Council meeting.

Teacher Appreciation Week Proclamation – The city will sign the proclamation for the upcoming week.

Title VI Agreement – This agreement is to ensure that the city does not discriminate in the use of the equipment we've received from a federal grant.

Council Member Nix reported that he spoke to Michael Harmon at the Water & Sewer Board about helping us with the cost of running a water line at Shoal Creek Park to supply the proposed aquaponics project. He said they could probably help with the tap and impact fees but running the line could cost us around \$2,500. He did mention we need to know the volume of their projected use so that everything is sized appropriately.

### **Montevallo City Council Meeting**

**April 27, 2015**

**6:00 p.m. at City Hall**

Mayor Hollie Cost and Council members Willie Goldsmith, Jason Peterson, Rusty Nix, Sharon Gilbert and Dee Woodham were in attendance.

### **Pledge of Allegiance**

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

Council Member Woodham made a motion to approve the Minutes from April 13, 2015 as corrected. Council Member Goldsmith seconded. Council Member Gilbert ABSTAINED. ALL OTHERS VOTED AYE . . . MOTION APPROVED.

**Student Recognition / Awards:** Mayor Cost and Ms. Lewis presented the Montevallo Middle School awards:

Tamyajah Sullens

Logan McLaurin

Isaiah Chapple-

Arlin Pacheco

Evan Zou

Grayson Fulmer

Teacher:

Virginia Thomas

Mayor Cost and Dr. Hester presented the Montevallo High School awards:

Excellence in Service

Jill Brantley

Alex Ezelle

Sam Hudson

Alex McCurdy

Kenneth McCutcheon

Dylan Sanders

Lupe Serrano (2 certificates)

Kayla Smith (2 certificates)

Wezley Sherman

Payton Edwards

Cole Champion

Eli Cost

Meredith Goggins

Kate Frederick

Shelby Teston

Sydney Selman

Lena Buttgereit

Jack Brown

Cameron Cummings

Matthew Lanzi

Jesse White

C.D. Lawley\*

Demetrius Smith

Sarah Renteria

Trishtan Johnson

### Academic Excellence

C.D. Lawley\*

Lauren Marler

### Staff Award of Excellence

Perry Lawley

Phil Carter

Blake Ray

\*C.D. Lawley will receive a certificate from each category.

### **Opportunity for Citizens to Speak to the Council**

Mr. Walker commented that more roads need to be paved and that the road by Stephens Park in particular needs to be paved. Mayor Cost noted that we have paved a lot of our streets lately and that there are more scheduled. However, as in the case of CR 10 by Stephens Park, some of the roads are county roads and do not belong to our city.

Dr. Hester thanked the Council for providing such a large portion of their meeting time to these awards.

### **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, Historical Commission, Planning & Zoning, Annexations) – Discussed earlier.

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

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

Incredible Health Farms Proposal – The city will discuss this proposal further at the next City Council meeting. The city will have to look into updating its water lines.

Mayor Cost entertained a motion to approve the bills. Council Member Woodham made the motion and Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

**Consent Agenda:** NONE

**New Business**

Golf Board Request to Extend Golf Course Lease to October 2016 - Discussed earlier. Referred to Finance Committee.

Golf Board Request to Lease New Golf Carts from Club Car - Discussed earlier. Referred to Finance Committee.

Boys & Girls Club Partnership – Teen Program – Postponed.

HB185 Opposition - Council Member Peterson made a motion to oppose HB185. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

**Resolution 04272015-206**

**Resolution Opposing HB185**

**Whereas,** HB185 restricts municipal authority to license home health businesses to those with a headquarters or branch office physically located within the City of Montevallo; and

**Whereas,** businesses that provide goods or services within the municipal corporate limits, whether or not they have a physical location within the corporate limits, take advantage of the financial and other benefits they receive from the municipality including, but not limited to, the use of city streets and roads, the potential use of police and fire protection, and the potential use of city ambulances or rescue services; and



**Whereas,** revenue collected from business licensing provides a financial means for defraying the costs of providing essential services by licensing businesses in appropriate circumstances; and

**Whereas,** businesses with physical locations outside the municipal corporate limits will use municipal services to benefit their business when inside the municipal corporate limits; and

**Whereas,** monies collected from business licensing are used not just for revenue purposes, but to protect citizens by allowing municipalities to verify that home health companies providing services inside the municipal corporate limits are in compliance with necessary laws and regulations; and

**Whereas,** loss of revenue from home health licenses would be detrimental to the City of Montevallo's general fund revenue; and

**Whereas,** legislatively carving out this type of business from the coverage of municipal business licensing creates fundamental unfairness to other businesses and is a slippery slope as other businesses and industries start to request similar legislative limitations on municipal license authority which could potentially cost the municipality a significant loss in revenue thereby resulting in a potential for devastating effects on the quality of life of our citizens.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEVALLO** expresses its strong opposition to HB185 or any similar legislation that would further restrict the municipality's authority to properly license business that is transacted within the municipality.

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF MONTEVALLO,** that its legislative delegation oppose the passage of HB185.

**ADOPTED AND APPROVED THIS 27<sup>th</sup> DAY OF APRIL, 2015.**

Signed

Attest

\_\_\_\_\_  
Hollie C. Cost

\_\_\_\_\_  
Herman F. Lehman, III

Mayor

City Clerk

National Police Week Proclamation – Postponed.

Teacher Appreciation Week Proclamation – Mayor Cost notified the council she will be signing this proclamation.

***PROCLAMATION  
FOR  
TEACHER APPRECIATION WEEK***

***Whereas, a strong, effective system of free public education for all children and youth is essential to our democratic system of government; and***

**Whereas, the United States and the State of Alabama** has made considerable progress in the social, technological and scientific fields due to our system of *free and universal public education*; and

**Whereas, much of this progress can be attributed to the qualified and dedicated teachers entrusted with the educational development of our children**; and

**Whereas, teachers should be accorded high public esteem, reflecting the value the community places on public education**; and

**Whereas, the City of Montevallo** is keenly aware of the importance of teachers in children's reaching their full potential; and

**Whereas, it is appropriate that teachers be recognized for their dedication and commitment to educating our children**;

**Now, therefore, I, Dr. Hollie Campbell Cost, Mayor of the City of Montevallo, Alabama, do hereby proclaim May 4<sup>th</sup> through May 8<sup>th</sup>, 2015, as Teacher Appreciation Week in Montevallo, Alabama, and urge all citizens to pay tribute to our public school teachers.**

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**Mayor Hollie Campbell Cost**

Title VI Agreement - Mayor Cost entertained a motion to approve the Title VI agreement. Council Member Nix made the motion and Council Member Goldsmith seconded. ALL AYES . . . MOTION APPROVED.

## **Appendix H**

Documentation of Title VI Authorization

**RESOLUTION ADOPTING A TITLE VI PLAN**

**WHEREAS**, the Grady Parker Senior Center/City of Montevallo is a recipient of federal financial assistance from the Alabama Department of Transportation in support of transit services which imposes certain obligations upon the recipient, including complying with the Title VI federal requirements; and

**WHEREAS**, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

**WHEREAS**, the Grady Parker Senior Center/City of Montevallo commits to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity regardless of the funding source;

**NOW, THEREFORE**, be it resolved by the Mayor and City Council of the City of Montevallo as follows:

The Mayor and City Council of the City of Montevallo approves the proposed Title VI Program in order to comply with the Title VI federal requirements.

The Assistant City Clerk in her capacity, will serve as the Title VI Officer and is authorized to revise and update the plan as necessary.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Signature: \_\_\_\_\_

Attest: \_\_\_\_\_

Typed Name: \_\_\_\_\_

Typed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

**Old Business**

Incredible Health Farms Proposal – Discussed earlier.

**Board Appointments**

Mayor Cost entertained a motion to approve the appointment of Mario Vera to the Park & Recreation Board. Council Member Nix made a motion to that effect. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

**Other Business**

Mayor Cost entertained a motion to use \$3,600 from the forfeiture fund to take down the radio tower. Council Member Goldsmith made the motion. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

Mayor Cost reminded the council that this was Rachael Swokowski’s last meeting with the council as an intern. She thanked Rachael for all her fine work as a volunteer and wished her great success in graduate school at the University of Georgia.

**Opportunity for Citizens to Speak to the Council**

Mr. Jones reminded everyone that the Ora Lee Jones 5K Walk/Run & Health Fair will be by May 9<sup>th</sup> at Orr Park. They still need more volunteers.

There being no further business before the council, Mayor Cost entertained a motion to adjourn. Council Member Nix made the motion. Council Member Peterson seconded. ALL AYES . . . MEETING ADJOURNED at 6:31 p.m.

Submitted by:

Herman Lehman  
City Clerk