

MINUTES

**Montevallo City Council Work Session
December 10, 2018
5:30 p.m. at City Hall**

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

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

Chief Littleton presented the report from the Police Department:



**Montevallo Police Department
City Council Report**

Date:
12/10/2018

Patrol Report:

Total Calls:
373

Total Cases:
107

Traffic Accidents:
13

Traffic Stops:
378

Traffic Citations:
151

Total Arrests:
52

Burglaries:
2

Auto Burglaries:
3

Domestics:
17

Assaults:
5

Fraud/Forgery:
0

Thefts/Attempts:
7

Zone Checks:
369

School Patrols:
45

Investigations (New Cases):

Felony Cases Pending:
8

Felony Cases Closed:
8

Misdemeanor Cases Pending:
3

Misdemeanor Cases Closed:
3

Felony Warrants:
12

Misdemeanor Warrants:
10

School Resource Report:

Offense Reports:
1

Incident Reports:
4

Traffic Accident Reports:
1

Arrest Reports:
1

Cases Pending:
0

Cases Closed:
4

Additional Comments:

Montevideo 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	128	96	117	109	91	121	100	133	107		1213
Criminal Cases	78	36	70	63	72	60	52	66	44	48	47		636
Non-Criminal	8	15	30	16	9	20	7	13	3	4	3		49
Traffic Accidents	14	11	15	20	18	15	12	14	15	26	13		39
Traffic Citations	120	134	117	86	197	153	154	282	192	176	151		1762
DUI Arrests	3	3	3	5	6	1	2	4	2	2	5		36
Public Intox Air	2	2	2	3	1	6	1	0	3	0	0		20
Alise Arrests	24	16	18	7	15	16	10	20	9	14	15		164
Juvenile Arrests	1	0	1	2	1	1	0	1	0	0	1		8
Misd Arrests	12	12	9	11	4	3	4	8	4	12	15		94
Felony Arrests	3	1	7	1	1	2	1	13	10	9	3		51
Drug Related	4	3	9	4	7	9	9	19	16	19	13		112
Total Arrest	50	37	49	33	37	38	27	62	44	59	52		498
Auto Thefts	1	2	2	1	0	0	0	0	0	0	0		4
Burglaries	4	0	2	2	4	3	3	1	2	2	2		25
Auto Recoveries	0	0	0	0	0	0	0	0	0	0	0		0
Auto Burglaries	1	2	1	0	0	0	0	1	2	1	3		11
Criminal Mischief	5	3	0	3	2	2	4	7	5	6	2		30
DV, Related	15	13	11	11	15	10	10	11	11	12	17		136
Assaults	0	2	1	0	2	2	1	0	1	0	5		14
Fraud/Forgery	9	2	2	1	4	1	0	1	1	2	0		23
Harras / Rack	5	9	5	0	7	5	6	2	5	6	2		52
Misc. Offenses	18	18	25	18	16	21	21	15	22	24	22		220
Robberies	0	0	2	0	0	0	0	0	0	1	0		3
Thefts / Attempts	14	16	10	6	5	4	7	8	13	11	7		101
Suicide Attempts	1	0	1	0	0	0	0	1	0	0	0		3
Suicides	0	0	0	0	0	0	0	0	0	0	0		0
Deaths	1	1	2	0	1	3	2	1	2	1	0		14

Chief Bill Reid presented the Fire Department report. He noted that their call volume was only 89 in November. He said the old snorkel truck has been purchased and we have the money. Our new radio system is working. Several pagers are not working, however. We are using priority dispatch whereby Rescue One responds to general medical calls, not the Fire Department. That may be the reason our call volume has decreased.

Mayor Cost mentioned that our Fire Marshal is working on a comparison report of our call volumes.

Kirk Hamby, Director of Public Works, said the leaf vacuum truck is running four days a week. He cautioned we may experience some bridge icing overnight. However, our crews are prepared in the event that occurs. He also mentioned that he has been researching the price of a new grapple truck and they range from \$135,000 to \$165,000.

Mayor Cost said a new grapple ruck would be purchased using Sanitation Funds.

Council Member Peterson asked for a copy of the recent walkability report in preparation for his committee meeting.

In the absence of Mr. Baugh, Council Member Nix presented a brief update on activities at the parks. He noted that we are finishing up with basketball and that soccer, softball and baseball should start in January.

The Library's Executive Director, Lauren Bartell, presented the Library report:

PARNELL MEMORIAL LIBRARY
MONTHLY REPORT
NOVEMBER 2018

CIRCULATION:	1734 items charged (decreased by 6%)
ELECTRONIC CIRCULATION:	1653 items charged (increased by 2%)
COMPUTER USE:	368 users (decreased by 16%)
STORYTIME/3:	39 (decreased by 1%)
KIDS' MOVIES/4:	50 (decreased by 1%)
OTHER CHILDREN'S PROGRAMS/3:28	(decreased by 25%)
ADULT PROGRAMS/6:	141 (increased by 11%)
DEPOSITS:	
	11/1/2018 \$26.00
	11/6/2018 \$1302.54
	11/7/2018 \$129.30
	11/15/2018 \$150.20
	11/20/2018 \$45.30
	11/28/2018 \$103.50
	11/01/2018 \$39.60
	\$1790.44

- Notes:
- New picture books and beginning readers from the LSTA grant have started to come in
 - We will have children's programming at 1 pm each day December 17th to December 20th (the first week of break)

Abigail Heuton, Montevallo Junior City Council Mayor, updated the Council on the group's activities. She said the Mrs. Claus event at the library was a great event for the kids. She said the group has not been as busy lately because of exams. She noted the following:



Council Member Bunt noted that schools are out this week. She also noted that UM held a strategic planning meeting with the public here at City Hall recently. She encouraged everyone to go to the university's website and participate in the strategic planning survey. Everyone's input is needed.

Steve Gilbert, Director of the Montevillo Chamber, reminded everyone that the downtown, Christmas Open House is Thursday night from 5-7 PM. Merchants are staying open late to participate in the event. There will be a drawing for prizes at the Main Street Tavern at 7:30.

Mayor Cost then reviewed the remaining agenda items.

Shoal Creek Park Pavilion Power Easement -

ASSAIGNMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by **S. HOFFINS**

Alabama Power Company
Corporate Real Estate
7 Industrial Park Drive
Folsom, AL 36734

KNOW ALL MEN BY THESE PRESENTS that the undersigned CITY OF MONTEVALLO (hereinafter known as "Grantor", whether one or more) for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration paid in Dollars to said Alabama Power Company, a corporation, the receipt and sufficiency of which are hereby acknowledged, do hereby grant to said Alabama Power Company, its successors and assigns (hereinafter the "Company"), the following easements, rights, and privileges:

Overhead and/or underground. The right from time to time to construct, install, operate and maintain, upon, over, under and across the Property described below, all poles, towers, wires, cables, lines, optical cables, communication lines, transmission, distribution, service, gas wires, and other facilities (hereinafter referred to as "Facilities") for the overhead and/or underground transmission and distribution of electric power and communications, along a route selected by the Company, as determined by the localities in which the Company's facilities are to be installed. The width of the Company's right of way will depend on whether the Facilities are underground or overhead. For underground, the right of way will extend five (5) feet on all sides of said Facilities as and where installed. For overhead Facilities, the right of way will extend fifteen (15) feet on all sides of said Facilities as and where installed.

The Company is further granted all the rights or privileges necessary or convenient for the full enjoyment and use of said right of way for the purposes above described, including, without limitation, the right to access and agree to and how said Facilities, as applicable, the right to excavate for installation, replacement, repair and removal of said Facilities, the right to the future to install intermediate poles and facilities on said right of way, the right to install, maintain, and use anchors and guy wires on land adjacent to said right of way, and also the right to cut, remove, and otherwise keep clear any and all trees, undergrowth, vegetation, obstructions, or obstacles of whatever character, on, under and above said right of way, as applicable. Further, with respect to overhead Facilities, the Company is also granted the right to trim and cut, and keep trimmed and cut, all dead, weak, leaning or dangerous trees or limbs outside of the above-described right of way that, in the opinion of the Company, may pose an immediate safety hazard with, or fall upon any of said overhead Facilities.

The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean the real property more particularly described in that certain instrument recorded in INSTRUMENT # 2013122020046000 in the Office of the Judge of Probate of the above named County.

In the event it becomes necessary or desirable for the Company from time to time to move any of the Facilities in connection with the construction or improvement of any public road or highway to proximity to the Facilities, Grantor hereby grant to the Company the right to relocate the Facilities and, as to each relocated Facility, to enclose the right-of-way therefor, provided, however, the Company shall not relocate said Facilities on the Property at a distance greater than ten feet (10') outside the boundary of the right-of-way of any such public road or highway as established or re-established from time to time. This grant and agreement shall be binding upon and shall issue to the benefit of Grantor, the Company and each of their respective heirs, personal representatives, successors and assigns and the words "Company" and "Grantor" as used in this instrument shall be deemed to include the form, personal representatives, successors and assigns of each party.

TO HAVE AND TO HOLD the same to the Company, its successors and assigns, forever.
IN WITNESS WHEREOF, the said Grantor have caused this instrument to be executed by HOUSE C. COST its authorized representative, as of the 12th of DECEMBER, 2018.

ATTEST (if required) WITNESS:
By: Herman Lehman
City Clerk - Montevallo
By: Hollie Cost (SEAL)
Mayor

For Alabama Power Company Corporate Real Estate Department Use Only
W.E. # 6679-01-010 Transformer # 70276 All facilities on Grantor: YES % N STR & LOC to LOC: 200 - 20 - 18 - 2000

8011018

CORPORATION NOTARY

STATE OF AL
COUNTY OF Shelby
I, Iva Krakowski, a Notary Public, in and for said County in said State,
hereby certify that Herman Lehman, whose name is City Clerk of Montevallo, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal, this the 12 day of Dec, 2018.



Notary Public: Iva Krakowski
My commission expires: 03-29-21

STATE OF AL
COUNTY OF Shelby
I, Iva Krakowski, a Notary Public, in and for said County in said State,
hereby certify that Hollie Cost, whose name is Mayor of Montevallo, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal, this the 12 day of Dec, 2018.



Notary Public: Iva Krakowski
My commission expires: 03-29-21

Abatement of Weeds at 235 Wilson Drive and Abatement of Weeds at 98 Western Drive – Will be discussed during Public Hearing.

Improvements to Boy Scout Hut - \$1,500 from State Capital Improvement Account - Mayor Cost pointed out this will allow us to use the facility as our Park & Rec office. The Boy Scouts will still have access to the building for their functions.

Council Member Nix asked if Mr. Baugh will do all of the work on the building himself. The Mayor said he will do most of it, but not the sheet rock.

Mahler House Improvement Plan – Mayor Cost presented the estimates prepared by Shelby County as a result of our investigation into the needed repairs at the Mahler House.

Shoal Creek Park: Mahler House Budget for residential/caretaker use	
Project Section	Projected Cost
1 Foundation Repair/porch replacement	\$ 149,447.13
2 Front Porch removal and replacement(see #1)	
3 Pesticide Application and Follow-up	\$ 9,062.90
4 Building Permit	\$ 1,000.00
5 Wood Floor Repair and Refinishing	\$ 27,800.63
6 Waste dumpster rental	\$ 3,350.00
7 Kitchen Floor Tile Removal/Abestos Abatement	\$ 3,375.00
8 Kitchen Floor re-tile	\$ 5,015.00
9 HVAC Improvements/Repair/Replacement	\$ 35,227.50
10 Plumbing Repair/Replacement w/n house	\$ 50,312.50
11 Electrical upgrades	\$ 18,750.00
12 Construction Waste: Portable and Servicing	\$ 1,200.00
13 Insulation Budget:	\$ 3,750.00
14 Bath Cabinets	\$ 3,750.00
15 Sheetrock Repair/Replacement	\$ 7,500.00
16 siding asbestos abatement	TBD
17 Frame and Trim Work	\$ 2,000.00
18 Kitchen and Bathroom Tile	\$ 3,500.00
19 Counter top (Kitchen)	\$ 882.50
20 Paint Budget: Interior and Exterior	\$ 34,125.00
21 Appliances	\$ 4,720.38
Total Cost w/ contingencies:	\$ 364,768.13

At last week’s stakeholder meeting, it was suggested that the Historical Commission take the lead from this point forward and oversee the improvement process. The City has \$290,000 remaining in the house improvement account. Additional funding would need to be raised by the Commission for the project. The Mayor suggested allowing the Commission a period of two years to raise the funds and complete the project working under terms and conditions as further detailed in an MOA.

Council Member Bunt asked if the project team would no longer include members of both the Shoal Creek Park Foundation and the Historical Commission. Mayor Cost said the Commission would take the sole

lead. She noted they will still have to follow bid regulations and other guidelines, but that the City Clerk would help them in those efforts.

Council Member Bunt asked if the Historical Commission is in agreement with this plan. Janice Seaman, Chai of the Commission, said that they still need to review the MOA.

Council Member Nix and Ms. Seaman both said they thought the project should have the full \$300,000 originally set aside for improvements to the house.

Council Member Walker questioned whether or not restoring the house at that price was worth it and a wise use of city funds.

Ms. Seaman suggested that the gift from Ms. Mahler requires us in the deed to restore the house.

Council Member Walker noted that the deed refers to maintain the “homeplace” and that he is not convinced that is the same thing as the house.

Mayor Cost noted that is why she suggests authorizing only the \$290,000 still in our account for that purpose. The rest would need to be raised.

Council Member Walker said he thinks there are a lot of improvements which could be made to Shoal Creek Park with that \$290,000.

Melinda Nix, a member of the Historical Commission, questioned whether or not the Commission could raise tax exempt donations.

If not, Council Member Walker noted that is what the Shoal Creek Park Foundation was created to do.

**Montevallo City Council Meeting
December 10, 2018
6:00 p.m. at City Hall**

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

Pledge of Allegiance

Public Hearing:

- Abatement of Weeds at 235 Wilson Drive
- Abatement of Weeds at 98 Western Drive

Mayor Cost opened the hearing at 6:00 p.m.

The City Clerk presented notifications and recommendations from the Code Enforcement Officer regarding the weed and other code violations at the above described properties as further detailed in the following:



CITY OF MONTEVALLO

HOLLIE C. COST, Ph.D. - Mayor
HERMAN LEHMAN - City Clerk
JEREMY LITTLETON - Chief of Police
BILL REID - Fire Chief

Received for letter

Montevallo Police Department
541 Main Street
Montevallo, AL 35115

September 26, 2018
Finance of America Reverse LLC
8023 East 63rd Place, Suite 700
Tulsa, OK 74133

To Whom It May Concern:

In September 2018, I have received a complaint(s) about property that you are currently overseeing at:

235 Wilson Drive, Montevallo, AL 35115

The property was found to be vacant and overgrown and littered with trash and debris. The overgrown areas could become a fire hazard to the area and provide a habitat for snakes, rats, and other unwanted pests. If the violations are corrected then no further action will be taken. This is in violation of Municipal City Ordinance Section 14-1 and Section 14-59.

This is a letter of **WARNING** and requires the violation to be taken care of no later than October 26, 2018, 30 days from September 26, 2018. If said violation has not been taken care of and found to not be in compliance with Municipal City Ordinance by this date, abatement procedures will begin and the city will remedy the nuisance through the use of its own forces or contract with a third party, with costs assessed against the property.

Compliance with the order includes the cutting of the overgrown areas and removal of any trash / debris from the property. A hearing on this order may be requested in writing within fifteen days. The written notice must be submitted to the Code Enforcement Officer within fifteen days of this notice as pursuant to Municipal City Ordinance Section 14-10.

Any questions please contact the code enforcement officer at (205) 665-2552.

Sincerely,



CITY OF MONTEVALLO

HOLLIE C. COST, Ph.D. - Mayor

HERMAN LEHMAN - City Clerk

JEREMY LITTLETON - Chief of Police

BILL REID - Fire Chief

Officer Mike Wilder
Code Enforcement Officer

See attached copy of ordinance:

- **Sec. 14-1. - Definitions.**

(a) *For the purposes of this article the term "public nuisance" shall mean anything that works hurt, inconvenience or damage to all persons who come within the sphere of its operation, though it may vary in its effects on individuals.*

(b) *The term "public nuisance" shall also include anything defined or declared to be a public nuisance by statute of the State of Alabama, common law, or decision of the trial or appellate courts of the State of Alabama which may be regulated by municipalities.*

(c) *The term "public nuisance" shall also include an "inoperable motor vehicle," which is any motor vehicle, trailer, or semi-trailer that has remained on private property and in view of the general public for 30 days and is inoperable in that one or more of its major mechanical components, including, but not limited to, the engine, transmission, drivetrain, or wheels, are missing or are not functional, or the vehicle otherwise constitutes a nuisance. An inoperable motor vehicle shall not be deemed a public nuisance if:*

- (1) *The motor vehicle has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations;*
- (2) *The motor vehicle is on the premises of a place of business engaged in the wrecking or junking of motor vehicles, or primarily engaged in the storage and sale of damaged or theft-recovered vehicles for insurers;*
- (3) *The motor vehicle is stored or parked in a lawful manner on private property in connection with the business of an automobile dealer, wholesaler, repairman, or wrecker service for repair or sale; or*
- (4) *The motor vehicle is kept in an enclosed building completely shielded from the view of individuals on the adjoining properties or the street.*

- **Sec. 14-2. - Public nuisance unlawful.**



CITY OF MONTEVALLO

HOLLIE C. COST, Ph.D. - Mayor

HERMAN LEHMAN - City Clerk

JEREMY LITTLETON - Chief of Police

BILL REID - Fire Chief

It shall be unlawful for any person to permit or maintain the existence of any public nuisance on any property under his or her control.

- ***Sec. 14-59. - Clean property required.***

To protect the public health, all landowners within the city must keep their property clean and safe, removing therefrom all surplus grass, samplings, weeds, and other unwanted growth.

- ***Sec. 14-60. - Certain weeds declared public nuisance.***

All weeds, surplus grass, or other unwanted vegetation growing upon any street, sidewalk or private property within the city, which has attained such a large growth as to become a fire menace when dry or is otherwise noxious or dangerous, are hereby declared to be a public nuisance and shall be abated as hereinafter provided.



CITY OF MONTEVALLO

HOLLIE C. COST, Ph.D. - Mayor

HERMAN LEHMAN - City Clerk

JEREMY LITTLETON - Chief of Police

BILL REID - Fire Chief

Case Follow-up 235 Wilson Drive 28 November 2018

On or around 9 October 2018, I received the signed return receipt for the certified letter that I mailed on 26 September 2018 to Finance of America Return. As of today's date, no one from that company has responded. The property has not been cleared or mowed as of this same date.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

7015 3430 0000 4525 7918
525 525 0000 0000 DEHE 5701

SECTION ON DELIVERY

Agent
 Addressee

Printed Name) *[Signature]* C. Date of Delivery *10/26/18*

Address different from item 17 Yes
Delivery address below: No

Extra Services & Fees (check box, add fee as appropriate)

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.25
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
\$ 0.47
Total Postage and Fees
\$ 6.67

Postmark Here

235 Wilson Dr

Sent To
Finance of America Return LLC
Street and Apt. No., or PO Box No.
8033 East 63rd Place, Suite 700
City, State, ZIP+4
Tulsa, OK 74133

Priority Mail Express®
Registered Mail™
Registered Mail Restricted Delivery
Return Receipt for Merchandise
Signature Confirmation™
Signature Confirmation Restricted Delivery

Restricted Delivery
Restricted Delivery
Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053
Domestic Return Receipt



CITY OF MONTEVALLO

HOLLIE C. COST, Ph.D. - Mayor

HERMAN LEHMAN - City Clerk

JEREMY LITTLETON - Chief of Police

BILL REID - Fire Chief

Case Follow-up

235 Wilson Drive

28 November 2018

OWNING BUSINESS?
 Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION

1. Article Addressed to:
 Finance of America Return
 8023 East 63rd Place
 Suite 700
 Tulsa OK 74133

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
 X *[Signature]*

B. Received by (Printed Name) *M. Stender*

C. Date of Delivery *11/28/18*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

9590 9403 0630 5183 1335 16

7015 3430 0000 4525 7918

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

Monday 10 December 2018



CITY OF MONTEVALLO

HOLLIE C. COST, Ph.D. - Mayor

HERMAN LEHMAN - City Clerk

JEREMY LITTLETON - Chief of Police

BILL REID - Fire Chief

Montevallo Police Department
541 Main Street
Montevallo, AL 35115

September 5, 2018

Annie D. Thomas

P.O. Box 661

Montevallo AL 35115

Sylvia D. Goode

P.O. Box 661

Montevallo AL 35115

Sheila Goode Bell

P.O. Box 661

Montevallo AL 35115

Barry L. Goode

P.O. Box 661

Montevallo AL

To Whom It May Concern:

In September 2018, I have received a complaint(s) about property that you are currently overseeing at:

98 Western Drive, Montevallo, AL 35115

Parcel Number: 27 4 19 3 001 024.000

The property was found to be overgrown and littered with trash and debris and inoperable vehicles (4-wheeler; motor scooter; Old washing machine; and a cherry picker). The overgrown areas could become a fire hazard to the area and provide a habitat for snakes, rats, and other unwanted pests. If the violations are corrected then no further action will be taken. This is in violation of Municipal City Ordinance Section 14-1 and Section 14-59.

This is a letter of WARNING and requires the violation to be taken care of no later than September 25, 2018, 20 days from September 5, 2018. If said violation has not been taken care of and found to not be in compliance with Municipal City Ordinance by this date, abatement procedures will begin and the city will remedy the nuisance through the use of its own forces or contract with a third party, with costs assessed against the property.

Compliance with the order includes the cutting of the overgrown areas and removal of any trash / debris and inoperable vehicles from the property. A hearing on this order may be requested in writing within fifteen days. The written notice must be submitted to the Code Enforcement Officer within fifteen days of this notice as pursuant to Municipal City Ordinance Section 14-10.

Any questions please contact the code enforcement officer at (205) 665-2552.

Sincerely,



CITY OF MONTEVALLO

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BILL REID - Fire Chief

Officer Mike Wilder
Code Enforcement Officer

See attached copy of ordinance:

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- (3) *The motor vehicle is stored or parked in a lawful manner on private property in connection with the business of an automobile dealer, wholesaler, repairman, or wrecker service for repair or sale; or*
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HOLLIE C. COST, Ph.D. - Mayor

HERMAN LEHMAN - City Clerk

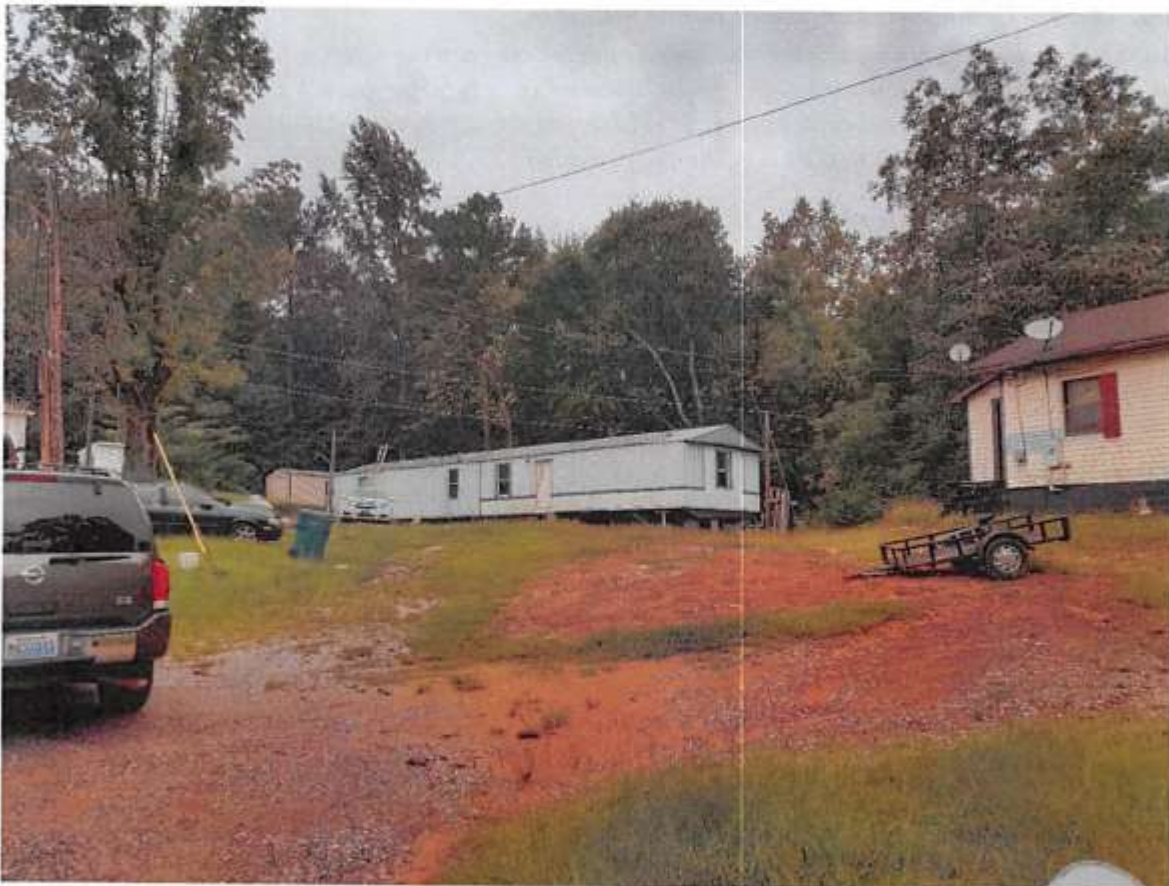
JEREMY LITTLETON - Chief of Police

BILL REID - Fire Chief

Follow-Up 98 Western Drive

On or around 5 September 2018, Linda McCray emailed Off. David Holloway asking about the deadline on inoperable vehicles in public View. Off. Holloway forwarded the email to me. Upon inspection of the property, it was determined the property was in violation of Municipal City Ordinance Section 14-1 and Section 14-59, due to abandoned vehicles and overgrown weeds and grass.

I prepared and sent a certified letter to the above listed owners, with a deadline of 25 September 2018. As of 2 October 2018, there has been no return and/or response to this letter. I went to the property for an inspection and found there has been no change in the condition of the property.



Photos taken 09/05/2018
By Mike Wilder



CITY OF MONTEVALLO

HOLLIE C. COST, Ph.D. - Mayor

HERMAN LEHMAN - City Clerk

JEREMY LITTLETON - Chief of Police

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Follow-Up 98 Western Drive



Photos taken 09/05/2018

By Mike Wilder

Photos taken 09/05/2018
By Mike Wilder





CITY OF MONTEVALLO

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Follow-Up 98 Western Drive



Photos taken 09/05/2018

By Mike Wilder

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Photos taken 09/05/2018

By Mike Wilder





CITY OF MONTEVALLO

HOLLIE C. COST, Ph.D. - Mayor

HERMAN LEHMAN - City Clerk

JEREMY LITTLETON - Chief of Police

BILL REID - Fire Chief

Follow-Up *98 Western Drive*



Photos taken 09/05/2018
By Mike Wilder

Montevallo Police Department
545 Main Street
Montevallo, AL 35115

October 22, 2018

Annie D. Thomas
P.O. Box 661
Montevallo AL 35115

Sylvia D. Goode
P.O. Box 661
Montevallo AL 35115

Sheila Goode Bell
P.O. Box 661
Montevallo AL 35115

Barry L. Goode
P.O. Box 661
Montevallo AL

Ava Gail Goode Holmes
P.O. Box 661
Montevallo AL 35115

To Whom It May Concern;

In September 2018, I, Officer Wilder, received a complaint about your property located at:

98 Western Drive, Montevallo, AL 35115

Observed on the property are three (3) inoperable vehicles. The vehicles have the appearance of having not been moved in 30 days or more, and the vehicle tags are not current. If the violations are corrected then no further action will be taken. The property is in violation of the City of Montevallo Municipal Ordinance Sections 14-1 and 14-6.

This is a letter of warning and requires the violation to be taken care of no later than November 21, 2018, 30 days from October 22, 2018. If said violation has not been removed and found to not be in compliance with the City of Montevallo Municipal Ordinance Sections 14-1 and 14-6 by this date, the code enforcement officer may institute legal proceedings against the owner, occupant or lessee for the violation of this article, and the city council may order abatement by the city by the use of its own forces or it may contract with a third party with the cost assessed against the property or the owner, occupant or lease will receive a citation for the violation. A hearing on this order may be requested in writing within fifteen days. The written notice must be submitted to the Code Enforcement Officer within fifteen days of this notice as pursuant to the City of Montevallo Municipal Ordinance Section 14-10.

The inoperable vehicles must be removed, repaired and assigned a current tag, or the vehicle is kept in an enclosed building completely shielded from the view of individuals on the adjoining properties or the street to be in compliance with the city ordinance. .

Any questions please contact the code enforcement officer at 205-665-2552.
Please see the attached copy of the specific City of Montevallo Municipal Ordinances.

Sincerely,

Officer Mike Wilder

Montevallo Police Department
545 Main Street
Montevallo, AL 35115

October 22, 2018

Annie D. Thomas
144 W Gettysburg Ave
Oak Ridge TN 37830

Sylvia D. Goode
144 W Gettysburg Ave
Oak Ridge TN 37830

Sheila Goode Bell
144 W Gettysburg Ave
Oak Ridge TN 37830

Barry L. Goode
144 W Gettysburg Ave
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Sincerely,

Officer Mike Wilder

Follow-Up
98 Western Drive
27 November 2018

On or around 27 November 2018, I returned to 98 Western Drive and found the same articles dumped in the yard and the photo was the same as above.

Mayor Cost invited the owners or anyone else in attendance to speak regarding the complaints. No one chose to speak. Therefore, the Mayor closed the Public hearing at 6:02 p.m.

Meeting Call to Order

Mayor Cost called the regular meeting to order at 6:02 p.m.

Approval and/or corrections of the minutes - 12/10/18

Council Member Peterson made a motion to approve the Minutes from the December 11, 2018 meeting as presented. Council Member Walker seconded. ALL AYES . . . MOTION APPROVED.

Recognitions / Awards: None

Opportunities for citizens to speak to the Council:

Bobby Pierson asked about the bus service. He said it did not appear we were getting enough riders to sustain the service.

Mayor Cost said the pilot program is coming to a close. Unfortunately, we have not had the level of ridership we had hoped. However, we are looking into the possibility of a micro-transit system as an alternative.

Melinda Nix informed the Council that the Montevallo Civitan Club laid a wreath at the Veteran's Cemetery honoring all Montevallo Veterans.

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 Walker made a motion to authorize payment of the bills as presented. Council member Nix seconded. ALL AYES . . . MOTION APPROVED.

Consent Agenda: NONE

New Business:

Shoal Creek Park Pavilion Power Easement -

Council Member Peterson made a motion to authorize the Mayor to execute the easement. Council member Walker seconded. ALL AYES . . . MOTION APPROVED.

Abatement of Weeds at 235 Wilson Drive –

Mayor Cost said we have made a lot of progress with regard to getting people to clean up their properties. She thanked our Code Enforcement Officer for doing such a good job.

Council Member Nix made a motion to abate the nuisances at 235 Wilson Drive. Council member Goldsmith seconded. ALL AYES . . . MOTION APPROVED.

Abatement of Weeds at 98 Western Drive -

Council Member Goldsmith made a motion to abate the nuisances at 98 Western Drive. Council member Walker seconded. ALL AYES . . . MOTION APPROVED.

Council Member Bunt asked if the facility would still be available for rental. The Mayor said it will not.

Council Member Nix made a motion to authorize the improvements to Boy Scout Hut using \$1,500 from State Capital Improvement Account. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

Mahler House Improvement Plan – Mayor Cost said she recommends assigning the duties as project manager over to the Historical Commission, to be assisted by the City Clerk.

Council Member Bunt asked what changed so that we no longer want the committee original assigned to this project to remain in control.

Mayor Cost said the Foundation agrees with this plan.

Council Member Bunt asked if the Historical Commission is willing to take on this added responsibility.

Ms. Seaman said they need to review the proposed MOA before they can respond.

Council Member Walker asked if the Commission takes the lead, what will be the role of the Foundation. He said he is concerned that we will end up with two entities raising funds for the park.

Ms. Seaman said Marty Evers, a Foundation member, has agreed to stay involved in the project.

Susan Godwin said that, as a Commission member, she appreciates the Council being willing to allow them to fulfill their role as Commission members.

Ms. Seaman said that Mike Powell with Psalms Construction suggested that the property's condition is deteriorating rapidly and that it could be considered an emergency situation, which would give us leeway under state law.

Council Member Walker said he would not support any no bid contracts.

Mayor Cost asked for a motion. Council Member Nix made a motion to turn over project management to the Historical Commission, with a budget of \$290,000. Council Member Bunt seconded. Council Members Nix and Bunt voted AYE. Council Members Walker, Goldsmith Peterson and Mayor Cost voted NAY. The motion FAILED.

Mayor Cost said she would prepare an MOA for consideration at an upcoming meeting.

Approval for Second Bridge at Shoal Creek Park – Funding Through MDCD

Mayor Cost informed the Council that an anonymous donor has offered to provide \$40,000 in funding toward the construction of a second pedestrian bridge at Shoal Creek Park. The MDCD has agreed to cover the remainder of the \$115,000 cost. The bridge would be named for a member of the donor's family.

Council Member Walker said we are all grateful for the donation, but we can't agree to blindly name a public asset after someone without knowing who that someone is. He made a motion to approve the construction of the bridge to be funded by the MDCD and with the \$40,000 donation, with the naming to take place at a later date. Council Member Bunt seconded the motion. ALL AYES . . . MOTION APPROVED.

Sustainability Committee – Council Member Peterson will set a meeting to review requirements regarding dumpster screens for existing developments

Old Business:

Victory Property Update –

Mayor Cost informed the Council that the owners of the property countered with a sales price of \$375,000, with no environmental contingency, just finance, and they want to close in 30-45 days.

The Council discussed the counter and Council Member Bunt made a motion to respond with an offer to pay \$375,000 for the properties with a contingency for both financing and environmental. Council Member Peterson seconded. Council Member Nix voted NAY. All others voted AYE . . . MOTION APPROVED.

Video Production Agreement –



2018 Community Video Program

Name: Hollie C. Cost
 Title: Mayor
 Address: 541 Main Street
 City, State, Zip: Montevallo, AL 35115
 Phone: 205.914.0106
 Email: hcost@cityofmontevallo.com
 Website: www.cityofmontevallo.com

This agreement is between CGI Communications, Inc. ("CGI") and the City of Montevallo (the "City") and shall remain in effect from the date it is signed by both parties until the third anniversary of the date that the completed and approved Community Video Program is made available for viewer access on different devices via a link on the www.cityofmontevallo.com homepage, including any alternate versions of that homepage.

During the term of this Agreement, CGI shall:

- Produce a total of 2 video chapters with subject matter that includes but is not limited to: Welcome and 1 additional of your choice
- Provide one Community Organizations chapter to promote charities, nonprofits and community development organizations
- Provide script writing and video content consultation
- Send a videographer to City locations to shoot footage for the videos
- Reserve the right to use still images and photos for video production
- Provide all aspects of video production and editing, from raw footage to final video including professional voiceovers and background music
- Provide a final draft of Community Video Program content subject to City's approval (up to 3 sets of revisions allowed). CGI's request for approval of content or revision, including final draft, shall be deemed approved if no response is received by us within 30 days of request
- Provide our patented OneClick™ Technology and encode all videos into multiple streaming digital formats to play on all computer systems, browsers, and Internet connection speeds; recognized player formats include WindowsMedia™ and QuickTime™
- Store and stream all videos on CGI's dedicated server
- Feature business sponsors around the perimeter of video panels
- Be solely responsible for sponsorship fulfillment including all related aspects of marketing, production, printing, and distribution
- Facilitate viewer access of the Community Video Program from City website, including any alternate versions of City's homepage, for different devices, by providing HTML source code for a graphic link to be prominently displayed on the www.cityofmontevallo.com website homepage as follows: "Coming Soon" graphic link designed to coordinate with existing website color theme to be provided within 10 business days of execution of this agreement. "Community Video Program" graphic link to be provided to replace the "Coming Soon" link upon completion and approval of videos
- Grant to City a license to use CGI's Line of Code to link to and/or stream the videos
- Own copyrights of the master Community Video Program
- Assume all costs for the Community Video Program
- Afford businesses the opportunity to purchase various digital media products and services from CGI and its affiliates

During the term of this Agreement, the City shall:

- Provide a letter of introduction for the program on City's letterhead
- Assist with the content and script for the Community Video Program
- Grant CGI the right to use City's name in connection with the preparation, production, and marketing of the Program
- Display the "Coming Soon" graphic link prominently on the www.cityofmontevallo.com homepage within 10 business days of receipt of HTML source code
- Display the "Community Video Program" link prominently on its www.cityofmontevallo.com homepage, including any alternate versions of your home page, for viewer access on different devices for the entire term of this agreement
- Ensure that this agreement remains valid and in force until the agreed upon expiration date, regardless of change in administration
- Grant full and exclusive streaming video rights for CGI and its subsidiaries, affiliates, successors and assigns to stream all video content produced by CGI for the Community Video Program
- Agree that the town will not knowingly submit any photograph, video, or other content that infringes on any third party's copyright, trademark or other intellectual property, privacy or publicity right for use in any video or other display comprising this program.

This Agreement constitutes the entire agreement of the parties and supersedes any and all prior communications, understandings and agreements, whether oral or written. No modification or claimed waiver of any provision shall be valid except by written amendment signed by the parties herein. City warrants that it is a tax exempt entity. The undersigned, have read and understand the above information and have full authority to sign this agreement.

The City of Montevallo, AL


 Signature:

 Name (printed):

 Title:

 Date:

CGI Communications, Inc.



 Name (printed): Nicole Rongo

 Title: Vice President of Marketing and Acquisitions

 Date: November 19, 2018

Council Member Bunt noted that this agreement requires us to send a letter of endorsement to local businesses. She also pointed out other areas of concern with the proposal.

In response to a question from Council Member Nix, Mayor Cost explained that there is no cost in this agreement to the City.

Council Member Walker asked if other cities are doing this. Council Member Bunt noted that Montgomery has done it.

The Mayor noted that their video gets a lot of views.

Council Member Nix asked if this means a business can't do their own. Council Member Bunt said NO.

Council Member Bunt made a motion to authorize the Mayor to enter into this agreement. Council Member Walker seconded. Council Member Peterson ABSTAINED. All others voted AYE . . . MOTION APPROVED.

Board Appointments:

Opening on Design Review Committee – Mayor Cost informed the Council that Jim Day resigned from the committee. She thanked Mr. Day for his service, noting he was a tremendous asset to us.

Katie Howard said she has been working on a list of other board opening, which will be presented to the Council for consideration soon.

Janice Seaman mentioned that Pam Phagan is also planning to resign from the DRC.

Other Business

Shoal Creek Park Logo –



Of the above designs, the Shoal Creek Park Foundation recommends the fourth one - the one featuring the

two tees with the creek running through the middle. Council Member Bunt made a motion to approve the selection. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

Citizen Participation:

Bobby Pierson inquired about a procedural matter during the meeting. No others came forward.

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 6:49 p.m.

Submitted by:

Herman Lehman
City Clerk