

MINUTES

Montevallo City Council Work Session

December 12, 2022

5:30 p.m. at City Hall

Present: Mayor Rusty Nix, Council Member David King, Council Member Lelia Mitchell, Council Member Kenneth Dukes, Council Member Martha Eisenberg, Council Member Sonya Swords. Quorum present.

Work Session called to order at 5:30 p.m. by Mayor Nix.

Mayor Nix called for Discussion of New Business Items on Agenda:

Discussion of release of the Landscape Surety Bond for Dollar General located on Highway 119

Discussion of the proposed location at Shoal Creek Park for installment of the TREX bench

Discussion of the Resolutions for MDCD Hotel Development Project; Engagement letter for Mayor Nix to retain legal counsel for Hotel Incentive Package; Authorization of City Funds for the purpose of placing the Victory Building in the ADEM Voluntary Clean-up program with reimbursement to be provided by MDCD when completed.

Discussion of Resolution on protecting Ebenezer Swamp, Spring Creek and Shoal Creek in light of upstream residential and commercial development.

Mayor Nix Called for Committee Reports:

Mayor Nix called on Council Member King for Public Health & Safety: Council Member King called on Chief Littleton for the Police Department report. He reported there were 110 Reports for November and 1116 Total Reports Year to Date. See Appendix 1.

Council Member King called on Chief Davis for the Fire Department Report. Chief Davis reported there were 143 Total Calls for November. See Appendix 2.

Council Member King reported the Planning and Zoning Commission Meeting/ Public Hearing will be held on December 15, 2022, at 6 pm. This meeting is a Public Hearing and is open to the public.

Mayor Nix called on Council Member Dukes for the Sustainability Report. Council Member Dukes advised there was no report from Streets and Roads.

Mayor Nix called for Recreation, Preservation and Community Development. Shane Baugh, Parks and Recreation Director. Basketball is in progress; Grant for Orr Park Press Box has been applied for with the Shelby County Commission.

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5:30 p.m. at City Hall

Present: Mayor Rusty Nix, Council Member David King, Council Member Lelia Mitchell, Council Member Kenneth Dukes, Council Member Martha Eisenberg, Council Member Sonya Swords. Quorum present.

Pledge of Allegiance

Council Meeting called to order at 6 p.m. by Mayor Rusty Nix.

Approval and or corrections of the Minutes 11.28.22 – Motion by Council Member Mitchell, second by Council Member King, All Ayes, Motion passed.

Recognitions / Awards: None

Opportunities for Citizens to speak to the Council: Tremaine Smith addressed the Council with mother Nakita Smith 120 Davis Street with comments about all the water in their yards since Dollar General Store built. They spoke of lack of drainage on street. This is a chronic problem. City will do a site visit Wednesday during the rain.

C.P. Pierson 1131 South Oak Street NAACP March to be held January 16, 2023 in honor of MLK Day. The March will take place in downtown. Meet at 9 am. Request permit from Montevallo PD. Route Vine Street to Montevallo High School Ag. Building. Encouraged everyone to attend.

Dr. Susan Caplow 163 Meadow Road ValloCycle asked if there was space in Victory Building for bike workshop? Asked where a good location for bike workshop might be?

Mayor Nix Called for Committee Reports to Continue:

Mayor Nix called for the Education, Arts and Outreach Committee Reports. Council Member Mitchell called on Savannah Kitchens Director of Parnell Memorial Library. Savannah reported there are 18 programs going on at the library: Letters to Santa continues through December 17; kids holiday movies showing next week; Library closed for Christmas December 23 – December 26. See Appendix 3.

Council Member Mitchell called on Sarah Hogan, Program Director Impact Montevallo. Sarah reported Arty and Harmony Elves are being hidden in town and children will read clues to seek and find to win a prize; free webinar by the U.S. Department of Education on the Facts about Student Vaping and Approaches to Prevention; she is in the process of completing Impact's federal financial reports. Sarah made comments that Youth Director Maurice Valentine has been in the hospital for about three weeks and is asking for prayers for him. See Appendix 4.

Sarah Hogan advised Julia Smith, Mayor, Montevallo Junior City Council (MJCC) was unable to attend so she is providing update: the MJCC was excited to place 3rd in Montevallo Main Street Window Decorating Contest; MJCC taking a break for the upcoming holidays; the MJCC is hosting a charity drive for the Shelby County Humane Society and collection boxes are at City Hall and a couple other locations.

Council Member Mitchell reported Montevallo Schools will close early on Friday, December 16 for the holiday break. Schools will remain closed from December 19-30 for the holiday break.

Council Member Mitchell reported the American Village will have an upcoming school program: An American Christmas from December 12 – 16; American Village will be closed on Christmas Day and New Year's Day.

Council Member Mitchell submitted a copy of the Boys and Girls Club of Montevallo Report to the Councilpersons and City Clerk: After School Care and recognized the Youth of the Month, Ava Werner. See Appendix 13.

Council Member Mitchell canceled the Education, Arts, and Outreach (EAO) Meeting scheduled for Tuesday, December 20, 2022, at 5:30 pm in the Council Chambers.

Mayor Nix called on Council Member Swords for Finance, Economic Development & Tourism. Council Member Swords called on Courtney Bennett, Executive Director of Montevallo Main Street. Courtney invited everyone to the Main Street Holiday Party December 14 at Bradford Real Estate; she thanked the 16 student groups and 20 merchants who decorated windows for the holiday season; Elf scavenger hunt is underway. See Appendix 5.

Council Member Swords called on Adele Nelson, Executive Director Montevallo Chamber of Commerce. Adele gave a recap of the 2022 Montevallo Christmas Parade Winners; invited everyone to attend the Chamber Open Houses on December 8; reminded everyone there is no Chamber luncheon in December. See Appendix 6.

Council Member Swords reported the MDCD Meeting was held today at 1 pm. The Special Meeting that was held on December 7 was to discuss the Hotel Project.

Public Health & Safety (Police, Fire, Code Enforcement, Housing Abatement, Planning and Zoning) – Reported during City Council Work Session.

Sustainability (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives, and Historical Commission) – Reported during City Council Work Session.

Recreation, Preservation and Community Development (Parks & Recreation, Youth Athletics, Trails, Annexations) – Reported during City Council Work Session.

Education, Arts & Outreach (Schools, Library, UM, Boys & Girls Club, American Village, Sister City Commission, Artwalk, IMPACT) – Reported during City Council Meeting.

Finance, Economic Development & Tourism (Finance, MDCD, IDB, Chamber, Main Street) – Reported during City Council Meeting.

Consent to Pay the Bills

Mayor Nix asked for a Motion to Pay the Bills. Council Member King made a motion to pay the bills, second by Council Member Dukes, All Ayes. Motion passed.

New Business:

Request to release the Landscape Surety Bond in the name of the Broadway Group, LLC on behalf of the Dollar General Located at 4168 Highway 119, Montevallo, AL. Final Inspection has been completed and property is in compliance with approved site plan. Motion made by Council Member David King, seconded by Council Member Eisenberg, All Ayes, Motion passed. See Appendix 7.

Request to place TREX Park Bench at Shoal Creek Park. This Park Bench was presented to the Citizens of Montevallo for recycling 500 lbs. of plastic film (or 40,500 plastic bags). Motion made Council Member Mitchell, seconded by Council Member King, All Ayes, Motion passed. See Appendix 8.

Resolution 12122022-0009 a resolution to accept the MDCD Hotel Development Project with funds in the amount of \$550,000. These MDCD funds will only be made available (1) upon satisfactory execution of a contract between the developer and the City, (2) upon request by the City for the purpose of developing a hotel / lodging facility. Motion made by Council Member Dukes, seconded by Council Member King, Vote: 5 Aye, 1 Nay: Council Member Eisenberg, Motion passed. See Appendix 9.

Resolution 121222-0010 - A resolution allowing Mayor Nix to retain the services of Rod Kanter, attorney for the purpose of drafting legal documents for a Hotel Incentive Package. Reimbursement to be provided via MDCD Funds upon completion of project. Motion made by Council Member Mitchell, seconded by Council Member Dukes, Vote 5 Aye, Nay: 1 Council Member Eisenberg, Motion passed. See Appendix 10.

Resolution 121222-0011 - A resolution authorizing the expenditure of City Funds for the purpose of placing the Victory Building Property in the ADEM Voluntary Clean-up Program. Reimbursement to be provided via MDCD Funds upon completion of project. (\$38,035.00) (Total to include contract amount for Atlas Group Services, LLC Project Oversight Agreement) Motion made by Council Member Swords, seconded by Council Member King, Vote: 5 Aye, 1 Nay Council Member Eisenberg, Motion passed. See Appendix 11.

Resolution 121222-0012 - A resolution on protecting Ebenezer Swamp, Spring Creek and Shoal Creek in light of upstream residential and commercial development. Motion made by Council Member King, seconded by Council Member Dukes, All Ayes, Motion passed. See Appendix 12.

Old Business: None

Board Appointments: None

Other Business: MLK March on January 16, 2023, at 10 am for parade permit to be waived. Motion made by Council Member Mitchell, seconded by Council Member King, All Ayes, Motion passed.

Citizen Participation:

C.P. Pierson 1131 Oak Street questioning attorney fees. Are they in the contract? Response by Mayor Nix, yes and as determined by scope of work.

Janice Seaman 540 Shelby Street ADEM is their requirement limiting the uses of the building. Yes, no permanent residence, day care, not in favor of using Victory Building site for hotel project.

Sherry Vallides 260 Crestview Circle Hotel plan does it include their development plan/ occupancy rates? Ask the State for their figures. Plus obtain occupancy rates based on independent proforma studies.

Statement from Council Member Eisenberg regarding hotel project: previous efforts have failed.

There being no further business before the Council, Mayor Nix called for a Motion to Adjourn. Motion to adjourn made by Council Member King, second by Council Member Dukes, All Ayes. Meeting Adjourned at 7:05 pm.

Submitted by:

Steve Gilbert
City Clerk / Treasurer