

MINUTES

Montevallo City Council Work Session

January 24, 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 Sonya Swords, Council Member Martha Eisenberg. Quorum present.

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

Discussion of New Business Items on Agenda:

Public Hearing Case No. ZAM21-001.

Public Hearing 309 Waller Street, Montevallo, AL 35115 violations of ordinances.

Public Hearing Austin Carpenter, 125 Pineview/ 1312 Ashville Road.

Mayor Nix called for Committee Reports:

Council Member King called on Chief Littleton for the Police Department Report. The Total Number of Reports so far for January was 57. Code Enforcement Report Total was 6. See Appendix 1.

Council Member King called on Chief Davis for the Fire Department Report and he gave the Total Calls for the first half of January is 69.

Council Member King reported Planning and Zoning will meet Thursday, February 17th at 6:00 pm in Council Chambers and is open to the public.

Mayor Nix called on Council Member Dukes for Sustainability. Council Member Dukes called on Kirk Hamby for Public Works Report. Kirk gave an update on the brush truck and trailer reported it's working very well saving time and effort in running limbs and debris.

Recycling Committee to meet soon. The meeting was postponed due to illness at City Hall/ being short-staffed.

Mayor Nix called on Council Member Eisenberg for Recreation, Preservation and Community Development. Council Member Eisenberg called on Shane Baugh, Parks and Recreation Department Head. Shane reported Basketball wrapping up. Games are canceling due to COVID. Baseball registration underway. Dailey Park clean up event was a big success having about 50 volunteers participate.

Mayor Nix called on Council Member Mitchell for reports on Education, Arts, and Outreach. Council Member Mitchell called on Savannah Kitchens, Library Director. Savannah Kitchens presented her report for the Parnell Memorial Library via Zoom. Mr. Mac Storytime postponed. She reported there will be a COVID/ Booster/ Flu Vaccine Clinic tomorrow 3 pm – 6 pm and no appointment needed and no charge. See Appendix 3.

Council Member Mitchell called on Sarah Hogan, for the Impact report. Sarah provided Council with 2021 Year End Report. Impact has distributed over 8,000 pieces of information and promotional items to the community. See Appendix 4.

Council Member Mitchell called on Olivia Gilbert, Montevallo Junior City Council (MJCC) Junior Mayor had no report.

Mayor Nix called on Council Member Swords for reports on Finance, Economic Development & Tourism. Council Member Swords advised MDCD will meet on January 26 at 9 a.m. and is a Special Called Meeting. Council Member Swords also advised the dogs roaming in neighborhoods are still a problem.

There was no verbal report from Courtney Bennett, Executive Director, Montevallo Main Street. There is a flyer in Council packets for a Hometown Hospitality Workshop - "Creating a culture of excellent customer service" to be held at two locations on February 15. See Appendix 5.

Council Member Swords called on Adele Nelson, Executive Director, Montevallo Chamber of Commerce. Adele reported she attended the 18th MLK March and Program, Chamber Chatter will be delivered on Friday. Strand Coffeehouse has its Ribbon Cutting scheduled for January 29 at 10 a.m. See Appendix 6.

Pledge of Allegiance

Montevallo City Council Meeting

January 24, 2022

6:00 p.m. at City Hall

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

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

Public Hearing Case No. ZAM21-001 Amendment of Article 23 Zoning Ordinances of the City of Montevallo. Consideration of proposed Amendment to Zoning Ordinance Article 23.06 that requires landscape plans for site development plan submittals be prepared by a State of Alabama registered Landscape Architect. Public Hearing closed at 6:02 p.m.

Public Hearing 309 Waller Street. No Public Comment from property owner. Officer Wilder presented case to Council. Property owner has been notified in writing by certified mail. – C.P. Pierson spoke asking Council to declare it a nuisance and clean up the property. Public Hearing closed at 6:06 p.m.

Public Hearing 125 Pineview/ 1312 Ashville Road. Parking of commercial vehicles on property. Officer Wilder presented case to Council. Mr. Carpenter addressed Council on his behalf. He contents that vehicles are emergency vehicles, non-commercial. – Patricia Honeycutt resides at 320 Pineview Road. She spoke to Council that this is an eyesore to the community. Please remove. Public Hearing closed at 6:31 p.m. Included in Officer Wilder's Report Appendix 8

Approval and or corrections of the Minutes: 1.10.22 – Motion by Council Member Mitchell, second by Council Member Eisenberg, All Ayes, Motion passed.

Recognitions / Awards: None

Opportunities for Citizens to speak to the Council: None

Committee Reports:

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

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

Consideration of Bills

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

New Business:

Second reading of proposed Amendment to Zoning Ordinance Article 23.06 that requires landscape plans for site development plan submittals be prepared by a State of Alabama registered Landscape Architect. Case No. ZAM21-001 Amendment of Article 23 Zoning Ordinances of the City of Montevallo. Mayor Nix asked for a Motion to accept, Motion made by Council Member King, Second by Council Member Dukes, All Ayes. See Appendix 7.

Consideration of request to declare 309 Waller Street, Montevallo, AL 35115 a Public Nuisance for violations of Montevallo Zoning Ordinances: Section 4-9, Section 4-6, Section 5-13 and Section 14-5. Motion to accept Resolution made by Council Member Eisenberg, Second by Council Member King, All Ayes. See Appendix 8.

Discussion to call in help to remove dogs creating nuisance in Highlands and obtain 3 bids for services. Motion made by Council Member Eisenberg, Second by Council Member King, All Ayes, Motion Passed.

Old Business: None

Board Appointments:

Other Business: None

Citizen Participation: CP Pierson 1131 South Oak St. Asked if MDCD would spend money to fix the Bulldog Bridge.

Recommendation to leave the regular order of business, Motion made by Council Member Mitchell, Second by Dukes, All Ayes.

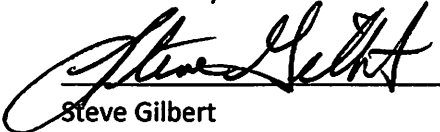
Executive Session held in Conference.

Council returned to Chambers at 7:48 p.m.

Motion to return to regular order of business by Council Member Dukes, Second by Council Member King, All Ayes.

There being no further business before the Council, Mayor Nix called for a Motion to Adjourn, Motion to adjourn made by Council Member Eisenberg, Second by Council Member Mitchell, All Ayes. Meeting Adjourned at 7:51 p.m.

Submitted by:

A handwritten signature in black ink, appearing to read "Steve Gilbert", written over a horizontal line.

Steve Gilbert
City Clerk / Treasurer

Activity Report
11 January 2022 to 24 January 2022
Code Enforcement

Full Report:

- **Reported this period: 1**
- **Continued from last period: 5**

• **Animal Complaints:**

• **Overgrown Grass and Weeds:**

• **Trash and/or Debris: 2**

(1) 1211 Highland Street - Trash can left at road. Residence appeared to be unoccupied, moved trash can onto driveway. Will recheck.

(2) 309 Waller Street - inoperable vehicles and trash and debris. To be presented to city council 24 January 2022.

• **Inoperable Vehicles:**

• **Unsafe Structures:**

• **Miscellaneous: 4**

(1) Colonial Oaks - Mud in street from construction. No gravel in yards of new building sites. Will contact Shelby County.

(2) 156 Caroline Drive - Use of camper as residence. All campers have been removed. This case closed.

(3) 4645 Highway 22 - using camper as residence. Preparing to subpoena owner to court.

(4) 1312 Ashville Road - parking commercial vehicle in residential area. Requested Hearing. Scheduled for 24 January 2022.

Activity Report
11 January 2022 to 24 January 2022
Code Enforcement

• *Closed Cases:* 1

(1) 156 Caroline Drive.

• *Total Active Cases:* 6

• *Total Cases for the year:* 4



Activity Report
11 January 2022 to 24 January 2022
Code Enforcement

Summary:

- **Reported This Period: 1**
- **Continued from Last Period: 5**

- **Animal Complaints:**
- **Overgrown Grass & Weeds:**
- **Trash and/or Debris: 2**
- **Inoperable Vehicles:**
- **Unsafe Structures:**
- **Miscellaneous: 4**

- **Closed Cases: 1**
- **Total Active Cases: 6**
- **Total Cases for the year: 4**



Steve Gilbert

From: Brad Davis
Sent: Monday, January 24, 2022 4:42 PM
To: Steve Gilbert; Mayor's Office
Subject: Report for tonight

APPENDIX 2

1/1/2022 - 1/15/2022

EMS- 49
Lift assist- 9
Structure Fire- 2
Brush Fire-
Electrical Fire -
Vehicle Fire-
Fire Alarm - 3
MVC- 5
Fuel Spill -
Assist other agency-
Assist Public- 1

Total calls for 1st half of January - 69

Brad Davis
Fire Chief
City of Montevallo
Montevallo Fire & Rescue Service
541 Main Street
Montevallo, AL 35115
Office- 205-666-2555. Ext. 705

Parnell Memorial Library

APPENDIX 3

JANUARY 24, 2022

- Both Mini Music and Family Stories with Mr. Mac are postponed this week and will not meet (Tuesday and Wednesday, Jan. 25-26).
- The library is hosting a Flu & Covid-19 vaccine clinic tomorrow from 3:00 - 6:00 pm. This is sponsored by the City of Montevallo and Montevallo Drug. Vaccines available include the flu shot, all Covid-19 vaccines, boosters, and pediatric (ages 5-11) shots. No appointment necessary, walk-ins are welcome.
- We have set up a station to make Valentines for healthcare workers at the Shelby Baptist Medical Center. You can make one at the library or bring one from home; we'll deliver them before Valentine's Day.
- ESOL (English Speakers of Other Languages, led by Literacy Council of Central Alabama) has decided not to hold classes at the library for the spring semester. They plan to resume meeting at the library in September of this year.
- Sweets and Eats take home craft kits for kids will be available starting Monday, Feb. 7 - while supplies last.

City Council Meeting
January 24, 2022

Ms. Sarah Hogan, program director provided the following report:

- **End of the Year Report:** I have provided each of you with a copy of Impact's 2021 Year End Report. There are also copies in the foyer here at City Hall for anyone who is interested. I would like to highlight a few items including our Social Media increase of 84%, thank you to all who have liked and followed us and if you have yet to do so, please do. We distributed over 8,000 pieces of informational and promotional items to the community and have over 2,300 hours that volunteers have assisted in making in an impact. I'd like to also draw attention to the 16 family friendly vendors which are listed on the back of the report and ask you to thank them for their participation.
- **CADCA, National Leadership Forum:** Next week I will be attending the National Leadership Forum and receiving our Blue-Ribbon Coalition Recognition in National Harbor, Maryland. I'm looking forward to networking with prevention specialists from all over the country to learn best strategies and practices to bring back to Montevallo.
- **Mentoring Group:** Our youth coordinator, Mr. Maurice Valentine is working diligently to establish a mentoring group for our youth. In conversations, they are expressing a need to just talk and gain insight from adults. We have looked at the potential of after school programming and have met hurdles, we are now working with the high school to determine if a time can be scheduled during the school day in the free period as a elective entitled: The Truth: Let's Talk. We would want to have interested adults come and meet with the kids and build relationships and offer short presentations at times on topics of interest. I'll keep you posted as this resource develops
- **Shelby County Reporter:** Impact is purchasing a digital advertising package with the Shelby County Reporter to promote our prevention messaging to the community through the use of cell phones, using geo fencing. We look forward to utilizing and evaluating this strategy to ensure our messages reach our youth.
- **Next Coalition Meeting:** Due to my attendance at the conference next week, our monthly coalition meeting will be delayed one week to Tuesday, February 8 at 9:00 am. We still meet via Zoom and would love to have you, Council, anyone in here or viewing online to join us.

Social Media

Followers

Increased

84% (346)

260 Posts

Added Instagram



Vaping Violation
 Enacted with
 Fines &
 Monthly
 Substance Use
 Class

Purchased Fatal-
 Vision Poly Drug
 Googles Event
 Resources



Participated in 45 Community Events

80 Informational Materials Produced

20 Promotional Items Designed & Printed

23 Chamber Chatter Ads Produced

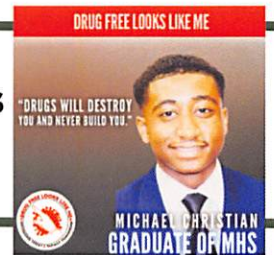
8,103 Informational & Promotional Items
 Distributed



National Coalition Academy Graduate

1 of 18 Coalitions selected by CADCA
 as a Blue Ribbon Coalition

Volunteers provided 2,365.5 hours
 for an investment of \$59,137.50



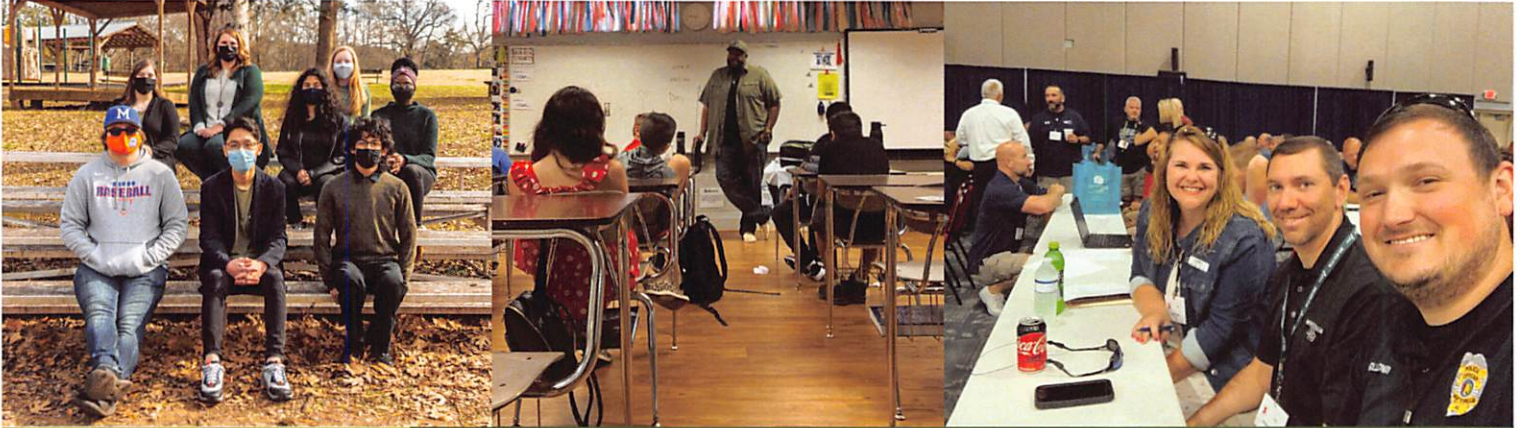
Partnerships with MJCC, Montevallo Main Street,
 Sustainability and Montevallo High and Middle Schools
 for youth activities.

Partnership with MPD School Resource Officer Program
 and Sponsored attendance for the Safe School
 Conference & SRO trainings.

Purchased Too Good for Drugs Curriculum for
 Montevallo Middle School.

Community & Youth Surveys Created & Disbursed.

Thriving Earth Exchange Program Participant.



Thank you to our Family Friendly Vendors!

- Fotowerks Custom Photography
- Happy Dollar Plus
- Jones Country Food Mart, Highway 17
- Montevallo Drug
- Montevallo Makers
- Neighborhood Market, Highway 155
- Smitherman's Pharmacy
- University Food Mart, Middle Street
- ANR Texaco (Montevallo BP), Highway 25
- Bradford Real Estate Group
- Blue Phrog Gallery
- C's Cake and Coffee
- Countryside Animal Hospital
- Crossroads Food Mart, Highway 119
- Doodles Book Store
- Falcon Art Supply



Family Friendly Vendors are businesses that choose to take a pledge to remove all products that advertise mind-altering qualities, mask the use of mind-altering substances, offensive clothing or inappropriate magazines or any non family friendly content or at least place items behind the counter, in a non-prominent location.

You're Invited to Join Us
 in Reducing Youth Substance Use in Montevallo.

Our Vision:

Empower the Montevallo community to create healthy habits and live drug-free lifestyles through the establishment of all-inclusive relationships, open dialogue, family events, education, and city-wide actions.

Our Mission:

IMPACT Montevallo is a collaborative partnership of concerned citizens and the City of Montevallo to raise awareness of the youth substance use issues in our city and to educate youth and adults to take action to prevent youth substance use.

Virtual meetings are held monthly on the First Tuesday at 9:00 am.
 Email impactmontevallo@gmail.com for more information.

BE THE
MVP!

HELP MONTEVALLO YOUTH BE THE
 BEST THEY CAN BE!



SCAN THE
 QR CODE
 TO FILL OUT
 AN
 ANONYMOUS
 SURVEY!

Alabama Extension, Columbiana Main Street, and Montevallo Main Street present

Hometown Hospitality

Creating a culture of excellent customer service & hospitality in your community



- Alabama Extension is partnering with our Shelby County Main Street programs to provide FREE customer service training to local businesses!
- As tourism continues to grow in our area, learn how you can attract and retain customers through providing excellent customer service and being ambassadors for your community. All Shelby County business owners and employees are invited to take advantage of this free training.

Two FREE sessions offered on Tuesday, February 15!

Columbiana Senior Center
110 Mildred St., Columbiana, AL
8:30 AM to 10:00 AM



Parnell Memorial Library
277 Park Dr., Montevallo, AL
11:30 AM to 1:00 PM
Lunch provided



For more information or to reserve your seat, text County Extension Coordinator April Stone at (205) 739-4879 or email ars0150@auburn.edu by Monday, February 14. Note which session you plan to attend.



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APPENDIX 6

Council packet Jan 24, 2022/Chamber

- 1) Attended the 18th **MLK** March and Program at MHS on Mon 1/17
- 2) Feb 2022 **Chamber Chatter** will be delivered on Friday, Jan 28th
- 3) **Strand Coffeehouse** Ribbon Cutting will be Sat January 29 10am 620 Main St.
- 4) Deadline to nominate Montevallo businesses, organizations and events for the annual Shelby Living **Best of the Best** will be Feb 2
Then a ballot of the top five nominees will be live for voting on Feb 28 & winners announced May 2022. *Vote Montevallo !!*
<https://www.shelbyliving.com/best-of-the-best-2022>
- 5) Montevallo Chamber will co-host the annual **Shelby County Montgomery Drive-in** Conference on Wed Feb 9. Cost \$50. per person includes transportation to Montgomery, conference, lunch & reception. Depart 10am with return at 7:15pm Please RSVP
- 6) **Feb Chamber Luncheon "American Village Festival of Tulips"** with guest speaker Melanie Poole will be held on Wed Feb 16th, 11:30am to 1pm at Parnell Library meeting room. Lunch at noon \$12.00 ea / Luncheon sponsored by American Village RSVP by Mon Feb 14th.



Adele Nelson

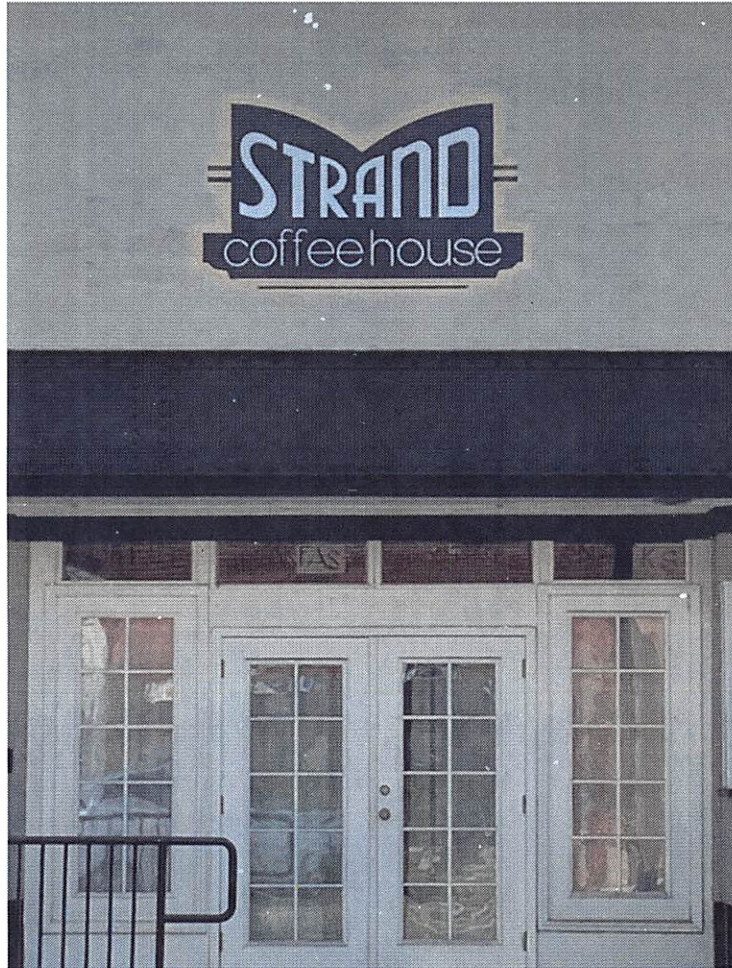
Executive Director

Montevallo Chamber of Commerce

P.O. Box 270 Montevallo, AL 35115

205.665.1519 office

www.montevallocc.com



RIBBON CUTTING



Sat. *February 12th at 10am

620 Main St.

Tour, coffee sampling
celebration



*Please note - new date

Thank you



Montevallo City Council
MEETING NOTICE
PUBLIC HEARING NOTICE

Case No. ZAM21-001 Amendment of Article 23.

Proposed modification of Article 23.06 that requires landscape plans for site development plan submittals be prepared by a State of Alabama registered Landscape Architect.

As amended: Section 23.06. Landscape Plan Submittal Requirements

No application for site development plan approval will be accepted without inclusion of a landscape plan that meets the minimum submittal requirements and has been prepared by a State of Alabama registered Landscape Architect, Land Planner, certified Civil Engineer or horticultural professional licensed by the State of Alabama in Landscape design.

Monday January 24th, 2022 6:00pm
City Hall – Council Chamber

Steve Gilbert
City Clerk/ Treasurer

309 Waller Street Code Enforcement

APPENDIX 8

CASE SUMMARY

DISTRICT 2

This case began around October 2020 with a complaint about numerous junk vehicles being parked on Bowie Street and Waller street, which is right next to Montevallo Middle School. Bowie Street dead ends at the corner of Waller Street. 309 Waller Street is located in the corner of Bowie Street and Waller Street. Upon investigation of these complaints I, Officer Wilder, found the front yard of 309 Waller Street cluttered with several inoperable vehicles and trash and debris. The trash and debris was a mixture of vehicle parts and trash. Also parked in the front yard was a four wheeler ATV, an old camper, an old boat and trailer, and numerous old used tires were strewn in the front part of the property.

309 Waller Street is occupied by Marcus Lilly. I have made contact with Mr. Lilly, both personally and by several written notices (Certified Mail). At times it appeared Mr. Lilly was complying with the orders to remove the inoperable vehicles from the streets. I gave him several time extensions to complete the cleanup.

On or around 24 November 2021, I reinspected the property and found the front yard was still cluttered with trash and debris, several inoperable vehicles, an old camper, a four wheeler ATV, an old boat and trailer, and a large number of old used tires. However, the inoperable vehicles had been removed from Bowie Street.

On 29 November 2021, I sent a final notice to Mr. Lilly by Certified Mail. He was given another 20 days to cleanup the front yard. The due date was 19 December 2021.

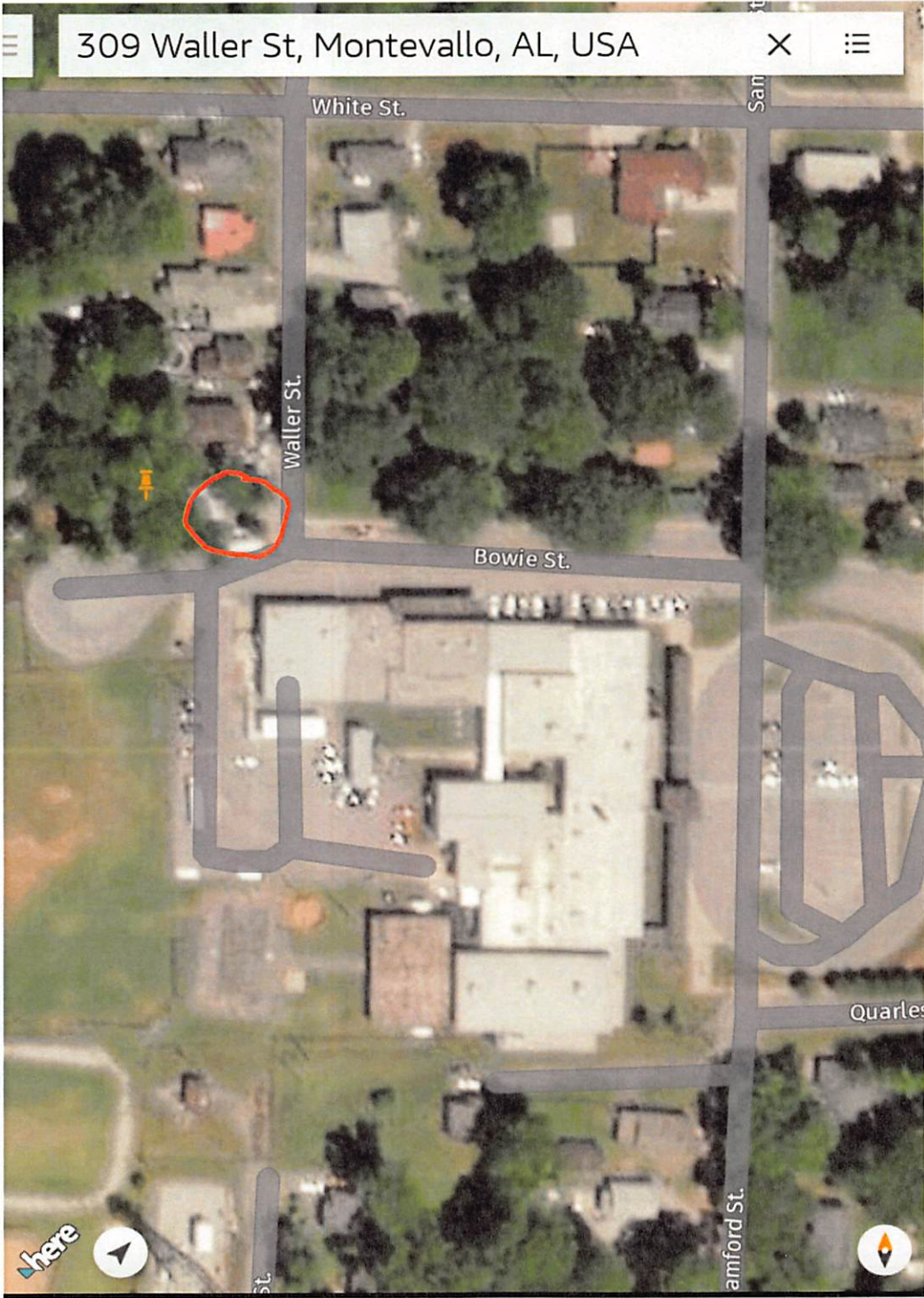
On/or around 20 December 2021, I reinspected 309 Waller Street and found no improvements have been made.

I bring this case before the Montevallo City Council to have the property of 309 Waller Street declared a "Public Nuisance", and upon this declaration I, Officer Wilder, will make a full and complete incident/offense report to the Montevallo Police Department and have the city magistrate issue an order for Marcus Lilly to appear in court to answer to the charges of:

- (1) storage of " Inoperable Motor Vehicles", and " Machinery, vehicles, etc., in residential area" (in the front yard) (Section 4-9, and Section 4-6 of the City of Montevallo codes and ordinances.)
- (2) "Storage of Camper(s), ATV(s), and boat(s) in his front yard (Section 5-13).
- (3) " Trash and Debris" about the front yard and property (Section 14-5).

Upon conviction for the above listed charges, Marcus Lilly can be fined up to and not more than \$500.00 dollars.

*309 Waller Street
Code Enforcement*



*309 Waller Street
Code Enforcement*



Bowie Street.

Middle School.



*309 Waller Street
Code Enforcement*



309 Waller Street Code Enforcement



125 Pineview Road / 1312 Ashville Road

Case Summary

On or around 26 August 2021, I received a complaint about a boat parked in the front yard at 125 Pineview Road, and in the back yard, adjoining Highway 119, commercial vehicles were being parked. Upon inspection, I found no commercial vehicles parked in the front yard. A boat was inside the backyard behind a privacy fence. A gravel driveway had been installed, joining the backyard with Highway 119. Parked in this area were two vehicles. One of the vehicles, a Chevrolet, was rated for over a 1 ton capacity, which is in violation of Zoning Ordinance Sec. 5.14.C, which states: "Commercial vehicles exceeding one ton rated capacity and construction vehicles shall not be parked or stored in residential zoned districts". The property is zoned as R-2 Single Family District. The other vehicle was a Ford SUV. Both vehicles had large decal letters on them that read, "Alabama Search and Rescue Incident Command Post". I had learned from our city clerk, Steve Gilbert, that ALDOT had denied this access back in June. I was also advised that Mr. Carpenter got a 911 address of 1312 Ashville Road for the driveway. I delayed any action, waiting to see what ALDOT was going to do. I noticed no action by ALDOT.

On 24 November 2021, I sent a Certified Letter to the owner of 125 Pineview Road, Willie D. Carpenter, to advise him of the zoning violation. I gave Mr. Carpenter 15 days to correct the problem. I did not receive a return for the letter or a response from Mr. Carpenter.

On 28 December 2021, I sent a second Certified Letter to Mr. Carpenter. He was given another 20 days to correct the problem. On 3 January 2022, Mr. Carpenter responded by email to the second notice. He advised he did not receive the first notice. He also requested a hearing. The reason for the hearing was he objected to the vehicles being called commercial vehicles. He advised they were "emergency vehicles" not commercial.

On 7 January 2022, after emailing the same information to Mr. Carpenter, I sent him a Certified Letter letting him know his hearing was set for 24 January 2021.

At the hearing after all debates, the city council will need to decide if an emergency vehicle is the same as a commercial vehicle as described in our codes and ordinances. If the council decides the vehicles are commercial, they will need to declare the commercial vehicle a "public nuisance".

Hopefully I will receive a response from our city attorney as to whether the emergency vehicles are the same as commercial vehicles, before this hearing takes place.

125 Pineview Road / 1312 Ashville Road



Pineview Road (125)



Back yard of 125 Pineview Road now has a 911 address of 1312 Ashville Road.



Vehicles in question.



125 Pineview Road / 1312 Ashville Road

Date of Complaint: Thursday - 26 August 2021

Property Address: 125 Pineview Road / 1312 Ashville Road

Occupant: Willie D Carpenter

Property ID Number: 27 5 21 4 001 023.000

District Number: 5

From: Porter, Andrew
Sent: Tuesday, June 15, 2021 9:06 AM
To: austinddcarpenter@gmail.com
Cc: Connell, William <ConnellW@dot.state.al.us>
Subject: 1312 Ashville Road Montevallo AL

Mr. Carpenter,

I discussed this issue with my boss. ALDOT access management policy requires that a single parcel must have 660' of road frontage before a second access is considered. The access you are inquiring about does not meet this requirement. Regarding subdividing the property, that would require City and/or County approval. If the property is allowed to be subdivided, the City or County would come back to ALDOT at that time to determine if we would allow access to the subdivided parcel.

If criteria's mentioned above are all met and an access to AL-119 is granted all permits and bonds must be in the property owners name.

If you have any further questions please let me know.

Thanks,

Andrew Porter - Assistant Permit Manager

ALDOT East Central Region
Birmingham Area – Calera District
Office – (205) 668-0173
Cell – (205) 288-5721
Fax – (205) 668-0175



Steve Gilbert

From: Bent Owens <bowens@wefhlaw.com>
Sent: Monday, January 24, 2022 8:36 AM
To: Mike Wilder
Cc: Steve Gilbert; Jeremy Littleton
Subject: RE: Commercial or Emergency

Mike:

Under Alabama Code section 32-1-1.1, and 'authorized emergency vehicle' is defined as 'such fire department vehicles, police vehicles and ambulances as are publicly owned, and such other publicly or privately owned vehicles as are designated by the Director of Public Safety or the chief of police of an incorporated city.'

As to Mr. Carpenter's vehicles, I would ask whether they have been so designated either by DPS or the MPD. In the event they have not, then they are not emergency vehicles. Even if they have, then the question of whether an emergency vehicle is also a commercial vehicle can be explored in greater detail. For purposes of tonight's City Council meeting, I would ask Mr. Carpenter to provide the necessary designation and then we can go to the next step, as necessary.

J. BENTLEY OWENS III

WALLACE/ELLIS

Ellis, Head, Owens, Justice & Arnold
P.O. Box 587
Columbiana, Alabama 35051
(205) 669-6783
bowens@wefhlaw.com

From: Mike Wilder <mwilder@CityofMontevallo.com>
Sent: Monday, January 10, 2022 1:32 PM
To: Bent Owens <bowens@wefhlaw.com>
Subject: Commercial or Emergency

Bent,
Please look over this case and let me know if emergency vehicles and commercial vehicles, as mentioned in our codes and ordinances, are the same.

Attached is a word file of the case summary.

Section 5.14. Parking and Storage of Certain Vehicles

Thanks
M Wilder
Code Enforcement Officer
Montevallo Police Department

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