

**Architectural Review Board  
Minutes  
Monday, August 7, 2023  
7:00 p.m.  
Montevallo City Hall  
Council Chambers**

**Members Present:**

Veronica Bailey, Tara Brantley, Bill Glosson, Susan Godwin, Melinda Nix, James Salter, Janice Seaman and Sherry Vallides

**Call to Order:**

A quorum was established and the meeting was called to order at 7:10 p.m.

Minutes from the July 17<sup>th</sup> meeting were reviewed. J. Seaman stated that Reverend K. Dukes is not a member of the ARB and that he cannot vote on this board. Furthermore, K. Dukes made two motions at the last meeting that he was not eligible to make. The question was asked as to whether we should take another vote or let it stand since most members of the ARB thought he was a voting member. J. Seaman stated that she would call the AHC and ask for guidance regarding these motions. J. Seaman also requested that a statement she made regarding the Victory COA be included in the minutes. B. Glosson made a motion to take up the business of the July 17<sup>th</sup> minutes at our next meeting; V. Bailey seconded; motion passed.

**Old Business:**

J. Seaman stated that, by code, the ARB has to respond to the city as to why the board did not vote on the COA for the Victory Building. J. Seaman distributed copies of a proposed statement document for members to review. S. Vallides recommended to place today's date on the document. J. Seaman added the correction to change MHPC to ARB within the body of the statement. B. Glosson made the point that, in the body of the statement to the city, the first paragraph talks of rejecting the COA application and that is what triggers a statement and that the board never took a vote to reject the application. J. Seaman stated that the COA was incomplete so it was never accepted.

J. Seaman notified M. Nix that she was not allowed to speak or vote because she has a conflict of interest because her husband is the mayor of the city. M. Nix informed J. Seaman that she was also not allowed to speak or vote on the subject because of her conflict of being the only proprietor of lodging in the city and also possible conflict with her involvement as a realtor and trying to sell the building of interest. M. Nix stated that she would continue to speak in the meeting as long as J. Seaman is speaking on the subject. B. Glosson stated that felt that, since J. Seaman owns the only place of lodging in town, he believes she has a conflict of interest. He also stated that J. Seaman should not be presiding over the meeting because of that conflict. He suggested that Vice Chair, S. Vallides, should be conducting the meeting. B. Glosson also stated that he had a feeling that members were meeting to discuss this subject outside of posted meetings and that constitutes a serial meeting under the Alabama Code

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S. Vallides suggested that the board get a legal opinion on whether or not Nix and/or Seaman have a conflict of interest regarding the COA of the Victory Building. M. Nix asked that any opinion be presented in writing. S. Vallides stated that she would have the information to present at the next meeting. B. Glosson requested that S. Vallides also get the legal definition of conflict of interest from an attorney and asked S. Vallides to email the written opinion to members as soon as she receives the information so members can review before the next meeting. B. Glosson made a motion to table the discussion of the letter to the city until a legal opinion is obtained as to whether M. Nix or J. Seaman have a conflict of interest with discussions/voting of the Victory Building COA; S. Godwin seconded; motion passed. Members discussed possible meeting dates for a special called meeting after information is received. A tentative date of Tuesday, August 15<sup>th</sup> at 7:00 p.m. at City Hall.

**New Business:**

J. Seaman discussed educational opportunities through the National Alliance of Preservation Commissions. The Virtual Summer Short Course will be held on August 23-24<sup>th</sup>. The course is \$50 per person. A total of 11 continuing education hours can be earned. Monies from the MHPC commission budget can be used to cover the per person charge.

M. Nix stated that, according to bylaws, members are to receive our agenda for Tuesday meetings *on the Thursday prior to the meeting and that city hall should receive a copy to place on the city's website*. Currently, agendas are received at the time of the meeting. J. Seaman asked when the timeline was to have minutes submitted. M. Nix stated they are due the day of the meeting but she sends them early so members can review and send corrections in advance.

Meeting adjourned at 8:15 p.m.

:mbn  
attachment



According to the Code of Ordinances of the City of Montevallo Sec.2-294-(n)(1) In the event the commission rejects an application, it shall state its reasons for doing so and shall transmit a record of such actions and reasons, in writing, to the applicant.

Architectural Review Board, first received an incomplete application for a certificate of appropriateness for demolition of 555 Main Street, "The Victory Building" from Cobblestone Hotel Development, LLC which was dated April 26, 2023. At an Architectural Review Board meeting, the city of Montevallo was informed that since Cobblestone was not the owner of the property, a new application from the city would need to be filed.

A new incomplete application for demolition was submitted by the city on May 2, 2023 however, to date, the applicant has not succeeded in providing the minimum information required to be voted on by the ARB according to Sec. 2-294-(2) e and f (3)(j)

According to the application itself, it states that the applicant understands that only complete applications including all required exhibits are considered by the commission.

After two letters to Mayor Nix, dated June 19 and July 5, asking for the minimum information required to complete the application, both of which went unanswered and numerous meetings of the ARB requesting this information, we are not able to vote on an application that remains incomplete. The Alabama Historical Commission has stated that if it was communicated that the application was incomplete, then it is not an application. Alternatively, for the reasons stated above, the incomplete application is rejected.

If, at any time, the city is willing to supply the minimum requirements for an application for their certificate of appropriateness for demolition of

555 Main Street, the ARB would be happy to consider and vote on their complete application.