

## **MINUTES**

### ***Montevallo City Council Work Session***

**October 14, 2019**

**5:30 p.m. at City Hall**

**Mayor Hollie Cost, Council Member Tiffany Bunt, Council Member Willie Goldsmith, Council Member Jason Peterson, Council Member Arthur Herbert and Council Member Rusty Nix were in attendance.**

Mayor Cost called the Work Session to order at 5:31 p.m.

The Mayor then incited the city's auditor, Wayne Barber, to present the results of the city's 2018 Financial Audit. Mr. Barber went through the highlights of the audit with the Council. He noted this is a clean audit and we complied with the requirements of GAAP. He said we ended the fiscal year with a positive ending balance of approximately \$200,000. We actually brought in around \$600,000 more in revenue than budgeted. But we also spent around \$167,000 more than budgeted. As such, we ended up strong and did a good job staying within budget.

Mayor Cost thanked Mr. Barber and his team for the excellent job they do on our behalf. She said that once the audit has been approved by the Council, it will be posted on our city website for public review.

Lt. Harrelson presented the Police Department report:



## Montevallo Police Department City Council Report

Date:  
10/14/2019

### Patrol Report:

Total Calls:  
641

Total Cases:  
105

Traffic Accidents:  
15

Traffic Stops:  
293

Traffic Citations:  
122

Total Arrests:  
28

Burglaries:  
2

Auto Burglaries:  
1

Domestics:  
5

Assaults:  
7

Fraud/Forgery:  
2

Thefts/Attempts:  
5

Zone Checks:  
495

School Patrols:  
60

### Investigations (New Cases):

Felony Cases Pending:  
6

Felony Cases Closed:  
9

Misdemeanor Cases Pending:  
5

Misdemeanor Cases Closed:  
5

Felony Warrants:  
6

Misdemeanor Warrants:  
4

### School Resource Report:

Offense Reports:  
1

Incident Reports:  
NA

Traffic Accident Reports:  
NA

Arrest Reports:  
NA

Cases Pending:  
0

Cases Closed:  
1

Additional Comments:



## Montevallo Police Department Code Enforcement Activity Report

Date:  
10/14/2019

Inspection Period  
09/24/2019

Inspection Period  
10/14/2019

### Inoperable Vehicle Inspections:

Inspected:  
5

Pending:  
3

Closed:  
2

### Animal Complaint Inspections:

Inspected:  
2

Pending:  
2

Closed:

### Abandoned Building Inspections:

Inspected:  
3

Pending:  
2

Closed:  
1

### Property Inspections:

Inspected:  
7

Pending:  
5

Closed:  
2

### Miscellaneous Complaints:

Inspected:  
1

Pending:

Closed:  
1

Inspected:  
18

Total Inspections this Period:  
18

Total Inspections Year to Date:  
272



## Montevallo Police Department Code Enforcement Activity Report

### Inspections this Period:

- \* 1660 Ashville Road - 09/30/2019 - Trash pile in back yard. Sent certified letter.
- \* 131 Highway 216 - Unlivable conditions - Talked to Mr Varden. Posted letter and sent certified letter - 60 days to clean it up.
- \* 78 Western Drive - Overgrown - complaint
- \* 24 Pleasant Cir - Overgrown - Complaint
- \* 444 Highway 203 - Inoperable vehicle - Complaint
- \* 480 Highway 203 - Abandoned building - Complaint

### Inspections Pending Continued from Last Period:

- \* 125 Highway 119 - Letter returned, Unclaimed. Requested posting in newspaper. Ran tag on Chevrolet Trail Blazer JDW568, John Mahan. Will send certified letter.
- \* 4600 Highway 119 - Demolition set for 21 October 2019.
- \* 171 Oxford Circle - Clean-up underway - Court date 20 October 2019.
- \* 78 Western Drive - Inoperable vehicle has been moved.

### Cases Closed this Period:

- \* 78 Western Drive - Inoperable vehicle has been moved.
- \* 78 Western Drive - Mowed
- \* 24 Pleasant Cir - Overgrown - Mowed
- \* 444 Highway 203 - Inoperable vehicle - Vehicle is movable and has a current Tag
- \* 480 Highway 203 - Abandoned building - Is in the county jurisdiction.

### Other Comments:

Our new Fire Chief, Brad Davis, reported they responded to 119 calls in September – 85 of which were EMS calls. So far, they responded to 891 calls this year.

Mayor Cost welcomed Chief Davis onboard.

Council Member Herbert informed the Council the job search committee has been interviewing applicants for the Sustainability Coordinator position. They hope to have a recommendation for the Mayor very soon. In addition, he noted the Arbor Board met at the Recycling Center on September 24<sup>th</sup>. He also mentioned that ValloCycle sponsored another Glow Ride last month.

Mayor Cost said she appreciates all the hard work the committee has put into the selection process for our new Sustainability Coordinator.

Shane Baugh, Director of Public Works, said we, along with Alabaster and Calera, hosted a major travel ball tournament this past weekend. He also asked the Council to consider the quotes he received for the batting cage improvements. We have used the same batting cage for over 20 years. Having an updated facility is critical to our ability to continue to attract travel ball and other tournaments. As detailed below, the lowest quote was from Wayne Davis Construction at just under \$30,000. The materials for the cage will take 12 weeks to order. As such, we need to go ahead and get things moving now so that we will be ready by spring.

JP Building Company LLC  
330 Homeland Way  
Montevallo, AL 35115  
205-365-1947

October 11, 2019

City of Montevallo  
Stephens Park - Hitting facility building

- 1) 40ft wide x 80ft long x 14ft tall with 4/12 roof pitch (Pole Barn)
- 2) 4/12 roof slope with 29ga Galvalume panels
- 3) Gables sheeted only- 29ga panels
- 4) 4" thick concrete slab covering area to outside of the post.

TOTAL PRICE - \$34,710.00

Jason Picklesimer

Wayne Davis Construction, LLC

13523 Highway 17 Montevallo, AL 35115  
205-665-1183

7/23/2019

Shane Baugh  
City of Montevallo

Stephens Park - Batting Cages

INCLUSIONS:

- 1) 40ft x 80ft x 14ft eave height.
- 2) Building to be pole barn type trusses 4/12 slope
- 3) Trusses to be attached to pressure treated 6"x6" post
- 4) Roof and gable to be 29gauge galvalume panels.
- 5) 4" 3000 psi concrete slab to cover all areas under the roof area not including the overhang. Slab to be light broom finish.

EXCLUSIONS:

- 1) Electrical
- 2) Permits or other city requirements other than a business license
- 3) Any item not listed in inclusions

Total base bid price-            \$29,780.00

We appreciate the opportunity to quote you on this project and look forward to working with you.

Brad Davis  
Managing Member

Baugh Construction  
323 Ewing Street  
Montevallo, AL 35115

Brent Baugh (205) 965-1033

October 3, 2019

City of Montevallo  
Stephens Park

**Stephens Park - Batting Cage Building**

- 1- Building is to be a pole barn type building with trusses
- 2 - Building to be 40ft wide x 80ft long x 14ft tall with 4/12 roof pitch
- 3- All metal panels including roof panels and wall (gabel) panels are to be 29 gauge with Galvalume Finish.
- 4 - Trusses to be supported by pressure treated 6"x6" post
- 5 - Concrete slab to be 4" thick and 3000 psi. and to cover the area under the roof except for the overhang.

**TOTAL PRICE - \$32,600.00**

The City Clerk noted this project is budgeted in the Capital Improvement Account. However, we will not receive the funds for that account until April. Therefore, we will need to pay for this out of the General Fund and reimburse ourselves out of Capital Improvement when the funds come in.

Mr. Baugh also mentioned that work continues on our trail system at Shoal Creek Park.

Council Member Nix invited Dwight Dellinger to provide the Golf Report:

**Montevallo Golf Club  
Monthly Report – September 2019**

10/8/2019

To: Herman Lehman  
From: Dwight Dellinger

September.

The course had 893 rounds played this month, 8,801 year to date. Total revenue was \$15,671 (\$17.55/round). There were no new memberships. One tournament, The Knights of Columbus with 27 player was held. So far, there are two tournaments scheduled for October including the annual University Olympics Day on October 11. We have one tournament scheduled so far for November.

Record heat and the lack of rain have been tough on play, but the grounds crew is working hard to keep the greens in good shape. They have also started watering the tee boxes. This is one area that draws the most criticism.

Council Member Nix reminded everyone that Critters by the Creek will be held at Orr Park on October 27th from 1-3 p.m. In addition, he and Council Member Goldsmith have been working on the plan for improvements to Dailey Park. They are talking to residents to gather input on the proposed plan. They are also discussing the possibility of developing the park in phases. As a reminder, he also noted that the Planning Commission will meet Thursday night, 6:00 p.m. at City Hall.

Abigail Heuton informed the Council the MJCC has elected its new officers. She also said they plan to hold more movies in the park events.

Council Member Bunt presented the Library Report:

## **Library Director's Report Notes**

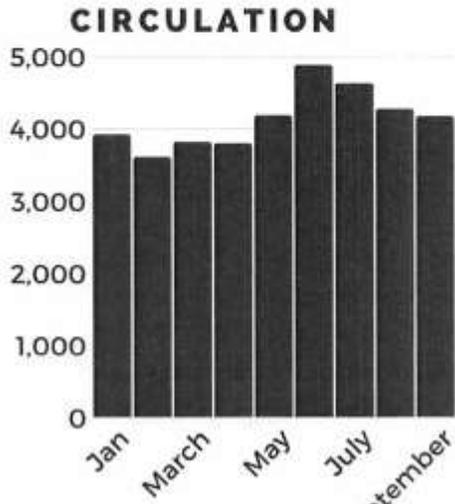
### **City Council**

**October 7, 2019**

- We have created a new teen space and a new family area in our Children's Department.
- Received community grants from two Alabama lawmakers last week
- Food for Fines program (where we waive \$1.00 off Parnell Memorial Library fines for every non-perishable food item donated) was a success, with all items going to Shelby Emergency Assistance.

# Parnell Memorial Library

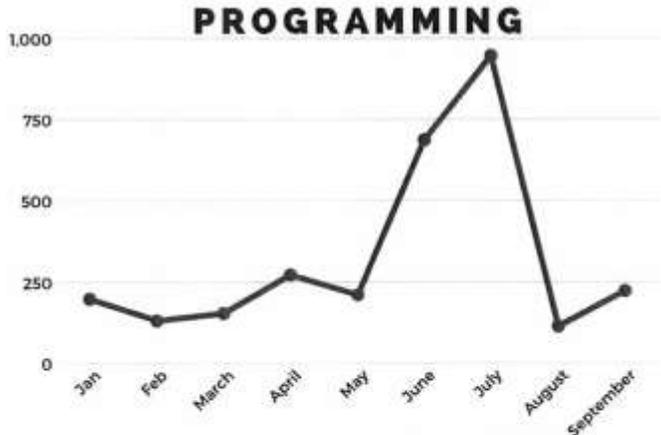
SEPTEMBER 2019



- ### PROGRAMS: 16 TOTAL
- 4 storytimes with Mr. Mac
  - 1 family storytime
  - 1 kids' movies
  - 1 Magic Tree House Book Club
  - 1 bilingual storytime
  - 1 Lego Club
  - 4 ESOL classes for adults
  - 1 Yarn Club
  - teen program
  - completed our Food for Fines program for Shelby Emergency Assistance

### SEPTEMBER 2019 DEPOSITS

9/3/19 - \$142.58  
 9/10/19 - \$202.00  
 9/17/19 - \$183.85  
 9/18/19 - \$500.00  
 9/24/19 - \$237.80  
**TOTAL: \$1,266.23**



<h1>4,162</h1> <p>Materials Circulated -2%</p>	<h1>222</h1> <p>attended library programs</p>	<h1>430</h1> <p>Computer Use +2%</p>
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She then presented the Arts & Education Report:

# Education and Arts

1. MHS competed in the Heart of Dixie Band Competition in Prattville this past weekend. The Troubadours won Best in Class Drum Major and Best in Class Dance Line.
2. MES will host a Fall Festival on Thursday, Oct. 24 from 5:30-7:30 p.m.
3. MMS will be hosting Parenting Day with guests from Compact 20/20 on Oct. 30 from 8-9 a.m.
4. **Oct. 26 will be a full day:**
  - **Montevallo Artwalk will be held from 1-6 p.m. downtown**
  - UM:
    - Future Alumni of Montevallo (FAM) will host Trunk or Treat from 5:30 – 8:30 p.m.
    - The Alabamian and UM Partnership & Outreach will present Ghost Walk from 6-8:30 p.m. – UM Campus
    - Carmichael Library will have fun activities and share information behind the ghost stories of campus starting at 6 p.m. and running briefly after Ghost Walk
5. Artwalk volunteers still needed. Go to [montevalloartwalk.com](http://montevalloartwalk.com) or find on FB.

Mayor Cost mentioned that the Mayor's Annual Hometown Heroes Breakfast was held last Friday at American Village.

MAYOR'S TENTH ANNUAL



# HOMETOWN HEROES BREAKFAST



OCTOBER 11, 2019

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## **Breakfast**

Serve yourself upon arrival.

## **Welcome**

Hollie C. Cost, Mayor of Montevallo  
Jeremy Ward, American Village Development Officer

## **Invocation**

Reverend Kenneth Dukes

## **Recognition of Special Guests**

Hollie C. Cost, Mayor of Montevallo

## **Excellence in Education Awards**

Presented by Abigail Heuton, Junior Mayor of Montevallo

Kymberlee Lewis, Montevallo Elementary School  
Nate Haynie, SGA President - Montevallo Elementary School  
Peggy Huckabaa, Montevallo Middle School  
Ben Locks, SGA President - Montevallo Middle School  
Gregory Dickinson, Montevallo High School  
Chaniya Reed, SGA President - Montevallo High School  
Coty Jones, University of Montevallo  
Leonor Vázquez - González, University of Montevallo  
Olivia Eldridge, SGA President - University of Montevallo

## **Recognition of Service**

Newly Retired Fire Chief Bill Reid

## **Elizabeth A. Mahler Spirit of Montevallo Award**

Terry Arnold

## **2019 Hometown Hero Awards**

Katie Campbell, Office of Senator Doug Jones  
Korey Cunningham, National Football League  
Keldric Farrington, Jefferson County Sheriff's Office  
Campbell Robertson, New York Times

## **Keynote Address**

Lindsay Puckett, Regional Planning Commission of Greater Birmingham

## **Closing Remarks**

**Montevallo City Council Meeting**  
**October 14, 2019**  
**6:00 p.m. at City Hall**

**Mayor Hollie Cost, Council Member Tiffany Bunt, Council Member Willie Goldsmith, Council Member Jason Peterson, Council Member Arthur Herbert and Council Member Rusty Nix were in attendance.**

**Pledge of Allegiance**

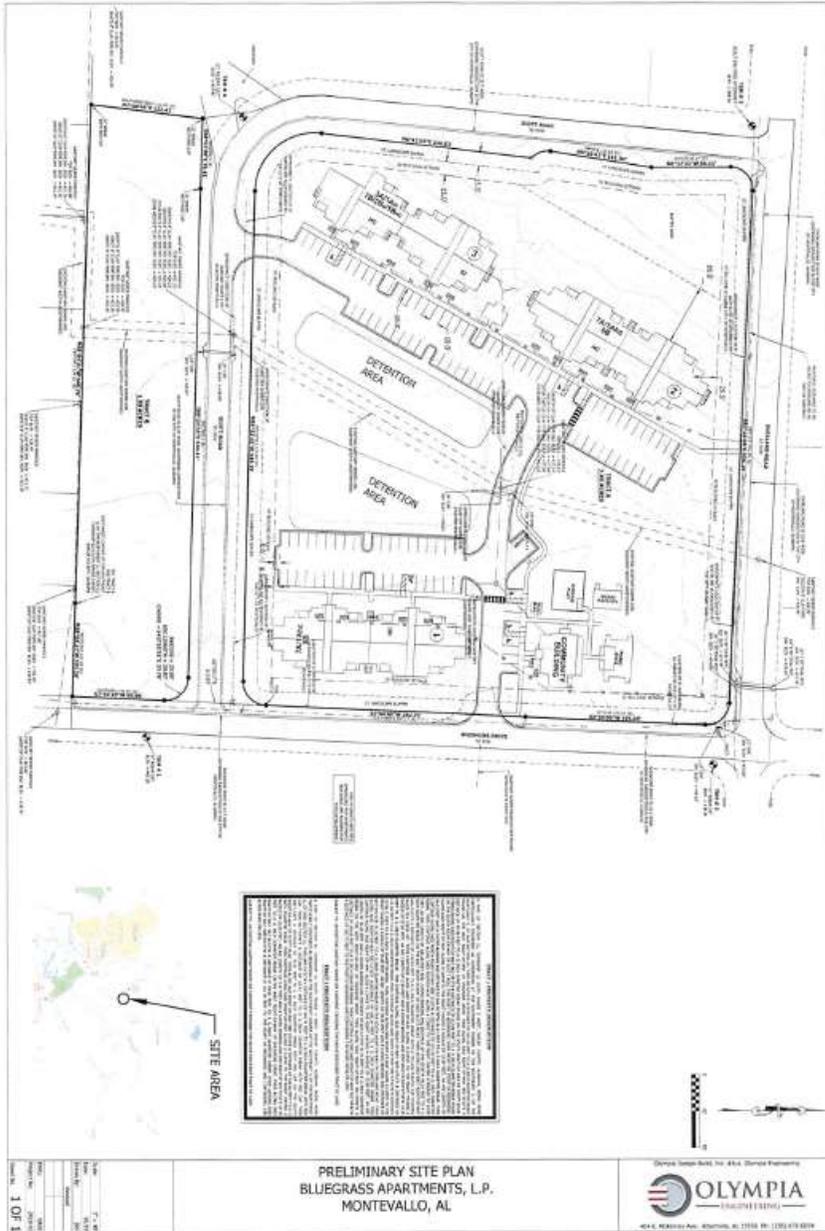
**Public Hearing:**

Mayor Cost opened the Public Hearing at 6:00 p.m. The following people signed in as attending the hearing.

Sign In

Melinda B. Nix  
Wanda Baker  
Courtney Bennett  
Jera Bentley  
Kavina Brantley  
A. M. W. Shugry  
B. Davis  
D. MACK LEE  
[Signature]  
Susan Godwin  
Amanda Hellegas  
Betty Ludwig  
Doreen Heron  
Sherry Valledin  
Mrs. [Signature]  
Joyce Sherret  
Bobby Pena  
Cindy [Signature]  
Alexandra  
[Signature]

Josh Cameron with Shelby County Development Services noted that, as included in the Staff Report, this involves a request to amend the R-2 Special District to allow three buildings with approximately double the number of units in each building to be built on this property, instead of six as would otherwise be permitted. The density is still under the permissible limit. This would allow the developer to save more of the greenspace on the property and provide a substantial buffer along Scott Road protecting the houses on Pineview which back up to that portion of the lot.



Mayor Cost stressed that the purpose of the request is to protect as much of the existing the greenspace on the property by allowing more units per building, thus reducing the footprint of those improvements.

Mr. Cameron added that the developer could otherwise build six (6) building on the site with eight (8) units per building. Allowing fewer building with more units would save the greenspace, as previously mentioned.

Council Member Nix asked if the developer could come in later and add another building.

Mr. Cameron explained that it was unlikely because this plan brings the total number of units nearly up to the maximum allowed under our zoning regs.

The developer, Paul Widman, explained his request in detail. He said this development would be financed, in part, using tax credits. As such, the development will be inspected annually for 20 years. Tenants must also certain income limits – between approximately \$20,000 and \$40,000 a year. He said he was attracted to our city because he really likes what we have done with our downtown. He likes the fact that we strive to be a walkable community. They even added a sidewalk to their plan so that it could one day connect to a possible city sidewalk running down Overland Rd.

He said their desire is to preserve as much greenspace as possible on the site, and to provider a buffer to the adjoin neighbors along Pineview. That is why he has requested permission to build three (3) buildings instead of the six (6) which would be otherwise permitted.

Mayor Cost asked him to discuss some of the amenities being offered in the development.

Mr. Widman pointed out that his development includes a Club House, Playground, Picnic Area, Bus Shelter, and Community Room.

Council Member Herbert asked if the design was altered to include recommendations of the Planning Commission.

Mr. Widman said it was. They took into consideration suggestions of the Planning Commission, as well as residents. For instance, they switch the position of Building #1 with its parking lot so that the view along Shoshone would be more attractive. They also increased the amount of space between Buildings 2 & 3 as requested by the Commission.

Mayor Cost then invited anyone wishing to address the Council regarding this proposed plan to come forward.

Nancy Wilstach said her main concerns were increased traffic and runoff from the site. She asked for an update on the status of the traffic study. She also questioned the need to suspend the rules and leave the regular order of business to vote on this item that night.

Mr. Cameron explained that the Planning Commission requested the developer provide a traffic study as part of the site plan approval process. This issue being considered tonight is an amendment to the zoning ordinance. The site plan approvals come after this. The traffic study will be part of that approval process. He also noted that it is his understanding that the study is underway.

The Mayor asked if the runoff issues would be addressed as part of the site plan approval process, as well.

Mr. Cameron said that was correct.

Tim Ray expressed his opposition to the development, suggesting that the city's Comp Plan shouldn't be amended like this. He also questioned the safety of these building in the event of a fire.

Mayor Cost noted the Council is not being asked to amend the Comp Plan – they are being asked to consider an amendment to the Zoning Ordinance, which is completely appropriate. She also pointed out that the Fire Department is consulted on all development proposals such as this and they have approved it.

George Henry asked if the developer would be able to build the six buildings if they are not allowed to build the three.

Mayor Cost said that was correct.

Council Member Herbert noted that if they build six building, they would have to use the portion of the property across Scott Street which they currently propose to maintain as a natural area.

Mr. Henry also mentioned that he does not like the idea of suspending the rules to consider this ordinance.

Susan Godwyn expressed her opposition to the development. In her opinion, she felt this would not be following the city's Comp Plan.

Bob Sapp expressed his opposition, as well. He asked if any of the council members had gone door to door to talk to the neighbors about this proposal.

Council Member Herbert said he had not gone door to door, but that he had talked with numerous neighbors about their concerns.

Mayor Cost noted the city follows the proper, legal procedures when addressing issues like this. In fact, that is the purpose of the Public Hearing tonight.

Council Member Nix said he has talked to many of those opposed to this project.

Mr. Sapp raised concerns about the capacity of the sewer lines.

Mr. Hamby said the sewer lines end near Mr. Sapp's house. He said the Water & Sewer Board is responsible for maintaining those lines.

Abigail Heuton asked if the units would be suitable for college students.

Mr. Widman said they may be, but most students wouldn't qualify because their parents make too much money.

Ms. Heuton asked about the benefits this development would bring to our community.

Mr. Widman said they looked at our market and felt Montevallo was a great place to be. They want to contribute to our community and feel that their development will provide a level of affordable housing options which our town needs.

Mayor Cost pointed out that Shelby Emergency Assistance has trouble finding affordable housing options for the people they work with. This will help to fill that void.

Mr. Widman agreed.

Council Member Nix asked if they have performed any soil tests to see how well the ground perks.

Mr. Widman said those tests are scheduled and will be completed within the next week or so.

Lucia MacPherson said the city needs to follow its Comp Plan. She also argued that the density calculations are incorrect and that the number of units planned for the site is inappropriate. She said this project does not conform with our Comp Plan and Zoning Regs. She also argued that more studies are needed. She asked the Council to wait to consider this until those studies are complete.

Council Member Peterson pointed out that this property is identified as one parcel on the tax records with one tax ID.

Rod MacPherson addressed the Council to argue against the development. He said this proposal is illegal and that he has already contacted his attorney. He said he will sue the city if this is approved, and tie this up in court for three years. He said many folks are fed up with the Mayor and Council's unwillingness to listen to their desires.

Sherri Valedes expressed her opposition, as well. She said she spoke to a property appraiser who told her this development would hurt all of the area property values.

There being no further public comment, Mayor Cost closed the Public Hearing at 6:39 p.m.

The Mayor then called the regular meeting to order at 6:39 p.m.

**Approval and/or corrections of the minutes –9/23/19**

Council Member Peterson made a motion to approve the Minutes from September 23, 2019 as corrected. Council Member Herbert seconded. ALL AYES . . . MOTION APPROVED.

**Recognitions / Awards:**

Mayor Cost invited Abigail Heuton to remind everyone the mission of the MJCC. Ms. Heuton said they are dedicated to improving youth civic engagement, and quality of life in Montevallo.

Karen Evans, City Magistrate, then inducted the following MJCC members:

Abigail Heuton – JR Mayor

Brady Baugh

Brett Terrill

Kayla Mitchell – Secretary

Olivia Gilbert – Treasurer

Rebeca Emiliano – Vice Mayor

Luke Emiliano

Cara Nolen

William Zou

Gavin Monk

Karen Silva

Taven Dubose

William Zou

Mayor Cost then recognized the following Montevallo High School students who scored above a 25 on the ACT:

Bella Fancher

Sammy Zou

Grace Carr

Jaquel Williams

Alexander Martinez

Abigail Heuton

Yordan Landaverde Santiago

MyCaya Jones

Savanna Rogers

Chaniya Reed

Janie Gray

Isabella Alexander

William Landers

Aiyana Race

Allison Tryon

William Zou

**Citizen Participation:**

In response to a question from Susan Godwyn, it was noted that the next Planning Commission meeting is Thursday night at 6:00.

Mrs. MacPherson asked what the process is from this point forward regarding the Bluegrass development.

Mr. Cameron explained that if it is approved tonight, the final, fully engineered site plan will then need to be approved by both the Planning Commission and City Council. It is at this stage that the Traffic Study will be considered.

Mrs. MacPherson suggested the Traffic Study should be considered as part of the zoning amendment.

Mr. Cameron explained that the property is zoned R-2 SD. It is included in a Special District which permits apartments. The amendment being requested does not affect the density. It is to allow fewer buildings with more units per building. The purpose is to protect

greenspace and provide for additional buffer. If this is approved, the developer will then have to submit a fully engineered site plan for additional approval.

Mae Glosson said she heard a rumor that the housing project near the Middle School was being closed down and relocated to this site. She asked if that was true.

Mayor Cost said it was not.

Sonja Swords asked for the site plan to be displayed in the lobby at City Hall so people who couldn't come to the meeting to be able to inspect.

Mayor Cost said she would do that.

### **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.

Kirk Hamby, Director of Public Works, informed the Council that we hauled off 8 tons of junk on Free Dump Day.

**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.

Dee Woodham, Chairperson of the MDCD, provided the following update:

Montevallo Development Cooperative District (MDCD)  
September 2019

Montevallo Development Cooperative District (MDCD) is a unique partnership between the City of Montevallo, Shelby County and University of Montevallo. The MDCD was created in 2012 under the Capital Improvement Cooperative Districts Section of the Alabama Code. The purpose of the District is to promote economic development, tourism, education, recreation, the arts, historic preservation, livability and healthy and active lifestyles in Montevallo. The district is to facilitate capital improvements by acquisition, construction, and installation throughout the City. Montevallo and the MDCD are touted as an effective model for such districts by Main Street Alabama, Alabama Communities of Excellence, and other economic development organizations. MDCD serves as an example of cooperation among public entities to leverage resources and maximize tax dollars for all citizens.

A three-member board governs the MDCD with each board member serving a four-year term and each board member able to serve multiple terms if reappointed by their respective entities. Dee Woodham, Chair, has represented the City of Montevallo since the MDCD inception. Reed Prince currently represents Shelby County and has done so since inception. Mary Ellen Heuton has represented the University of Montevallo since 2018, replacing DeAnna Smith, who served as board member from inception in 2012 until 2018.

The MDCD is funded in a variety of ways. Each of the three entities individually or in combination may provide funding for particular projects. The MDCD's only continual source of funding comes from an appropriation of 90% of the City of Montevallo's 2011 1% sales tax. The MDCD has completed a number of critically important projects, each with differing levels of financial commitment from the three entities. The first project was the North Boundary Street Promenade, a storm-water management and sidewalk improvement project that links the University to Main Street to Orr Park. Next, the MDCD purchased the old Alabama Power building on Main Street to bring the University and Main Street together in the center of our community. This project, known as "UMOM" (University of Montevallo on Main) shows the power and flexibility of the MDCD: the City, County and University own the building equally, but Shelby County and the University of Montevallo bore 100% of the renovation costs. UMOM was renovated for classrooms and office space, bringing university students downtown and encouraging them to spend money in local businesses. This project later added a public green space, Owl's Cove Park, for the entire community to enjoy. Numerous community events are held here, including the popular "Friday Nights at the Cove." Other projects include the construction of a NCAA regulation softball stadium, a NCAA regulation track, field and lacrosse facility, and a vibrant restaurant on the promenade within a building owned by the MDCD. A pocket park was created at this site, becoming Bicentennial Park. The MDCD also funded the City of Montevallo's portion of the Main Street streetscape project, which allowed receipt of a federal grant through the Alabama Department of Transportation that improved traffic flow, pedestrian traffic, parking,

ADA accessibility and aesthetics of traffic control features in downtown Montevallo. The streetscape project, along with the efforts of Main Street Alabama, the surge of private investments and an improving economy have contributed to a 40% increase in sales tax from the Main Street district in the past year. The largest expenditures since inception from MDCD, in order of cost, have been paving and sidewalks throughout the City, City Hall and the North Boundary Street Promenade improvements.

MDCD has invested over \$11 million in the City of Montevallo since its creation, with over \$6 million coming from the City and the remainder approximately evenly split between the University and the County. In addition to this direct MDCD investment, the University is investing approximately \$25 million in the Center for the Arts & \$5 million in a new College of Business building. Over \$50 million has been invested in Montevallo in the last few years by private investors, the University, Shelby County, Alabama National Cemetery Overlook Support Committee, American Village, federal government transportation funds & MDCD.

2019 MDCD projects include: paving, sidewalks, Highway 25 crosswalk engineering work, two bridges at Shoal Creek Park (in partnership with the County and private donors), trail work at Shoal Creek Park and a city-wide strategic planning initiative.

The MDCD meets on the second Monday of each month at 1:00 at the Parnell Memorial Library in the Parnell boardroom. All minutes and annual audits are posted on the City's website. Our community is always welcome at our meetings and we are always looking for more volunteers to contribute to the improvement of and future investment in our City.

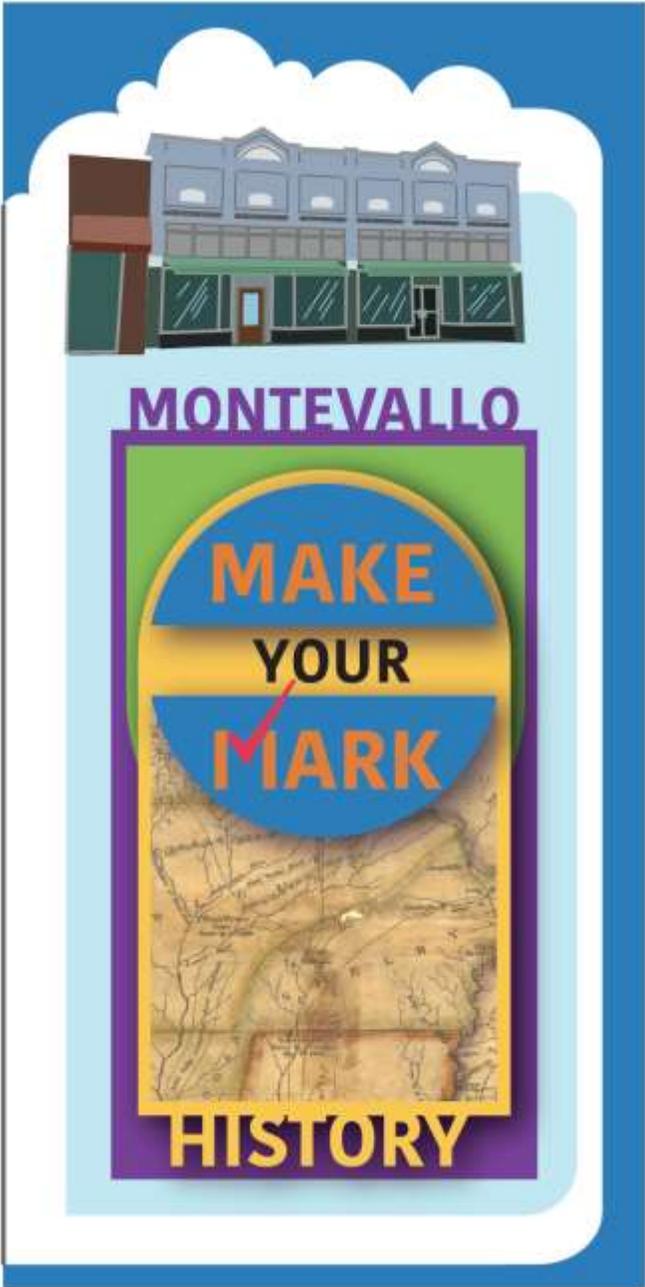
Mayor Cost thanked Ms. Woodham for her service, noting she does all of this as a volunteer. The Mayor asked everyone to think back 10 years to what Montevallo looked like then versus what it looks like now. We've brought new life back to the old Alabama Power Building, our streets are more accessible to residents with mobility issues, the parking lot along Main Street has been transformed into a park . . . None of this would have been accomplished if not for this unique relationship between the City, University, and County.

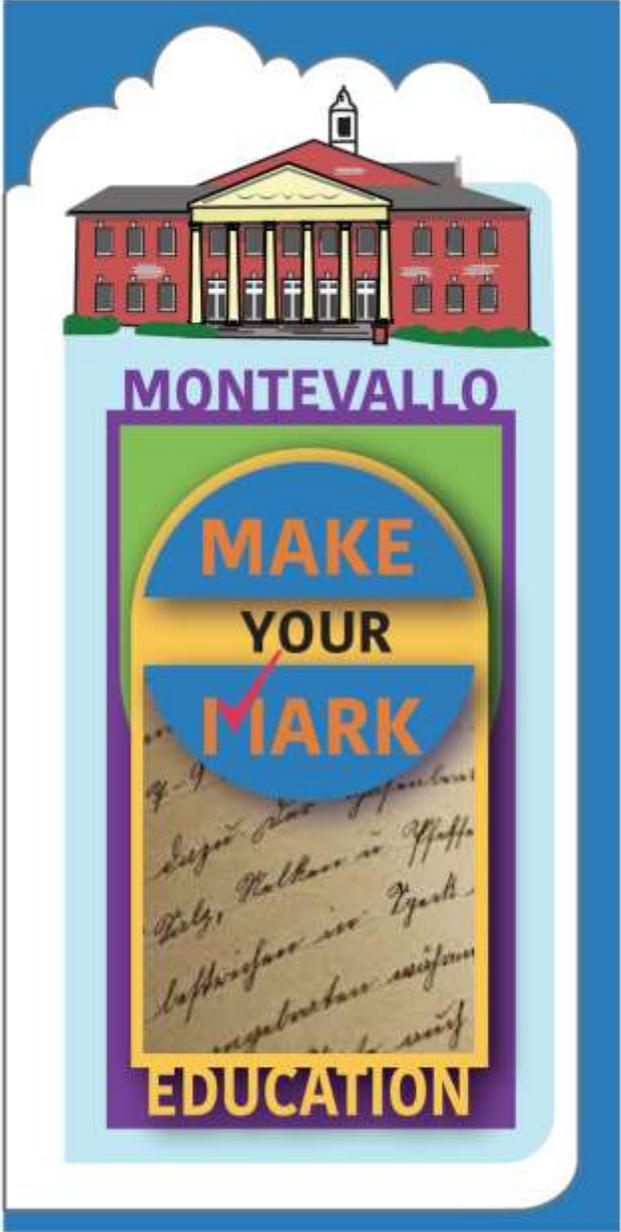
Ms. Woodham thanked the City Council for supporting this effort throughout the years. She also recommended everyone read the article PARCA published about the MDCD. It was extremely complimentary of our City and our MDCD.

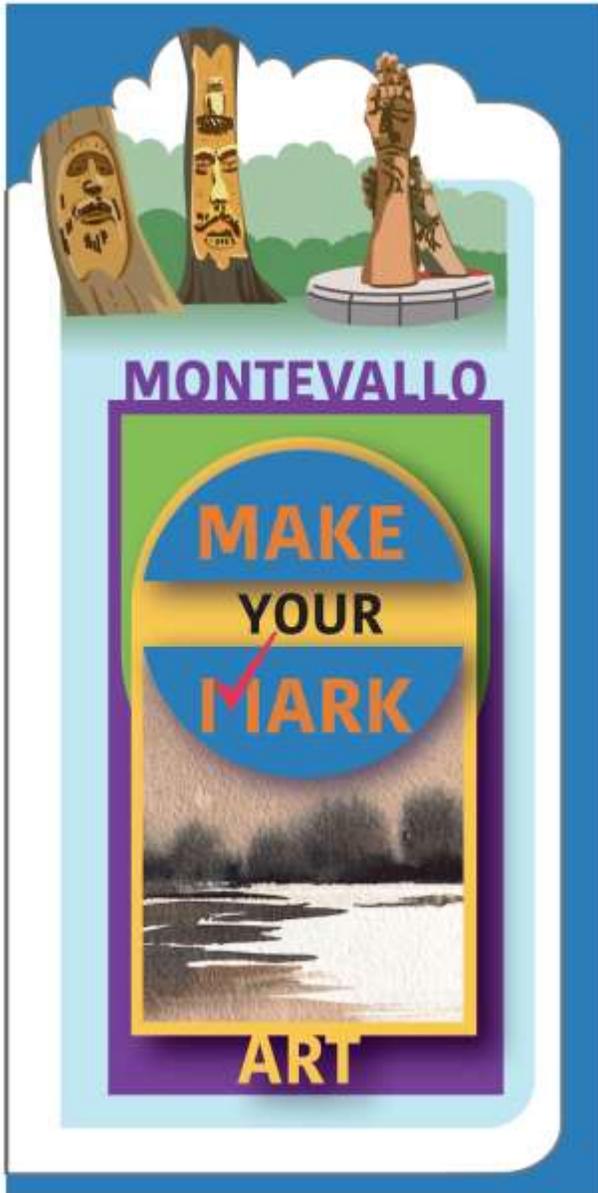
Council Member Bunt asked if the next MDCD meeting on the 18<sup>th</sup> will be at 1:00 p.m.

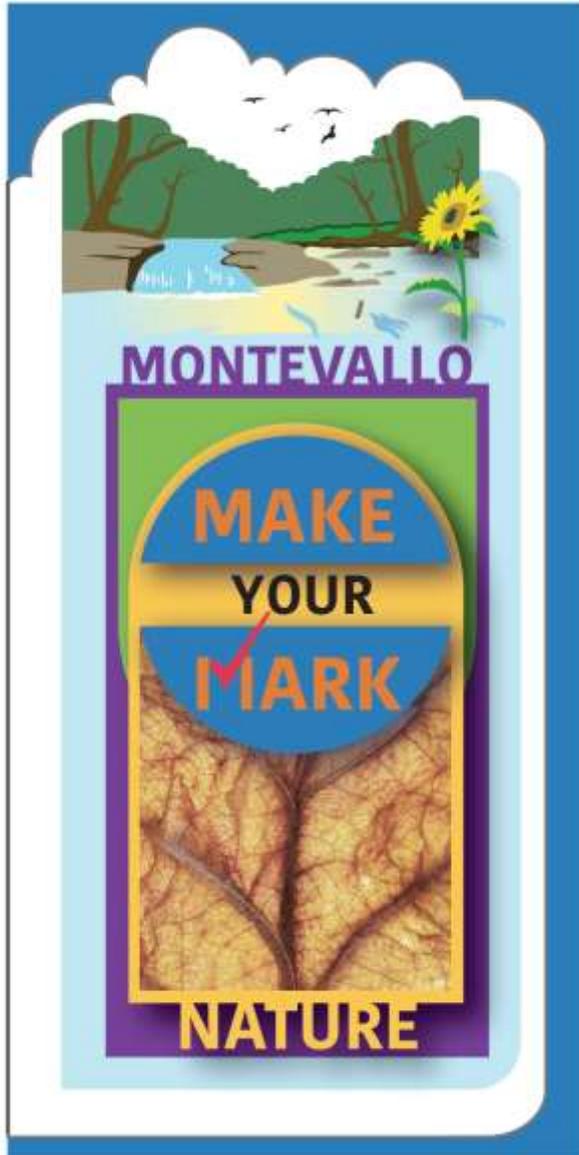
Ms. Woodham said that was correct.

Montevallo Main Street Director Courtney Bennett presented drafts of new banners being worked on by the Design Committee. Sarah Hogan is the committee chair. Colin Williams is the artist working with the committee to design the banners. She asked the Council to email her with any comments or suggestions they may have regarding the banners.









Mayor Cost suggested that American Village be featured on the history banner.

Steve Gilbert informed the Council he forwarded them copies of the Chamber's quarterly report, as well as a property availability list. (These will be included on the next agenda). He also invited everyone to attend the Chamber luncheon on October 16<sup>th</sup> at Montevallo First Baptist Church. Alex Dudchock will be the speaker.

**Consent Agenda:** NONE

**New Business:**

Acceptance of the 2018 Financial Audits – The Council requested this item be postponed for consideration until the next meeting so that everyone has time to read it and ask questions.

Approval of ALDOT Hwy 25 / Hwy 119 Traffic Signal Resolution -

Cody Long, engineer with Skipper Consulting, explained the request. He said this involves the city's acceptance of the on-going maintenance for the new pedestrian signals, as well as the traffic lights at that location.

Mayor Cost asked if the crossing signals would have an audible feature for sight impaired pedestrians. He said they meet ADA requirements, but do not have the audible feature. At the request of Mayor Cost, he said he could add that feature to the signals.

Mr. Long also mentioned that he is working on a proposal to address traffic calming alternatives for Pineview, as well as developing a city-wide traffic calming policy.

In response to concerns expressed by residents along Pineview, the City Clerk said he asked Mr. Long what could be done to slow traffic along that road. He pointed out that Patricia Honeycutt suggested we try one of the simple, traffic calming methods suggested at the recent Main Street Conference.

Council Member Bunt made a motion to authorize the Mayor to enter into the following ALDOT Traffic Signal agreement. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, The Alabama Department of Transportation ("ALDOT") has requested the City of Montevallo, Alabama to execute a permit for the modification and equipment upgrade of the existing traffic signal at the Alabama Highway 25 and Alabama Highway 119 intersection pursuant to Exhibit A attached hereto, and

**WHEREAS**, The City Council has considered the request of the ALDOT to authorize the Mayor to enter into an agreement to permit the installation of the traffic signal as identified herein above.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Montevallo, Alabama, at a regular meeting, duly assembled, a quorum being present, as follows:

1. That the Mayor and City Clerk are hereby authorized to execute the permit (Exhibit A) with the Alabama Department of Transportation to permit the following:
  - a. Upgrade of existing traffic signal equipment at the Alabama Highway 25 and Alabama Highway 119 intersection; and,
  - b. Operation and maintenance of the traffic signal at the Alabama Highway 25 and Alabama Highway 119 intersection.
2. That the Mayor and City Clerk are authorized to execute any documents necessary to permit the construction of the new traffic signal provided herein above as required by the Alabama Department of Transportation.
3. That this resolution shall become effective immediately upon its adoption by the City Council of the City of Montevallo, Alabama.

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned City Clerk of the City of Montevallo, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ is a true and correct copy of the resolution passed by the City Council of said City at a regular meeting, a quorum being present, on \_\_\_\_\_, 2019.

Given under my hand and corporate seal of the City of Montevallo, this the \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk

For Official Use Only: ALDOT Agreement Number: \_\_\_\_\_

Region Tracking Number: \_\_\_\_\_ Project Number: \_\_\_\_\_

Region: ECR - Birmingham County: SHELBY

**STATE OF ALABAMA acting by and through the  
ALABAMA DEPARTMENT OF TRANSPORTATION: AGREEMENT for the  
INSTALLATION and/or OPERATION and/or MAINTENANCE OF TRAFFIC CONTROL SIGNALS and/or  
ROADWAY LIGHTING**

This Agreement, in accordance with resolution \_\_\_\_\_ number dated (or \_\_\_\_\_ minutes dated) attached hereto and made part of this Agreement, is made and entered into by and between the Alabama Department of Transportation (herein referred to as STATE) and the CITY OF MONTEVALLO, ALABAMA (herein referred to as MAINTAINING AGENCY) for the accomplishment of the following work as hereinafter indicated by the alphabetic letter of "X" marked in the check-boxes below, to wit:

	(A) New Installation	(B) Equipment Upgrade	(C) Complete Removal	(D) Operation	(E) Maintenance
Traffic Control Signal:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Intersection Flashing Signal/Beacon:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roadway Lighting:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The accomplishment of the work indicated by the alphabetic letter of "X" marked in the check-box(es) above and hereinafter signified by the use of the corresponding alphabetic letter A, B, C, D, and/or E as applicable, will be at the following location(s): *{Example: AL-3/US-31 @ Main Street [A, D, & E] denotes the installation, operation, and maintenance of the equipment installed}* **NOTE – if more space is needed, please use continuation sheets.**

Alabama Highway 25 at Alabama Highway 119 [B,D,E]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- In the event the work to be accomplished above is identified by (A) and/or (B), the  STATE  MAINTAINING AGENCY will furnish and the  STATE  MAINTAINING AGENCY will install the equipment and/or associated hardware utilized in the accomplishment of the work. In the event the STATE contributes funds to the work and the MAINTAINING AGENCY will be credited or debited for under-runs or overruns respectively, the "Exhibit O" is attached to and made part of this Agreement.

2. The equipment and/or associated hardware shall be installed in accordance with the applicable portions of the:
  - A. Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), current ALDOT approved edition.
  - B. State of Alabama Project Details and Special and Standard Highway Drawings, current year version.
  - C. National Electrical Code, current edition.
  - D. Alabama Department of Transportation (ALDOT) Standard Specifications for Highway Construction, current edition and applicable special provisions.
  - E. Code of Alabama, 1975 (as Amended) with specific reference to:
    - (1) §23-1-113, Municipal Connecting Link Roads – Stipulations and Conditions [specifically sub-paragraphs (6) and (7)].
    - (2) §32-5A-32, Traffic – Control signal legend.
    - (3) §32-5A-33, Pedestrian – Control signals.
    - (4) §32-5A-34, Flashing signals.
    - (5) §32-5A-35, Lane – Direction – Control signals.
3. The STATE shall determine the quantity of the equipment and/or associated hardware to be utilized in the accomplishment of the work identified by (A) and/or (B) above. In the event the MAINTAINING AGENCY furnishes the equipment and/or associated hardware to be utilized in the accomplishment of the work identified by (A) and/or (B) above, the MAINTAINING AGENCY shall ascertain that the type and quality of the equipment and/or associated hardware is in accordance with the STATE's Materials, Sources, and Devices with Special Acceptance Requirements (API) as maintained by the STATE's Bureau of Materials and Tests.
4. Title to any and all equipment and/or associated hardware furnished by the STATE shall remain in the STATE and the STATE is deemed to be the sole owner of such equipment and/or hardware.
5. The equipment and/or associated hardware shall be operated and maintained at the sole expense of the MAINTAINING AGENCY. The MAINTAINING AGENCY agrees to provide electrical energy on a continuing basis as required, beginning at the time of the initial electrical service connection during the construction of the system. The MAINTAINING AGENCY agrees further to maintain the equipment and/or associated hardware in a good state of repair at all times, as required in accordance with the applicable documents: Manual on Uniform Traffic Control Devices for Streets and Highways and the Alabama Department of Transportation Standard Specifications for Highway Construction and applicable special provisions. Any traffic control signal equipment and/or associated hardware must also be maintained in accordance with any traffic signal operating plan of the STATE which is in effect at the applicable time of the maintenance. If a malfunction of the equipment and/or associated hardware should ever occur, the MAINTAINING AGENCY shall make or cause to be made any repairs immediately. If a malfunction presents a potential hazard to the motoring public and the MAINTAINING AGENCY is unable to repair the equipment and/or associated hardware in a timely manner as determined by the STATE, the MAINTAINING AGENCY agrees that the STATE reserves the right to and may repair the equipment and/or associated hardware, and invoice the MAINTAINING AGENCY for all costs incurred. The MAINTAINING AGENCY agrees to pay the STATE all such costs incurred by the STATE promptly upon receipt of the invoice from the STATE.

5a. In instances where ALDOT maintains a fiber-optic trunk line that is used in conjunction with a closed-loop signal system, the MAINTAINING AGENCY shall maintain the fiber-optic cable from the splice point in the trunk line out to the traffic control equipment.

6. A.  Unwarranted traffic control signal. (Mark with "X" if applicable in check-box)

If the installation is identified on page one as (A) "New Installation" or (B) "Equipment Upgrade" with "Traffic Control Signal:" marked, and this installation is requested by the MAINTAINING AGENCY and the signal is unwarranted as marked above, then upon installation of the equipment and/or associated hardware, the MAINTAINING AGENCY agrees to accept any and all responsibility for any damage or injury that may be caused by or related to the installation, location, operation, sequencing, and/or maintenance of the equipment and/or associated hardware and shall defend, indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, and its agents, servants, employees, in their official or individual capacities and/or facilities from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the installation, operation, and maintenance of the equipment and/or associated hardware, or any claim, damage, loss, or expense to the person or property caused.

B.  All other work. (Mark with "X" for the appropriate type of MAINTAINING AGENCY in appropriate check-box)

The  CITY (Incorporated Municipality)

Subject to the limitations on damages applicable to municipal corporations under Alabama Code § 11-47-190(1975), the CITY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against (1) claims, damages, losses, and expenses, including but not limited to attorney's fees arising out of, connected with, resulting from, or related to the work performed by the CITY, or its officers, employees, contracts, agents or assigns (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the CITY pursuant to the terms of this Agreement, or (3) any damage, loss, expense, bodily injury, or death, or injury or destruction or tangible property (other than the work itself), including loss of use therefrom, and including but not limited to attorney's fees, caused by the negligent, careless, or unskillful acts of the CITY, its agents, servants, representatives, or employees, or the misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation, or reimbursement by the CITY, its agents, servants, representatives, or employees, or anyone for whose acts the CITY may be liable.

The  COUNTY (County Government or Agency)

The COUNTY shall be responsible at all times for all of the work performed under this agreement and, as provided in Alabama Code § 11-93-2(1975), the COUNTY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees.

For all claims not subject to Alabama Code § 11-93-2(1975), the COUNTY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against any and all damages, claims, loss, liabilities, attorney's fees or expense whatsoever, or any amount paid in compromise thereof arising out of, connected with, or related to (1) work performed under this Agreement, (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the COUNTY pursuant to the terms of this Agreement, or (3) misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation or reimbursement by the COUNTY, its officers, officials, agents, servants, and employees.

The term "hold harmless" includes the obligation of the MAINTAINING AGENCY to pay damages on behalf of the State of Alabama, the Alabama Department of Transportation, and its agents, servants, and/or employees.

7. Complete removal of the equipment and/or associated hardware, hereinabove identified by (C), will be at the sole expense of the  STATE  MAINTAINING AGENCY.
8. The STATE reserves the right to demand the removal of the equipment and/or associated hardware should the STATE determine that the signal is no longer required or deem its condition or operation hazardous. Further, the STATE shall have the right to remove the equipment and/or associated hardware should the MAINTAINING AGENCY fail to do so upon demand by the STATE. The MAINTAINING AGENCY agrees to reimburse the STATE for its costs associated with the removal. Any equipment and/or associated hardware which is deemed by the STATE to be non-uniform or obsolete will be removed and disposed of by the MAINTAINING AGENCY. None of the non-uniform or obsolete equipment and/or associated hardware which has been removed shall be reused on the STATE highway system.
9. If future traffic conditions require changes and/or adjustments to said equipment and/or associated hardware (other than ordinary timing), the MAINTAINING AGENCY shall obtain the approval of the STATE before such changes are implemented and the STATE shall make a determination on whether a new Agreement is required to be submitted for the UPGRADING, OPERATION, and MAINTENANCE of the new equipment and/or associated hardware. All such changes shall be at the sole cost and expense of the MAINTAINING AGENCY.
10. In the event Federal funds are utilized in the accomplishment of the work hereinbefore described, "**Exhibit M**" is attached to and made a part of this Agreement.
11. FUNDS SHALL NOT BE CONSTITUTED AS A DEBT  
It is agreed that the terms and commitments contained herein shall not be construed as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this Agreement shall contravene any

statute or Constitutional Provision or Amendment, then the conflicting provision in this Agreement shall be deemed null and void.

For any and all disputes arising under the terms of this Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative Hearings or where appropriate, private mediators.

12. The type and number of signal & pedestrian heads per intersection or roadway lighting hardware are as follows: *(Example: 5 – 3 sec, 12", red ball, yellow/green left arrow. OPTION: if plans are available to convey information below, just enter "SEE ATTACHED PLANS".) NOTE – If more space is needed, please use continuation sheets.*

**SEE ATTACHED PLANS**

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TYPE OF SIGNAL		CONTROLLER	
<input checked="" type="checkbox"/> Traffic Control	<input type="checkbox"/> Pedestrian Control	Make: <b>EAGLE</b>	Model #: <b>EPAC</b>
<input type="checkbox"/> Flashing	<input type="checkbox"/> Lane Control	<input type="checkbox"/> Fixed Time	<input type="checkbox"/> Two Phase
<input type="checkbox"/> School Flasher	<input type="checkbox"/> Railroad Crossing	<input type="checkbox"/> Semi Actuated	<input type="checkbox"/> Four Phase
<input type="checkbox"/> Other: _____		<input checked="" type="checkbox"/> Full Actuated	<input checked="" type="checkbox"/> Eight Phase
		<input type="checkbox"/> Other: _____	
		SYSTEM <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

13. In the event the work to be accomplished is identified by (A), (B), and/or (C) and [1] in part or wholly constitutes an interconnected, coordinated, fixed time relationship, signal control operation between two or more intersections (herein referred to as a SYSTEM and hereinabove indicated by the SYSTEM check-box for YES marked in the controller box above), [2] is located within the limits of a SYSTEM, or [3] is within close proximity as to adjoin a SYSTEM, the  STATE  MAINTAINING AGENCY shall substantiate the work identified by (A), (B), and/or (C) to be SYSTEM compatible.
14. By entering into this agreement, the MAINTAINING AGENCY is not an agent of the State, its officers, employees, agents or assigns. The MAINTAINING AGENCY is an independent entity from the State and nothing in this agreement creates an agency relationship between the parties.
15. By signing this contract, the contracting parties affirm, for the duration of this agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien

within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of this agreement and shall be responsible for all damages resulting there from.

WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by those officers, officials, and persons thereunto duly authorized, and the Agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval of the Region Engineer.

(Seal of OWNER)

\_\_\_\_\_  
Legal Name of MAINTAINING AGENCY

Attest: \_\_\_\_\_  
(Seal or notary signature)

By: \_\_\_\_\_  
Authorized Signature for MAINTAINING AGENCY

Agreement Recommended for approval:

By: \_\_\_\_\_  
Area Traffic Engineer Signature

**STATE OF ALABAMA acting by and through the ALABAMA DEPARTMENT OF TRANSPORTATION**

The within and foregoing Agreement is hereby approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

APPROVED:

RECORDED:

By: \_\_\_\_\_  
Region Engineer Signature

By: \_\_\_\_\_  
State Traffic Engineer Signature

Date: \_\_\_\_\_  
(Added to Archive)

Authorize Mayor to Execute Sister City Agreement with Echizen Town, Japan -

Mayor Cost reminded everyone that our delegation travels to Japan October 20-28<sup>th</sup> to extend our Sister City Agreement with Echizen Town for another 10 years. She said the agreement is essentially the same as we approved last time with a few exceptions, most notably that the age range is extended to 18.

Council Member Nix asked if the 18 year olds still require a chaperone. Mayor Cost said they do.

Council Member Bunt made a motion to authorize Mayor Cost to enter into an extension of our Sister City agreement with Echizen Town, Japan. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

### **Exchange Agreement between the city of Montevallo and the town of Echizen**

The city of Montevallo and the town of Echizen have continued to conduct a friendship exchange based on the official sister city treaty that was signed on October 3, 2008. However, in order to deepen and strengthen our relationship and exchange for the future, we will hereby exchange the following agreements.

1. Student Homestay Exchange Program will be conducted under following agreements
  - (1) Expenses during the homestay and any official expenses will be paid by the host city (town) organization upon guests arrival to the host city.
  - (2) Ages of participating students shall be between 13 and 18 years old.
  - (3) In principle, at Echizen Town, participating students and host families will be recruited among junior high schools and high schools in Echizen Town. In the City of Montevallo, participating students and host families will be recruited among junior high schools and high schools in Shelby County.
  - (4) The number of students and chaperones shall not exceed 10, made up of 2 or 3 adult chaperones.
  - (5) The length of homestay shall be approximately 10 days
  - (6) Frequency and terms of homestay exchange program shall be every other year for each city based on the fact that the City of Montevallo sent a delegation in July of 2021 and Echizen Town is planning on sending a delegation in March of 2022. And this shall continue for at least 10 years.
2. Art, Culture, Educational and Economic Development Exchange Programs shall be determined after a series of discussions and agreements between the two groups according to following 4 categories.
  - (1) Exchange programs through visual arts such as sculpture, paintings, pottery, quilting, etc.
  - (2) Exchange programs based on performing arts such as traditional art forms, dance, music, theatrical performances, etc.
  - (3) Exchange programs for language instruction (Japanese and English).
  - (4) Exchange programs based on economic development opportunities.

All terms of this agreement will be honored pending availability of funds each year and are subject to change based upon mutual party agreement.

This agreement shall be official in both Japanese and English and be effective on the day of the signing.

October 23, 2019

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Mayor, Echizen Town

President, Echizen International Association

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Chairman, Echizen Town Council

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President, Montevallo Sister City Commission

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Mayor, City of Montevallo

#### Paving Update –

Mayor Cost informed everyone that we learned that Spire has plans to replace the gas lines in Arden Subdivision. They expect this project to be completed in 2020. As such, our planned paving project for that neighborhood has to be delayed until next year. In addition, we are not able to pave Oak Street until the Center for the Arts is complete. We hope the weather will still be warm enough to pave when it is finished. If not, Oak Street may be delayed, as well.

#### Chamber of Commerce Week Proclamation –

Mayor Cost presented Steve Gilbert with the following:



**CHAMBER OF COMMERCE WEEK 2019**

Whereas, the Montevallo Chamber of Commerce works with the businesses, merchants, and industry to advance the civic, economic, industrial, professional and cultural life of the City of Montevallo, and

Whereas, chambers of commerce have contributed to the civic and economic life of Montevallo for 70 years since the founding of the Montevallo Chamber of Commerce in 1949, and

Whereas, the chamber of commerce and its members provide citizens with a strong business environment that increases employment, the retail trade and commerce, and industrial growth in order to make the City of Montevallo a better place to live, and

Whereas, the chamber of commerce encourages the growth of existing industries, services, and commercial firms and encourages new firms and individuals to locate in the City of Montevallo, and

Whereas, this year marks the 70<sup>th</sup> anniversary of the Montevallo Chamber of Commerce;

NOW, THEREFORE, I, Hollie Cost, Mayor of the City of Montevallo, Alabama, do hereby proclaim **October 14 through October 18, 2019, as CHAMBER OF COMMERCE WEEK in Montevallo** in celebration and recognition of the Chamber's significance to the citizens of the City of Montevallo.

Whereunto I have set my hand and caused the seal of the City of Montevallo to be affixed.

*Hollie C. Cost*

Hollie C. Cost, Mayor

*10-7-19*

Date

**Diabetes Awareness Month Proclamation –**

Mayor Cost noted that McKenzie Hamby has raised substantial amounts of money to fight juvenile diabetes. The Mayor presented the following proclamation to her father, Kirk Hamby:



**DIABETES AWARENESS MONTH, NOVEMBER 2019**





## **Proclamation Honoring Magic Moments on their 35<sup>th</sup> Anniversary**

**Whereas**, Magic Moments was founded in 1984 with the sole purpose of providing happiness to children throughout the state of Alabama who are diagnosed with chronic life-threatening illnesses; and

**Whereas**, to date Magic Moments has provided almost 5,000 magic moments for children in all 67 counties of Alabama, including a Montevallo resident who recently travelled with the organization to Walt Disney World; and

**Whereas**, not only does Magic Moments provide children with non-medical opportunities such as a family trip to Disney World, meeting a celebrity of choice, or going on a shopping spree, they provide on-going events to enhance the relationships between their staff and families, as well as relationships with other families; and

**Whereas**, in 1999 they extended their programs to include Family Camp held each Memorial Day weekend at Children’s Harbor on Lake Martin, accommodating the medical needs of the children they serve. Family Camp provides time for families to relax and spend time together for three days in a stress free environment as well as rekindle relationships with other families and make new friendships. Camp is offered free of charge to their families and accommodates approximately 70 children and their family members; and

**Whereas**, in 2013 the Family Camp concept was expanded further, providing year-round, ongoing support for their families. These opportunities, known as “Beyond the Moments,” include activities such as family nights at regional ballpark, Valentine’s Day ice skating parties, and breakfast with Santa. Beyond the Moment opportunities are offered to families at no expense;

**NOW, THEREFORE**, I, Hollie C. Cost, as Mayor of the City of Montevallo, Alabama, do hereby proclaim October 21, 2019 as Magic Moments Day, and encourage everyone in Montevallo to join with us in celebrating Magic Moments’ 35<sup>th</sup> Anniversary.

Approval of Zoning Amendment - SD19-003 Bluegrass Apartments, Intersection of Overland & Shoshone -

Based on comments made by Council Members Herbert and Nix, the Council decided it would be best to enter this into the record as the first reading and consider it at a subsequent meeting. Mayor Cost noted that both she and Council Member Bunt will be out of town during the next meeting. It was suggested that this item be considered at the first meeting in November. That meeting falls on Veterans Day (Nov. 11<sup>th</sup>), so the Council suggested that meeting be rescheduled for November 12<sup>th</sup>.

Council Member Bunt noted that one of the comments made earlier was that this action was somehow illegal. She asked Bent Owens, our City Attorney, to comment.

Mr. Owens said the Council has the legal right to amend the zoning in this case as part of the Special District. He pointed out that the Special District was actually created in response to the previous lawsuits filed against the city. This development meets the density requirements. What is being requested is the ability to include more units per building so that the developer can protect more of the greenspace on the property and provide the additional buffers. This is what the Special District is designed to encourage. In addition, the Council needs to remember that this is the same sort of request made by Mr. Hardy on his development and that was approved by the Council. Therefore, they need to make sure their rulings are consistent.

Council Member Herbert noted the strong objection to this development on the part of many residents.

Mr. Owens pointed out that a 1991 Alabama Supreme Court case ruled that a property owner cannot be denied the right to use his/her property as it is legally zoned simply because neighboring property owners object. The proposed use in this case is permitted under its current zoning.

Mayor Cost stressed that means the developer could build six buildings on that site without the city being able to legally stop him.

Council Member Nix said he did not think the site could support six buildings.

The City Clerk then read the following into the record:

**ORDINANCE \_\_\_\_\_**

**AMENDMENT OF THE MONTEVALLO CODE – “APPENDIX F - OVERLAND ROAD PROPERTIES R-2 SD” OF THE ZONING ORDINANCE OF THE CITY OF MONTEVALLO**

**WHEREAS**, on February 14, 2012, the Montevallo City Council adopted the Zoning Regulations of the City of Montevallo; and,

**WHEREAS**, the Montevallo Planning Commission recommends that it is timely and appropriate to amend the Overland Road Properties Special District for the subject property located at the southwest intersection of Overland Road and Shoshone Drive and situated in Section 21, Township 22 South, Range 3 West; Parcel Identification 58-27-5-21-1-003-010.000 as detailed in “Appendix F” of the ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the Montevallo City Council that “Appendix F” of the City of Montevallo Zoning Regulations be and the same hereby are amended to provide for the following:

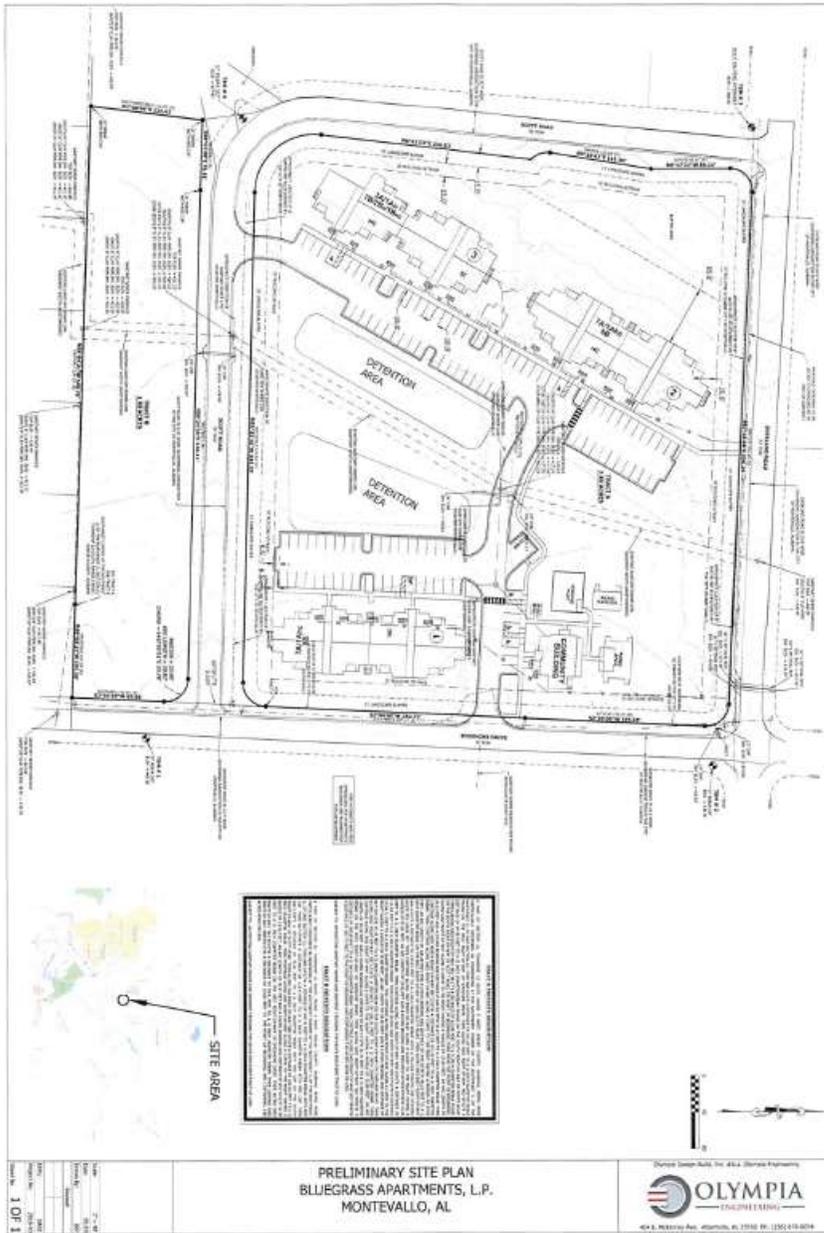
- 1) Acceptance of the proposed amendment to the special district to allow for a 46 unit multi-family development as recommended by the Montevallo Planning Commission, subject to the acceptable results of a traffic study and an approved Site Plan.**

**ADOPTED AND APPROVED THIS THE \_\_\_ DAY OF \_\_\_\_\_, 2019.**

\_\_\_\_\_  
Hollie C. Cost, Mayor

ATTEST:

\_\_\_\_\_  
Herman Lehman, City Clerk



Ordinance Annexing 60 Aldrich Rd into the City Limits –

The City Clerk read this into the record:

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ASSENTING TO A CERTAIN PETITION FOR ANNEXATION

Whereas, all of the owners of property located and contained within an area contiguous to the corporate limits of Montevallo, and not within the corporate limits or police jurisdiction of any other municipality, have signed and filed a written petition with the City Clerk requesting that such property or territory be annexed to Montevallo, and

WHEREAS, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of the said territory showing its relationship to the corporate limits of Montevallo,

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA, AS FOLLOWS:

1. That the City Council of the City of Montevallo, as and for its governing body, hereby assents to the annexation of that certain land of approximately .49 +/- acres, at 60 Aldrich Rd, Montevallo, AL 35115, upon the petition of Susan Marie Pruett Harrell, the owner, as provided in §11-42-21 of the 1975 Alabama Code and other applicable law.

Legal description: 27-4-19-3-001-001.000

**Lot 3 in Block 5, according to Thomas' Addition to the Town of Aldrich, map of which was recorded in the Office of the Probate Judge of Shelby County, Alabama, on February 23, 1944, in Map Book No. 3, and containing 0.49 acres, more or less, and being also known as Dwelling House No. 32, of the former Montevallo coal Mining Company, at Aldrich, Alabama; subject to easement for light, power and telephone lines and poles as shown on said map and also for water pipes as now situated.**

That the annexed territory be zoned A-R until rezoned upon a recommendation of the Planning and Zoning Commission.

2. That the annexed territory be made a part of Council District Two until such time as Council Districts are redrawn pursuant to the US Census.
3. That the City Clerk is directed to file a copy of this ordinance, including a description of the property or territory annexed, in the office of the Judge of Probate of Shelby County, and to advertise this ordinance as provided by law.

This ordinance shall become effective upon its passage and advertisement as provided by law.

Approved and adopted this day, October \_\_\_\_, 2019.

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

Attest:

\_\_\_\_\_  
Herman Lehman, City Clerk

I certify that the attached Ordinance 10092017-303, adopted by the Montevallo City Council on October \_\_\_\_, 2019, was, pursuant to §11-45-8(b) of the *1975 Alabama Code*, posted in conspicuous places within the community:

1. The Mayor's office, City Hall, 545 Main Street, Montevallo
2. The City Shop, 445 Selma Road, Montevallo
3. The Park and Recreation Building/Senior Center, Orr Park, 420 Vine Street, Montevallo,
4. The Parnell Memorial Library, 277 Park Drive, Montevallo, beginning October \_\_\_\_, 2019 and continuing for more than four weeks thereafter.

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Herman Lehman  
City Clerk

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BASIC FORM LETTER:

State of Alabama  
County of Shelby

Date Filed 10/2/19

We, being the owner or owners of the following described property do hereby request annexation into the corporate limits of the City of Montevallo.

Property Address: 60 Aldrich Rd

Legal Description: See attached

The property is located and contained within an area contiguous to the corporate limits of the City of Montevallo, Alabama, a city of more than 2000 population, and show(s) the City of Montevallo, Alabama that such property does not lie with the corporate limits or police jurisdiction of an other municipality than Montevallo, and hereby sign(s) written petition in accordance with 11-41-20 and 11-42-21, Code of Alabama 1975, as amended, requesting that such property described below be annexed to the City of Montevallo, Alabama. Also attached hereto is a map of the said property to be annexed showing its relationship to the corporate limits of the City of Montevallo, Alabama as in accordance with the provision of the Code of Alabama as cited above.

Said property is described further in the attached Exhibit(s).

Reason for annexation: EMS coverage

Number of single family dwellings on the property: 1

Number of people living on the property: 2

Number of people of voting age: 1

Number of people not of voting age: 1

Race of each person: White

Name and signature of all property owners:

SUSAN <sup>MADE</sup> ~~FR~~ PRUETT HARTOLL

Name Susan Marie Pruett Hartoll

Signature Date 10-02-2019

•  
\_\_\_\_\_

Name

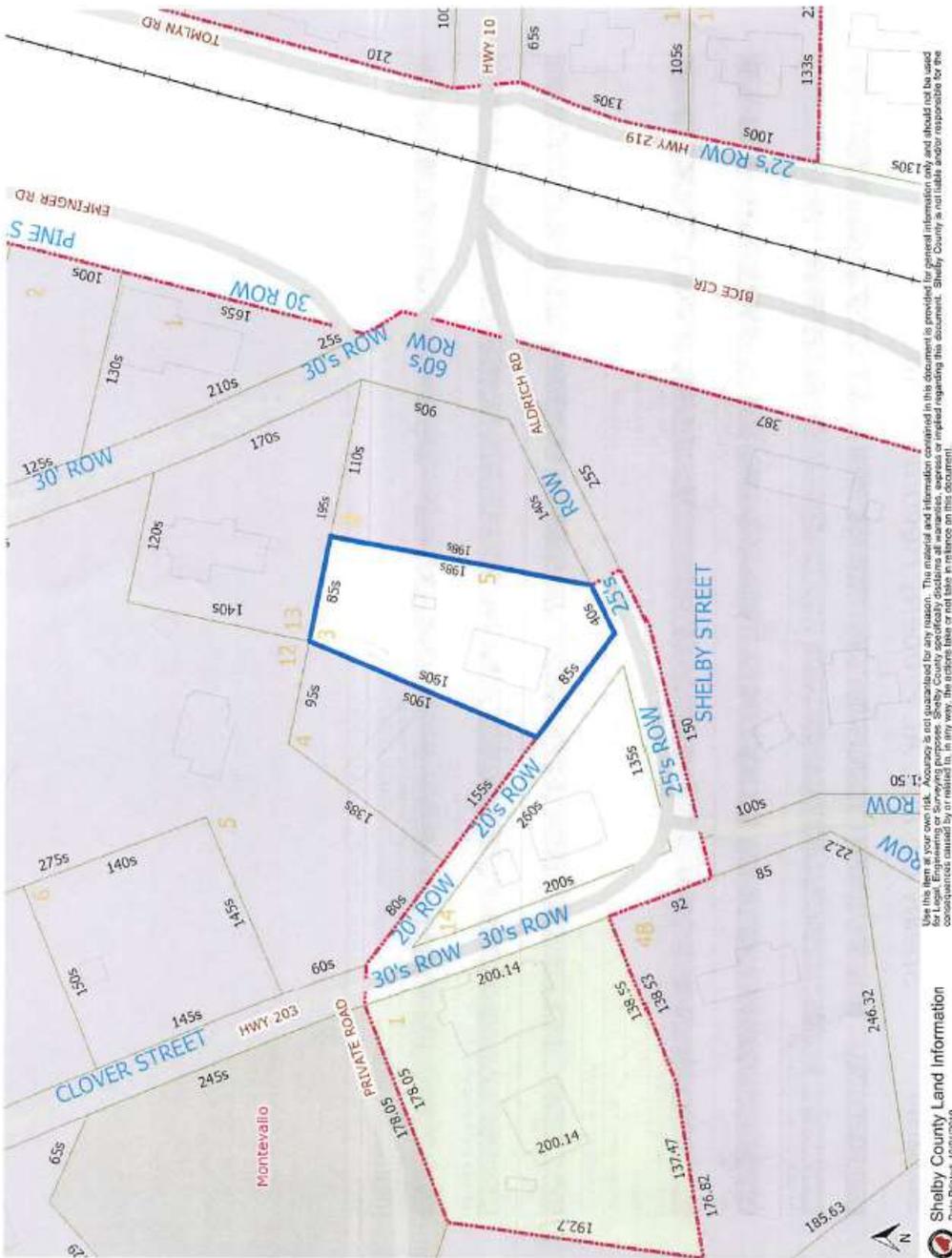
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Signature Date

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Name

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Signature Date

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Name

\_\_\_\_\_  
Signature Date



In order to expedite the approval of this item, it was suggested it be added to the October 28, 2019 agenda.

Request from John Wilson 320 Reonda Lane for a Garbage Refund; Backdoor pickup missed 3 weeks in a row - \$7.50

This request did not receive a motion.

Declaration of various items from the Library as Surplus and approval of their disposition –

The library requested the declaration of the following as surplus and the approval of their disposition:

The following numbers are computers that are about to be replaced by the LSTA technology grant we received:

001331

001334

001339

001340

000363 - table

000966 - chair

001167 – old DVD player

Council Member Herbert made a motion to approve the surplus and disposition of those items. Council Member Bunt seconded. ALL AYES . . . MOTION APPROVED.

Approval to close Payroll Clearing Account at Trustmark (No longer needed) –

Council Member Peterson made a motion to close the Payroll Clearing Bank Account. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

Approval of Sidewalk Repair Prioritization List; Kirk Hamby –

Mayor Cost said we have been working to identify areas in need of improvement in order to make our city more walkable. Mr. Hamby said they have 14 maps indicating areas which need work. The Mayor asked Mr. Hamby to meet with Council Member Herbert and the Sustainability Committee to prioritize that list.

Selection of Sole Payroll Deducted Provider of Non-Health Insurance Related Benefits -

The City Clerk noted the following:

Council:

At a recent meeting of the Finance Committee, they voted to recommend that the Council consider changing the way we currently offer voluntary, employee paid, payroll deducted benefits. This includes mostly different types of insurance policies (life, cancer, accident, disability, etc.) At that meeting, the Committee heard a presentation from Darren Parker with American Fidelity. His company has been endorsed by the League of Municipalities.

The concept is a good one. It saves the city time and money because we only have to write one check and deal with one company. It should save the employees money, as well, because group rates tend to be cheaper than individual policies, and the provider isn't trying to sell the employees things they don't need or really can't afford. It is more of a service oriented relationship on both sides.

We were approached several years ago by the broker who provides our city paid life insurance policy about doing the same thing. At that time, we were hesitant to discuss it in too great of detail because we were concerned about shutting other local agents out of the process. However, the process as it stands is severely flawed, and not in the best interest of either the city or our employees. When the League endorsed Fidelity, we felt that was justification to consider making a change here, as well.

Since Fidelity met with the Finance Committee, Lisa and I met with two other similar types of providers: 1) Werner Beiersdoerfer with The Beiersdoerfer Group, LLC; and 2) David Murdock with Life, Health and Benefits Brokerage. The Beiersdoerfer Group's office is in Calera. Life, Health and Benefits Brokerage is located in Birmingham. American Fidelity is located in Oklahoma City, OK, but I think their agent lives in Atlanta or somewhere close to us. All three groups can offer the same sorts of policies for our employees at relatively similar costs, depending on the benefits of the individual plans. As a result, in my view, what matters most to both the city and our employees is the quality of service we receive.

Fidelity has the endorsement of the League and they are being contracted with by many cities, including Alabaster. We've worked with The Beiersdoerfer Group for over a decade now, and they always provide us with excellent service. Life, Health and Benefits Brokerage appears to be a reputable firm and does work with other cities such as Homewood. Most likely, any of these three would do a good job for us. Lisa is working on a plan comparison. I'll get that to you all as quickly as I can.

We don't need an answer to this Monday night, but we do need it by the end of this month. As such, we have some time to go into more detail regarding this issue, if needed.

HERMAN

Ms. Terrill provided the following comparison:

CITY OF MONTEVALLO

2020 INSURANCE COMPARISON PROPOSALS

Cancer / Critical Illness Cancer \$10,000					
	American Fidelity	Sunlife	UNUM-CI non smoker	UNUM-CI smoker	Prewitt Group Mutual of Omaha
Individual					
18-40	\$21.00	\$4.88	\$6.20	\$10.10	\$5.50
41-50	\$25.90	\$17.20	\$15.50	\$28.10	\$14.70
51-60	\$32.20	\$36.70	\$27.60	\$49.40	\$30.50
61+	\$40.50	\$66.90	\$55.40	\$82.20	\$63.60

**SHORT TERM DISABILITY**

Offered at different rates and weekly salary amounts. Proposals for Sunlife and Prewitt are within the proposals.

	ACCIDENT COVERAGE				DENTAL				VISION				
	American Fidelity		Sunlife		Prewitt Group - UNUM	Prewitt Group - Mutual of Omaha	American Fidelity - not quoted	Prewitt Not Quoted	Southland (offered w/LGHIB)	American Fidelity	Sunlife	Southland (offered w/LGHIB)	
	Basic	Enhanced	Low	High									
Individual	\$ 19.90	\$26.10	\$7.81	\$11.37	\$16.14	\$14.30	\$ -	\$ 21.57	\$0.00	\$ 40.00	\$ 8.00	\$ 6.65	\$ 20.00
Ind & Spouse	\$ 28.30	\$34.90	\$12.27	\$18.90	\$26.67	\$22.32	\$ -	\$ 43.36	\$0.00	\$ 40.00	\$ 16.01	\$ 15.56	\$ 20.00
Ind & Children	\$ 31.50	\$41.00	\$13.39	\$21.24	\$29.03	\$29.59	\$ -	\$ 66.28	\$0.00	\$ 40.00	\$ 17.12	\$ 19.82	\$ 20.00
Family	\$ 39.90	\$49.80	\$17.85	\$28.77	\$39.56	\$39.96	\$ -	\$ 78.00	\$0.00	\$ 40.00	\$ 27.36	\$ 19.82	\$ 20.00

Ms. Terrill pointed out that Sun Life, as represented by the Beiersdoerfer Group, offers our employees the lowest cost policies in most cases. She recommended, as did the City Clerk, that the City contract with the Beiersdoerfer Group to provide these services.

Council Member Peterson made a motion to approve entering into a contract with the Beiersdoerfer Group as recommended. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

**Old Business: NONE**

**Board Appointments**

Appointment of Lanny McMinn to the Arbor & Beautification Board - Expires 10/14/2022 -

Council Member Herbert made a motion to appoint Lanny McMinn to the Arbor & Beautification Board, with a term expiring 10/14/2022. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

**Other Business:**

As discussed during the Work Session, Shane Baugh recommended the Council award the low bid to Wayne Davis construction for the construction of the batting cages.

Council Member Nix made a motion to accept that recommendation, reimbursing the General Fund for those expenditures once the Capital Improvement Fund receives its funding in April. Council Member Herbert seconded. ALL AYES . . . MOTION APPROVED.

Council Member Nix made a motion to reschedule the November 11, 2019 council meeting Tuesday, November 12, 2019 as a result of the Veterans Day Holiday. Council Member Herbert seconded. ALL AYES . . . MOTION APPROVED.

The City Clerk presented the bids for the construction on the Victory Building.

BID TABULATION

CITY OF MONTEVALLO



DATE: 10/10/19

PROJECT: Victory Building Development

TIME: 2:00 P.M.

Architect's Job #2841

BIDDERS	Wayne Davis Construction	Williford Orman Construction	Wyatt Builds
G. C. LICENSE NUMBER	#38625	#42665	#47498
BONDING COMPANY	Granite RE, Inc.	International Fidelity Insurance Co.	NGM Insurance Company
ADDENDA 1 THRU 4 ACKNOWLEDGED	Yes	Yes	Yes
BASE BID ENVELOPE	\$ -	\$ 2,000,000.00	\$ 2,150,000.00
BASE BID	\$ 1,782,000.00	\$ (245,100.00)	\$ (210,000.00)
NET BASE BID	\$ 1,782,000.00	\$ 1,754,900.00	\$ 1,940,000.00
UNIT PRICE No. 1	\$25/s.f.	\$20/s.f.	\$40/s.f.
UNIT PRICE No. 2	\$4.00/s.f.	\$4.00/s.f.	\$9.50/s.f.

I certify that the above bids were received sealed and were publicly opened and read aloud at the time and place indicated and that this is a true and correct tabulation of all bids received for this project

CERTIFIED BID TABULATION

Davis M. Reese, AIA, Principal, TurnerBatson Architects, Inc.

State of Alabama  
County of Jefferson

On this 10th Day of October 2019, Before Me, the undersigned notary public, personally appeared David M. Reese, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained In Witness whereof, I hereunto set my hand and official seal.

Beth Wilson



Commission Expires:  
September 11, 2022

He suggested the Council award the bid to the low bidder, Williford Orman. He noted this is the same company which built City Hall. He noted that the Mayor would not authorize the contractor to begin work until the Council has approved a lease with the prospective tenant, and we have identified a funding source.

Council Member Herbert made a motion to award the bid to the low bidder, Williford Orman, noting that the Mayor will not authorize the contractor to begin work until the Council has approved a lease with the prospective tenant, and we have identified a funding source. Council Member Goldsmith seconded. ALL AYES . . . MOTION APPROVED.

Council Member Nix made a motion to approve payment of the bills. Council Member Goldsmith seconded. ALL AYES . . . MOTION APPROVED.

**Citizen Participation:**

Bobby Pierson said he is still hoping to see Oak Street paved this year. He also offered to pay Mr. Wilson the \$7.50.

Patricia Honeycutt addressed the Council. She asked that the City extend the sidewalk which stopped by the gym on Oak Street all the way to Wadsworth.

With regard to the apartments, Ms. Honeycutt stressed that while she does not like the proposed development, she hopes if it is approved that they maintain the wooded lot across Scott Street as a natural buffer.

Bob Sapp mentioned a problem with the gutter and road in front of his home which needs to be fixed. He said it is dangerous and needs to be addressed before the paving next year.

Mayor Cost asked Mr. Hamby to look into that problem.

George Henry asked if College Street is a city road. Mayor Cost said it is.

He also asked about the lots separated by Scott Street in the proposed development.

As discussed earlier, Mayor Cost pointed out that is considered as one parcel.

Rod MacPherson suggested that the Bluegrass developer consider relocating the playground area so that it is visible from the apartments so that parents can keep an eye on their children. He also suggested installing a 36" drain pipe from this site down to the Hardy property to help carry off rainwater.

There being no further business before the Council, Council Member Nix made a motion to adjourn. Council Member Peterson seconded. ALL AYES . . . MEETING ADJOURNED at 8:11 p.m.

Submitted by:

Herman Lehman  
City Clerk