

**MINUTES**

**Montevallo City Council Work Session**

**May 9, 2016**

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

Council Member Dee Woodham, Council Member Jason Peterson, Council Member Willie Goldsmith, Council Member Sharon Gilbert, Council Member Rusty Nix and Mayor Hollie Cost were in attendance. Junior City Council President, Grace Stermer was also present.

Mayor Cost called the Work Session to order at 5:31. Mayor Cost welcomed all in attendance and explained that the work session was a time for the Council to discuss business and items relating to the Council meeting agenda as well as to hear citizen presentations to be discussed by the Council.

Mayor Cost recognized Mr. Buddy Freeman, chairman of the Montevallo Acceptance Project (MAP) to address the Council with a proposed ordinance. Mr. Freeman submitted a copy of a Nondiscrimination Ordinance for consideration by the Council. It was presented as follows:

**MONTEVALLO, ALABAMA NONDISCRIMINATION ORDINANCE**

**PURPOSE AND INTENT.** It is the purpose and intent of the Montevallo City Council to protect and safeguard the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, disability, or familial status. The Council's purpose in enacting this ordinance is to promote the public health and welfare of all persons who live and work in the City of Montevallo. It is important for the City to ensure that all persons within the City have equal access to employment, housing, and public accommodations.

**SECTION 1. DEFINITIONS.** For the purposes of this ordinance, the following terms shall have the following meanings:

- (1) **CITY CONTRACTOR.** Any person, corporation, or entity that has a contract to do business with the City of Montevallo.
- (2) **DISCRIMINATE, DISCRIMINATION OR DISCRIMINATORY.** Any act, policy or practice that, regardless of intent, has the effect of subjecting any person to differential treatment as a result of that person's real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, disability, or familial status.
- (3) **EMPLOYEE.** Any individual employed by or seeking employment from an employer, excluding any individual employed by his or her parents, spouse, or child.

- (4) **EMPLOYER.** A person who employs one or more employees in the City of Montevallo, or any agent of such person. Employer shall include the City of Montevallo and any City Contractor.
- (5) **FAMILIAL STATUS.** Means an individual's past, current or prospective status as parent or legal guardian to a child or children below the age of eighteen (18) who may or may not reside with that individual.
- (6) **GENDER IDENTITY.** The actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.
- (7) **NATIONAL ORIGIN.** An individual's or his or her ancestor's place of origin.
- (8) **PLACE OF PUBLIC RESORT, ACCOMMODATION, ASSEMBLAGE, OR AMUSEMENT.** Any place, store, or other establishment, either licensed or unlicensed, that supplies accommodations, goods, or services to the general public, or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds. The term does not include any of the following:
  - a. Any lodging establishment which contains not more than five rooms for rent and which is actually occupied by the proprietor of such establishment as a residence.
  - b. Any private club, bona fide membership organization, or other establishment that is not in fact open to the public.
- (9) **RELIGION.** All aspects of religious belief, observance, and practice.
- (10) **SEXUAL ORIENTATION.** Actual or perceived homosexuality, heterosexuality, or bisexuality.

**SECTION 2. CIVIL RIGHTS DECLARED.** The right of an otherwise qualified person to be free from discrimination because of that person's real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, disability, or familial status is recognized as and declared to be a civil right. This right shall include, but not be limited to, all of the following:

- (1) The right to obtain and hold employment and the benefits associated therewith without discrimination.
- (2) The right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement.

- (3) The right to engage in property transactions, including obtaining housing for rental or sale and credit therefor, without discrimination.
- (4) The right to exercise any right granted under this ordinance without suffering coercion or retaliation.

**SECTION 3. EXCEPTIONS.** Notwithstanding the foregoing, the following are not discriminatory practices prohibited by Section 2 of this ordinance:

- (1) A religious corporation, association, or society that employs an individual of a particular religion to perform work connected with the performance of religious activities by the corporation, association, or society.
- (2) An employer who observes the conditions of a bona fide affirmative action plan or a bona fide seniority system which is not a pretext to evade the purposes of this ordinance.

**SECTION 4. ENFORCEMENT.** The City Attorney shall be responsible for administering and enforcing this ordinance. The City Attorney shall receive complaints alleging violations of this ordinance, and if the City Attorney finds cause to believe that a violation has occurred, shall attempt to conciliate the complaint. If conciliation efforts are unsuccessful, the City Attorney shall file a civil action on behalf of the complainant in municipal court. The provisions of this ordinance may also be enforced through a private right of action.

**SECTION 5. OTHER REMEDIES.** This ordinance may not be construed to limit any other remedies available under local, state, or federal law.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall become effective on [date].

Mr. Freeman gave the following remarks to the Council and presented a copy to the Council as follows:

### PRESENTATION TO CITY COUNCIL

May 9, 2016

I am Buddy Freeman, the convener of the Montavello Acceptance Project. I appreciate the opportunity to come before you this evening. We are here tonight to submit a nondiscrimination ordinance for your consideration.

I consider it a privilege to present this NDO this evening. Barbara and I have been living in Montevallo now for thirty years. I served as pastor of Montevallo First United Methodist church for eleven years. When I retired in 1997 we chose to build a house and spend the rest of our years here in this community. We're so happy we made that decision.

### *Our Diversity*

I was especially pleased when our Methodist Bishop appointed us in 1986 to serve Montevallo First United Methodist Church. Because Montevallo is such a diverse community. Both of my granddaughters attended Montevallo schools. They were in class with all kinds of people: white, African American, Chinese, Hispanic, Japanese, straight, gay, rich, poor, scholars, athletes. A big part of their education is having had the opportunity to make friends from all walks of life. My younger granddaughter was able to make the trip to our sister city, Echizen.

I relish this diversity. I go to Nails for pedicures and listen to soft, musical Vietnamese being spoken. I practice karate with many delightful Hispanic young people. Then I go to El Agave or Zapopan and shake hands with friends from Mexico. We often enjoy eating Asian food at China Garden. And what about Tavern on Main? There we see a cross section of people from all walks of life.

We are so blessed by walking the streets of our town, one moment seeing the bright young faces of college students and the next moment greeting a friend who has been retired for years.

### *Martin Luther King Celebration*

And I am proud that it is in Montevallo, our own community, where people from across the area - Pelham and Alabaster, Columbiana and Calera, Bibb and Chilton Counties - gather on Island Street behind McDonalds to pray together and march arm in arm down our streets to Montevallo High School where we pay tribute to Dr.. Martin Luther King.

### *Our Churches Together*

We realized again what kind of place Montevallo is when we were invited to Mount Olive Missionary Baptist Church's new sanctuary last November for a service of Thanksgiving. Our hearts were inspired as folk from all parts of our community gathered to praise God and count our blessings.

Part of our rich tradition has been the way our churches through the years have worked and served together. Where else could I attend St. Thomas Catholic Church at 8:00 a.m., teach my Sunday School class at the United Methodist Church at 9:30, slip out of our worship service early, then walk two blocks to be with my brothers and sisters at Ward Chapel AME Church where my friend the Reverend Jessica Durr is pastor?

Our town is healthy and strong because of this rich diversity.

### *Nondiscrimination*

Some may ask, why then do we need this nondiscrimination ordinance? The short answer is, "it is the right thing to do."

The longer answer is that we want everyone to know what kind of community this is. We are a community where many have worked hard to make this a safe place, where all people are treated fairly and with respect.

I was moved not long ago when an African American friend shared with us how he felt years ago when he stopped by the ice cream parlor on the way home from school. He had to go to the outside window because he was not welcome inside. And again, of hearing how, after serving our country in the military, he tried to register to vote. How at every turn he was insulted, demeaned and turned away. I needed to hear that story. To remember that our history of fairness and openness has been hard won. And thank God, the days of two water fountains are behind us.

### *LGBT Student*

We know we need this nondiscrimination ordinance when we learn about the LGBT teenager who attended our Montevallo schools. How he was put down and bullied. How he finally dropped out of school. How he contemplated suicide. And how he finally moved away from our town, and returns only to visit his family.

We need this ordinance when we realize that there are 1,450 children and youth attending our three Montevallo public schools. That means that there are at least fifty five families right here in Montevallo whose child will identify as LGBT.... more than fifty five families who will go through that experience. Where will they get support?

### *"WE ARE MONTEVALLO"*

Montevallo is a special community. Through the years we have been open, accepting, a place where people are treated fairly, with respect and dignity.

### *Church Burnings*

This was brought home to me in the 1990's when there was a series of church burning in Alabama. As these tragedies were occurring a group of ministers from our town, African American and white, got together one morning at Hardees and talked about what we could do. We wanted to make a statement.

So the people of Montevallo came together at Shiloh Missionary Baptist Church for a community service. We sang and prayed and preached. And we took up an offering that would be given to the people of a burned church.

But that was not all. We decided to hand-carry that offering and give it to the pastor. So later that week about ten pastors piled into a van and rode together to Green County, to Little Zion Baptist Church, where we presented Montevallo's gift to that pastor. And on the way home we stopped in Tuscaloosa and ate barbeque together -- Brothers Rogers White, Roger Shack, Tom Cheatham, Nick Foster, Albert Jones, and Buddy Freeman.

It was a memorable day. Not only because we were able to deliver that offering as a love gift from all our churches.... but also because this group of pastors representing all of Montevallo's churches were able to spend the day together. To get to know each other better...to laugh, to joke, to pray. To talk about our differences, our similarities, our common hopes and concerns.

I will always remember those days. They stand as a time when the diversity and solidarity of Montevallo was truly celebrated. When there was no doubt about the kind of community we can be.

*This is the Time*

I truly believe this is the time to adopt this ordinance. We now have the opportunity to let everyone know what kind of community Montevallo is: a safe, inclusive, accepting place where everyone is treated fairly, with dignity, and respect. That's who we are. "We Are Montevallo."

**Buddy Freeman**  
Convener  
Montevallo Acceptance Project \*

\* The Montevallo Acceptance Project is a volunteer organization which works toward making Montevallo an even more safe and inclusive community, especially for those who identify as LGBT. MAP has been meeting on the second Sunday of each month since November 2014 when thirty people first gathered to discuss how we can educate ourselves and be a community where everyone is respected and accepted for who they are. Our meetings are open to all who are interested.

David Hawes, resident and MAP member stood and addressed the Council. Mr. Hawes stated that MAP had been working on compiling the ordinance for more than a year and had researched and compared the ordinance to other communities in similar size. He stated that the ordinance fits within Montevallo as it represents that the City will protect and safeguard all persons. He continued that Montevallo is known for openness and tolerance which is currently only a preception and the ordinance would establish a local mechanism to ensure for the future the tradition of treating people fairly and combating discrimination. Mr. Hawes referred to the language in the ordinance regarding the faith community. He concluded that the spirit of the ordinance was for everyone to work together to make a great Montevallo.

Mayor Cost thanked Mr. Freeman and Mr. Hawes for their kind words about the community and bringing their ideas and concerns to the Council.

Mr. Jacob Gordon, outgoing SGA President at the University of Montevallo asked to speak before as he could not stay for the entire meeting. Mayor Cost agreed. Mr. Gordon stated that the work of MAP was important with a valid mission and the University was also trying to establish nondiscrimination language. He continued that the ordinance has the support of approximately 3000 students at UM.

Mayor Cost asked the Council if anyone had any questions or comments.

Council Member Nix asked if the Council had addressed the nondiscrimination issue last year.

Herman Lehman, City Clerk, stated that the Council had approved nondiscrimination language to align with federal guidelines which did not include any judication. He continued that the proposed ordinance goes beyond what was required by the federal guidelines.

Mayor Cost stated that the Council will take the ordinance into consideration and will have the City attorney review the document to ensure the legalities on behalf of the City. Upon receipt of the attorney's statements, the Council will consider the issue and determine if the ordinance should be added to a future Council agenda for vote. Mayor Cost continued that everyone interested in speaking on the issue will have an opportunity during the Council meeting. She thanked MAP for their hard work and passion. She stated that for the remainder of the work session, the Council would hear from department heads.

Mayor Cost called for committee reports.

Chief Jeremy Littleton presented the Police Department report as follows:



## Montevallo Police Department City Council Report

Date:  
05/09/2016

### Patrol Report:

Total Calls:  
822

Burglaries:  
2

Zone Checks:  
479

Total Cases:  
129

Auto Burglaries:  
2

School Patrols:  
45

Traffic Accidents:  
18

Domestics:  
16

Traffic Stops:  
289

Assaults:  
0



Traffic Citations:  
166

Fraud/Forgery:  
1

Total Arrests:  
41

Thefts/Attempts:  
7

**Investigations (New Cases):**

Felony Cases Pending:  
0

Misdemeanor Cases Pending:  
1

Felony Cases Closed:  
0

Misdemeanor Cases Closed:  
0

**School Resource Report:**

Offense Reports:  
1

Traffic Accident Reports:  
0

Cases Pending:  
0

Incident Reports:  
1

Arrest Reports:  
3

Cases Closed:  
0

**Additional Comments:**

New patrol cars are equipped and in service.



**Montevallo Police Department  
Code Enforcement Activity Report**

Date:  
05/09/2016

Inspection Period  
04/25/2016

Inspection Period  
05/09/2016

**Inoperable Vehicle Inspections:**

Inspected:  
0

Pending:  
0

Closed:  
2

**Animal Complaint Inspections:**

Inspected:  
0

Pending:  
0

Closed:  
0

**Abandoned Building Inspections:**

Inspected: 0	Pending: 36	Closed: 0
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**Property Inspections:**

Inspected: 2	Pending: 4	Closed: 3
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**Miscellaneous Complaints:**

Inspected: 1	Pending: 0	Closed: 1
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Inspected: 3	Total Inspections this Period:	Total Inspections Year to Date: 81
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**Montevallo Police Department  
Code Enforcement Activity Report**

**Inspections this Period:**  
Complaint of Tall grass 4000 block of Hwy 25  
Vehicle for sale located in front yard of residence on Morgan Street.  
Tall grass in Heritage Trace at residence for sale.

**Inspections Pending Continued from Last Period:**  
Lien Process and process for new unsafe structures on going.  
Heritage Trace overgrown lots.  
Debris Under carport on Brookhill.  
Home on Moody Street still being repaired.  
Home at Valley St and Plowman St - Large amount of cans in yard.  
Trash streetside and tall grass on Shoal Creek Circle. House believed vacant

**Cases Closed this Period:**  
 County Building Services will handle violations for farm on 119 HWY.  
 Inoperable Vehicle on Lot near Jack's. Removed  
 Inoperable Vehicle at apartment on Hedgerow. Removed  
 Grass on Hwy 25 cut by owner.  
 Vehicle for sale on Morgan Street moved to driveway.  
 Grass cut in Heritage Trace at residence for sale.

**Other Comments:**  
 Misc. Complaint about student pick up parking in the afternoon.

Chief Bill Reid stated that the Fire Department had responded to 113 calls in April which included three structure fires in Wilton. He also stated that the department assisted Calera with a structure fire call. He continued that 40 calls had been ran in the last week in April alone. Chief Reid stated that the department is asking for approval to replace the bay door openers at Station Two as they were currently using residential openers which were 12 years old and would like to replace them with commercial grade openers before an emergency occurred with the functioning of the doors. He stated that the Fire Department had received three quotes with the lowest quote being \$2,040 from a reliable company in Pelham. The quotes were presented as follows:



<b>Translift Dock &amp; Door LLC</b> 130 Commerce Court Pelham, AL 35124 205-685-0600 ph 205-685-0094 fax Email: james@transliftllc.com Cell # 205-821-2423	Quote #: <b>160411J2</b> Date: <b>4/11/2016</b> Prepared By: <b>James</b> Emailed ( <input checked="" type="checkbox"/> ) Faxed ( <input type="checkbox"/> ) Lead Time: Ship Via: Factory Truck Freight Terms: Bill To:
Customer: <b>City Of Montevallo Fire Dept.</b> Contact: <b>Renan Conte</b> Address: 1140 Ashville Road City State Zip: <b>Montevallo, AL 35115</b> Phone: <b>205-665-2555</b> Fax: Email: <a href="mailto:rc@cityofmontevallo.com">rc@cityofmontevallo.com</a>	Job Name: <b>Firestation Door Operators</b> <b>4560 AL-119 Station</b>  Ship To: <b>Jobsite</b>

Qty	Model #	Description	Price Each	Amount
<b>Provide Materials &amp; Installation for the Following:</b>				
2	1601L5	Chamberlain LiftMaster Trolley Commercial Operator - Logic 5, 1/2HP motor operator - 115V/1/60 operation, emergency release - 1 Set monitored photo-eyes - For 14' Door	\$ 910.00	\$ 1,820.00
5	893LM	Chamberlain LiftMaster Remote Transmitters G893LM: SEC+ 2.0, 3-button remotes	\$ 44.00	\$ 220.00

Freight  
Sales Tax Not included - Include if required

TBD  
\$

**Notes:**

Quote is based on Purchase of All Equipment listed from Translift Dock & Door.

Estimated Total: \$ 2,040.00

Purchase Order Authorization:

Name:  
Date:  
PO #

Quotation is valid for 30 days from above date  
Thanks for the opportunity to quote your business!

Signature: \_\_\_\_\_



**WAREHOUSE  
EQUIPMENT and SUPPLY CO. Inc**

116 West Park Drive  
Birmingham, AL 35211-4469  
(205) 942-1900  
1-800-239-3434  
Fax (205) 942-9511

1700 Industrial Park Drive South  
Mobile, AL 36693  
(251) 860-0598  
1-800-239-3433  
Fax (251) 860-0599

City of Montevallo  
Attn: Renan Conte  
rconte@cityofmontevallo.com

Date: 4/21/2016  
Our Ref. # \_\_\_\_\_  
Your Ref. # \_\_\_\_\_  
Salesman Ralph Beavers

**QUOTATION**

QUANTITY	DESCRIPTION	UNIT PRICE
2	Model T501L5 Lift Master Commercial Operator Logic 5 115Volt	\$608.00/each
5	Model 893 LM Remotes	\$30.95/each
	Labor & Travel	\$650.00
	Freight	\$250.00

\$ 2,270.75

STATION 2

**GENERAL CONDITIONS**

TERMS: \_\_\_\_\_  
F.O.B POINT \_\_\_\_\_  
SHIPPING POINT \_\_\_\_\_  
APPROX. DELIVERY DATE 1-2 Weeks

WAREHOUSE  
EQUIPMENT and SUPPLY CO.  
Salesman: Ralph Beavers

All changes made in specifications after orders are placed shall be made in writing. Orders are subject to cancellation without consent, in writing, between the buyer and the seller. Buyer agrees to accept variation of 10 per cent in quantity specified, this is necessary because of the impossibility of manufacturing the exact quantity which customer specifies. Execution of all orders is contingent upon files, stocks and all other causes beyond our control any tax which may be levied upon the sale, production or transportation of these goods is to be borne by purchaser. Above pricing does not include applicable sales tax and or freight unless otherwise noted. ABOVE PRICING WILL BE HELD FOR (30) DAYS, AFTER WHICH A REQUOTATION MAY BE REQUIRED.

**Overhead Door Company Of Birmingham**

Overhead Door of Birmingham  
 P.O. Box 100906  
 Irondale, AL. 35210  
 Telephone: (205) 956-3667  
 Fax: (205) 956-9566

Shipping Address  
 2600 Crestwood Blvd.  
 Irondale, AL. 35210  
 Telephone: Same  
 Fax: Same

The Genuine. The Original.



Proposal #: JH-13792  
 Q (Unsaved)

PROPOSAL SUBMITTED TO: CITY OF MONTEVALLO			Date 5/4/2016	Attention RENAN CONTE					
STREET			Job Name CITY OF MONTEVALLO FIRE STATION						
City MONTEVALLO	State AL	Zip Code	Job Location MONTEVALLO						
Phone Number 665 9204	Fax Number		Job Phone 665 9204						
ITEM #	QTY	SERIES	DOOR WIDTH	DOOR HEIGHT	OPENING WIDTH	OPENING HEIGHT	OPERATION	HEAD ROOM	JAMB TYPE
1	2	MDL T	1/2 HP	115 V	1 PHASE	14' 0"	TROLLEY		

**PROPOSAL TO INCLUDE THE FOLLOWING:**

Item 1 above to feature the following:

- (1) Extra track for doors up to 14' high.
- (1) Photoeye Monitored UL325
- (5) Three Channel Model 893
- Existing motor(s) to be taken down and removed from site by Overhead Door.
- Existing wiring to be reconnected by Overhead Door.

Price includes oil & adjusting the [2] doors for motors above.

We hereby propose to complete in accordance with above specification, for the sum of:

**Two Thousand Eight Hundred Sixty Three Dollars and No Cents**

**2,863.00**

Signature

Mike Schafer, Vice President

Direct Dial: 205-956-3667

**TERMS AND CONDITIONS**

Payment to be made as follows: net 30 days

Prices subject to change if not accepted in 30 days.

BY OTHERS: Jambes, spring pads, all wiring to motors and control stations, unless otherwise stated above, are not included. Purchaser agrees that doors shall remain in Seller's possession until paid in full. In the event Purchaser breaches or defaults under the terms and provisions of this Agreement, the Purchaser shall be responsible for the costs of collection, including reasonable attorneys' fees. There shall be a 1 1/2% service charge per month for all payments due and owing after 30 days. (Agreements are contingent upon strikes, accidents, or delays beyond our control.) Quote is based on and includes our standard insurance coverage.

ACCEPTANCE: Terms, Price, and specifications on all pages of this proposal are hereby accepted and the work authorized.

Purchaser: \_\_\_\_\_

Signature

Title

Date of Acceptance

Chief Reid noted the department was also obtaining quotes for 10 new pagers. He reiterated that both items, the door openers and pagers, were within budget. Mayor Cost stated that the communication between the Police Department and Fire Department was improving and the chiefs were working together to identify a system

that will benefit all parties. She also thanked Chief Reid for noting that the discussed purchases were within budget. Chief Reid stated that the 160 class was beginning block 3 of 4 and about 15 people remain in the class and will finish in June.

Kirk Hamby, Director of Public Works, stated that employees were busy maintaining the city right-of-ways and mowing will remain a top priority and take up majority of time from now until October. Mr. Hamby noted that Erwin Stone, our landscape specialist, has made a positive difference and works hard to keep the city looking good, stating that the Promenade was looking outstanding. Mr. Hamby also noted that Greg Reece, with the Library Foundation Board, was coordinating an event for students to work on the library garden. Mr. Hamby also noted that work was being completed at two Heritage Trace lots with work and expenses being documented. Council Member Woodham inquired that whether a lien would be placed on the property in order for the City to obtain payment for the services provided at the properties. Herman Lehman responded that the Council would need to vote to establish the lien. Mr. Hamby stated that the department had noticed an influx of items at the apartment complexes due to UM students leaving for the summer. He stated that the city does what they can to pick up all items left on the street, even though, technically, the city does not remove sofas and televisions in general but will do so to ensure the items are removed. Mr. Hamby concluded his report by noting that Shelby County had begun the work on the entrances at Shoal Creek Park.

Lee Waites, Chair of the Vallocycle Committee, stated that work was continuing on the new shed to house the bicycles at the City Shop and the committee was working with the Mayor to establish new check-out procedures for the bikes. Mayor Cost thanked Lee and stated that discussions were being held regarding the possibility of consolidating Vallocycle with the Recreation Board.

Shane Baugh, Director of Parks and Recreation, stated that youth sports were winding down with only two weeks left in the season. Mr. Baugh noted that, in addition to the entrances being completed at Shoal Creek Park as mentioned earlier, the barns on the property were also scheduled to be removed this week. He stated that work on the trails was continuing and he was having to weed eat the area as a lawnmower cannot currently get into the trail area. Mr. Baugh noted that it was busy time of year with four fields being lined each night. He also stated that the City is now offering youth football and cheerleading. With these additions, the City is now overseeing all youth sports in the City. He concluded by noting that the new league with neighboring cities was working out great.

Dwight Dellinger with the Golf Course stated that in the month of April 1060 people had been to the course with two new memberships. Mr. Dellinger noted that the Chamber of Commerce Golf Tournament went well and was a success event despite the rain. He announced that the new golf carts would arrive on Wednesday. He also reminded the Council and audience that the course would be hosting the Kelsey's Place, an organization from Clanton, tournament on Saturday. Following that tournament,

maintenance was scheduled for the greens. He stated that he continues to hear positive comments about the course and continues to see new faces visiting the course.

Mayor Cost thanked all for their reports and noted that, due to time limitations, the Work Session would conclude in order to move into the Council Meeting.

## **MINUTES**

### **Montevillo City Council Meeting**

**May 9, 2016**

**6:00 p.m. at City Hall**

Council Member Dee Woodham, Council Member Jason Peterson, Council Member Willie Goldsmith, Council Member Sharon Gilbert, Council Member Rusty Nix and Mayor Hollie Cost were in attendance. Junior City Council President, Grace Stermer was also present.

**Pledge of Allegiance** -- led by 2<sup>nd</sup> grader and Boy Scout, Adrian

### **Meeting Call to Order**

Mayor Cost called the meeting to order at 6:01 pm.

### **Approval and/or corrections of the minutes – 4/25/16**

Council Member Nix noted that he would like to clarify and correct the minutes of April 25, 2016 stating that the Montevillo Water Board had agreed to waive the impact and meter tap fees but could not waive the fees for the sewer if used due to the pressurized line for the Shoal Creek property being leased to the IDB as discussed on page 21 of the April 25<sup>th</sup> minutes.

Council Member Nix moved to approve the minutes pending the correction of the waiver of fees as discussed. Council Member Peterson seconded the motion. ALL AYES. THE MOTION WAS APPROVED.

**Student Recognitions / Awards --- NONE**

### **Opportunities for citizens to speak to the Council**

Mayor Cost asked if anyone in the audience would like to address the Council to please stand, state your name, address, and to keep all remarks to three minutes.

Greg Reece, resident at 1 Brookwood Drive, stood and stated that he had lived in Montevillo for 15 years and believes it is a unique and special place. He noted that

diversity and acceptance have been a distinct part of the City's deep historic roots. He asked that the Council consider the Nondiscrimination Ordinance to remain true to the heritage of our town. He stated that the request was coming from the citizens and the Council should consider the ordinance carefully yet act quickly. He concluded by noting that the ordinance protects rights of citizens and codifies what is in our hearts and in our history: We are Montevallo.

Cheryl Patton, resident at 1220 Highland Street, stood and came forward to vocalize her support of the ordinance. She also stated that the businesses in town were pushing for the ordinance and would appreciate the support and guidelines set forth by the Council.

Mr. Buddy Freeman, resident and MAP Chair, stood and stated that the ordinance had support from the clergy in the community and submitted the following letter to the Council:

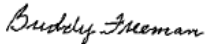
Letter of Support from Faith Leaders in Montevallo

As spiritual leaders from a variety of faith traditions, we support the City of Montevallo in passing a city-wide nondiscrimination ordinance that will protect and safeguard the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, disability or familial status.

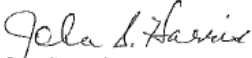
The moral fabric of our society is shaped not only by our private spiritual practices but also by the values embodied in our laws as a community. We come from different religious traditions, yet we share a commitment to the dignity of every human being, which requires treating each member of our community fairly, equally and with respect. The Montevallo nondiscrimination ordinance seeks to extend these values to all the citizens of the city without imposing one set of religious beliefs over those of others.

We recognize that there are honest differences on these issues within and among the religious communities of Montevallo. These are issues for people of faith to reconcile within our faith communities. We believe the best way to honor those differences is by reaffirming the strong American commitment to the principle of religious liberty for all. This ordinance acknowledges that fundamental freedom by protecting those who live, work and visit Montevallo from discrimination AND preserving the religious liberty of congregations and religious organizations to believe and practice as they feel led.

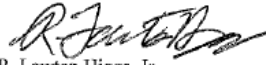
We appreciate your consideration of our sincerely held beliefs and trust that you will exercise your conscience as you serve the citizens of Montevallo. We support a nondiscrimination ordinance that ensures every person in our community has equal access to employment, housing and public accommodations. We will hold each of you in our prayers.


  
Richard (Buddy) Freeman  
Retired, First United Methodist Montevallo

  
Jeanne Pearce Reed  
Pastor, Montevallo Presbyterian Church

  
John S. Harris  
Retired Baptist Pastor

  
Daniel Stallings  
Pastor, University Baptist Church

  
R. Lawton Higgs, Jr.  
Pastor, First United Methodist Montevallo

  
Becky Cartier  
St. Andrews Episcopal Church



Leann Reed, Pastor of Montevallo Presbyterian Church located at 510 Shelby Street, stated that the City of Montevallo is a diverse community not only in its citizens but it is a religiously diverse community. She stated that the faith leaders respect each other's opinion and thoughts even when they disagree and acknowledge that not one religious viewpoint exists. She noted what they do have in common is the support for civil rights for all members of our community which is vital for our youth and young adults.

Susan Barnett, Helping Hands of Alabama, stated that her service operated in Chilton County however the mission was to seek out individuals that were in need and provide the necessary resources for survival. She state the organization would be holding a bike night fundraiser event at Orr Park on September 10 and would like to ask the Council to consider waiving the facilities usage fee and vendor fees for the event. Mayor Cost thanked Ms. Barnett and stated that fees were commonly waived for non-profit agencies. Ms. Barnett stated that although the organization had applied for 501 – 3C status, it had not yet been obtained. She stated that currently most funding was coming from her personal funds. Mayor Cost thanked Ms. Barnett and asked that the item be added to the agenda under other business.

Mayor Cost again thanked all citizens who were present in support of the proposed Nondiscrimination Ordinance and reiterated that the draft document would be sent to the City Attorney for review. She also clarified that the item would not be available for Council vote at this time nor was there any guarantee that the issue would be an agenda item in the future. However, upon review of the attorney's statements, the Council will consider adding it as an agenda item and the public would be notified.

#### **Committee Reports and Consideration of Bills:**

- **Public Health & Safety** (Police, Fire, Code Enforcement, Housing Abatement)–

Discussed earlier during the Work Session

- **Sustainability** (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives) –

Discussed earlier during the Work Session

- **Recreation, Preservation and Community Development** (Parks & recreation, Golf Course, Youth Athletics, Trails, Historical Commission, Planning & Zoning, Annexations) –

Committee reports resumed with Ms. Janice Seaman, Chair of the Historical Commission. Ms. Seaman stated that Archeological RFQ for the Mahler property had received no bids therefore the Commission would resubmit the proposal. Ms. Seaman continued that she had spoken with the grant coordinator who explained that the remaining money in the funds would be

used to send board members to a NAPC conference in Mobile. The goal is to not lose or return any portion of the grant funds. She also stated that the Commission would work to recapture the \$10,000.

Council Member Nix reported on behalf of the Planning and Zoning Commission asking City Clerk Lehman for clarification on the Sign Ordinance to determine if the ordinance was currently being reviewed by the County or City. City Clerk Lehman responded that the ordinance is currently under review noting that if the City obtains Main Street Alabama designation that the program would provide resources and guidelines as well. He continued that a draft of the ordinance would be prepared by the County and presented to the Planning and Zoning Commission who would present to the Council. Council Member Nix thanked City Clerk Lehman for the information then stated that the City needs to ensure that everyone goes through the proper channels to secure signage approval including the City. City Clerk Lehman stated that the process currently calls for every entity to contact the County Building Development Department to secure sign permits. Debby Raymond, Revenue Director, stated that she informs each new business that obtains a business license of the permit process.

City Clerk Lehman informed the Council of a request for de-annexation for a property located on Reynolds Cemetery Road. The property owner would like to have two mobile homes on the property and was informed by the County that since the property is within the city limits only one mobile home is allowed as the property exceeds 3 acres. City Clerk Lehman continued that he is unaware of any time that the Council has approved a de-annexation of property. The Mayor stated that she would recommend that the Council not set a precedent to begin allowing de-annexation. City Clerk Lehman suggested that the Council refer the issue to the Annexation Committee for recommendation back to the Council.

- **Education, Arts & Outreach** (Schools, UM, Boys & Girls Club, Library, American Village, Sister City Commission, Artwalk, Middle School Grant) –

Allie Williams, Director of the Parnell Library, was unable to attend. However, she provided the following report to the Council:

PARNELL MEMORIAL LIBRARY  
MONTHLY REPORT  
APRIL 2016

CIRCULATION:	3394 items charged (Decreased by 4%)
COMPUTER USE:	601 users (Decreased by 2%)
STORYTIME/5:	58 (Decreased by 25%)
MOVIES/3:	117 people attended
OTHER KIDS' PROGRAMS/4:	56
ESOL/4:	~72
WEBSITE VISITS SINCE 3/28/16:	1740

- ESOL will end for the semester on May 12th
- Lego Club, Friday, May 27th—just ordered Legos to replenish
- Children's Theatre Workshop Auditions, April 26th at 3:30 p.m.
- EBSCO Grant was submitted and received. Will know in late June
- Summer Reading Kick Off June 2 with Hoop for Fitness

Council Member Gilbert announced upcoming events at our educational institutions noting that the University held Commencement on Saturday at 9:00 am and that MHS would hold Graduation on May 23 with Awards Day being held on May 13. She continued that MES would host Play Day on May 13 and the 5<sup>th</sup> grade Awards on May 24 and MMS would hold Awards Day on May 23. She concluded that the University had begun the May term.

Mayor Cost noted that the City is revamping the website and have started the redesign process, but encouraged the Council and audience to notify her or any staff member at City Hall of any issues or topics that need to be addressed or added to our website.

Greg Reece, President of the Library Foundation Board, stated that Alabama Power has been gracious to work with during the application process for the EBSCO Grant for solar panels for energy efficiently. He continued that it was a pilot program and Alabama Power has demonstrated great support and consistently send people to aid in the process.

Mayor Cost asked Grace Stermer, President of the Junior City Council, to update everyone on projects and issues identified by our youth. Ms. Stermer noted that the MJCC was currently utilizing social media accounts to increase communication of events and activities.

- **Finance, Economic Development & Tourism** (Finance, MDCD, IDB, Chamber) –

Council Member Woodham stated that the Finance Committee met last week. She asked Ms. Raymond for clarification on whether or not we were behind or ahead in business license revenue. City Clerk Lehman stated the City was ahead in Month to Month but behind in Year to Date. He also noted that the property tax revenue was a little behind last year. She continued that the financial report and statements looked very good.

Council Member Woodham asked Ms. Cheryl Patton, President of the Chamber of Commerce, for any updates or announcements. Ms. Patton stood and announced that the Chamber would be hosting a picnic at the University Lake in lieu of the annual Citizen's Night Banquet to allow attendees to better interact and socialize while networking and we will continue to provide the Citizen of the Year award and other recognitions. The event will be held next Wednesday, May 18 and tickets are \$20 and available at both banks in town or from any Chamber Board member.

Janice Seaman, Chair of the IDB, announced that the lease for Incredible Health Farms had been approved. Council Member Nix asked if the water line had been tested yet at the Shoal Creek Park property. Mayor Cost stated that she would find out if tests had been conducted yet.

Council Member Woodham stated that the MVP, Montevallo Project, submitted the application for Main Street designation and were diligently working on the presentation portion which includes a video made by Calvin Meadows.

Mayor Cost stated that she would entertain a motion to pay the bills.

Council Member Peterson made a motion to approve all bills as submitted. Council Member Goldsmith seconded the motion. ALL AYES. THE MOTION WAS APPROVED.

**Consent Agenda -- None**

**New Business**

- **Archeological RFQ – No Responses – Resubmitting**

No Action

- **Self-Evaluation for ADA Requirements – Refer to Sustainability Committee**

City Clerk Lehman presented the following information to the Council for review:

**Herman Lehman**

---

**From:** Scott Tillman <STillman@rpcgb.org>  
**Sent:** Wednesday, May 04, 2016 9:18 AM  
**Subject:** ADA Self-Evaluation - Letter and Plan  
**Attachments:** 2016 04 22 ADA Guides to Cities.pdf; Self Cert Letter - Over 50.docx; Self Cert Letter - Under 50.docx; ADA\_Guide-Under50employees.docx; ADA\_Guide-Over50employees.docx

Dear ADA Coordinators,

First and foremost, we want to thank all of you that have responded to the mandate that was handed to us by the Federal Highway Administration to ensure each municipality within our metropolitan planning area has performed an ADA (Americans with Disabilities) self evaluation. Most of you have been contacted by the consultant, Sain Associates, assisting us with this effort. The purpose of this email is to request that each of you provide Sain Associates (Matt Stoops) with a letter stating the status of your self-evaluation and plans. We attached both a PDF and a Word document to assist with your letter and/or plan.

Please contact Matt Stoops with any additional questions.

Thanks,

Scott Tillman  
Director of Planning and Operations  
Office: 205-264-8420  
Cell: 205-529-6228

**Self-Certification Example Letter**  
(For entities over 50 employees)

**CITY LETTER HEAD**  
**CITY, ALABAMA**

Date \_\_, 2016

Scott Tillman  
Regional Planning Commission of Greater Birmingham  
2 North 20<sup>th</sup> Street, Suite 1200  
Birmingham, AL 35203  
[stillman@rpcgb.org](mailto:stillman@rpcgb.org)

Re: Birmingham Metropolitan Planning Organization - Self-Evaluation for ADA Requirements

Dear Mr. Tillman,

This letter is in response to your September 24, 2015 letter requesting a self-evaluation of Americans with Disabilities Act requirements within our public right-of-way. Our municipality has more than 50 employees, we have performed a self-evaluation, and we certify one of the following:

All infrastructure within our right-of-way is accessible per ADA requirements.

Or

Our municipality has developed a transition plan to become compliant with ADA requirements.

Or

Our municipality is developing a transition plan to become compliant with ADA requirements and we expect to complete the plan by \_\_\_\_\_.

This certification will be considered valid for 4 years unless instructed otherwise.

Sincerely,

Name  
ADA Coordinator

Cc: Matt Stoops - Sain Associates, [mstoops@sain.com](mailto:mstoops@sain.com)

**Transition Plan Guide**  
(For entities over 50 employees)

A transition plan consists of:

1. A list of physical barriers in programs, activities, or services
2. A description of how interested persons and organizations were allowed to participate in developing the plan
3. A detailed outline of methods to remove these barriers
4. A schedule for taking steps to achieve compliance
5. Identification of the person responsible for implementing the transition plan (ADA coordinator)

A public hearing is not required. Public entities are required to accept comments from the public on the self-evaluation and are strongly encouraged to consult with individuals with disabilities and organizations that represent them. The following is a suggested outline for the plan:

## Suggested Outline

1. Introduction
  - a. Americans with Disabilities Act, 2010 update
    - i. 2010 Accessibility Standards, [web link](#)
    - ii. 2011 PROWAG, [web link](#)

*Give a few statements that show what parts of the standards or PROWAG will apply to your city. Identify the most current ADA standards that the city will follow.*
  - b. Transition plans

*Explain your awareness of what a transition plan is intended to document*
  - c. Overview of our city / entity

*What is the population and/or number of employees? What buildings, parks or other infrastructure does the city own? What previous efforts have been made to bring the city up to ADA compliance?*
  - d. Designated ADA coordinator
  - e. Public involvement process

*What organizations or individuals gave input on the plan? How are their comments recorded?*

\*\*It should be noted if this document only applies to public ROW and another separate Transition Plan document is available pertaining to buildings and other facilities.
2. List of physical barriers

*For example consider these types of infrastructure on public ROW:*

  - a. Sidewalks
  - b. Walking trails
  - c. Curb ramps
  - d. On street handicap parking
  - e. Crosswalks and pedestrian signals
  - f. Public bus stops
  - g. Photo sampling of current facilities
3. Plan for removing barriers
  - a. Inventory

*Is an inventory of physical barriers for the entire city included? Or will it be a phased inventory performed each year?*
  - b. Prioritization

*Are there high use areas that should be done first? Have there been any areas with previous complaints? Are there categories of work (i.e. curb ramps) that can be done across the city as a single project?*
  - c. Projects & budgeting

*Discuss upgrades that can be addressed in current or future maintenance and construction projects? Consider setting up 2 funding categories: one for the routine projects following the prioritization, a second to address complaints or comments throughout the year*
  - d. Policies, subdivision regulations, inspections

*Do your subdivision & building regulations reference ADA standards? Does the city inspect new sidewalks for ADA compliance?*
4. Schedule
  - a. Years 1-4
  - b. Years 4-10
  - c. Beyond 10 years
  - d. Future transition plan review & updates

*How will this plan be reviewed and updated in the future? What department will be responsible for this?*
5. Appendix A – ADA policy statement & grievance / comment process
6. Appendix B – Log of public comments received

City Clerk Lehman explained that the City is required to update their plan and stated that the last report was completed in 2003 and paid in excess of \$20,000 for their services. He priced the scope of work and found the lowest quote for \$15,000. He stated that he believes City Hall is ADA compliant. Mr. Lehman continued that a lot of the issues we are aware of and already addressing such



as the bumps in the sidewalks and have had companies come out to give us an idea of what we can do to solve the problem. He said he felt that council members and City Hall Staff can accomplish the work ourselves through attending workshops and gathering resources. The requirements include ensuring all city buildings, property, sidewalks, etc. are ADA compliant. With regard to the sidewalks, we compared the process of shaving and smoothing the sidewalks versus removing the concrete and reinstalling the sidewalks. The quote we received for shaving and smoothing the areas was approximately \$50,000 – much cheaper than the alternative. There are issue that need to be addressed. However, some improvements have already been completed such as with this new City Hall and the Library building. Mr. Lehman reiterated that he believes the biggest issue is the sidewalks. He also clarified that to be in compliance we must have a plan in place indicating how long we think it will take the City to correct any issues. Mr. Lehman suggested that the Council assign a committee to work on the document. Council Member Nix how long it would take to get the sidewalks fixed. Mr. Lehman stated that currently only a plan needs to be in place with a suggested timeline, which include multiple years to resolve any issues. He continued that due to the cost of fixing these issues, the money would be better spent addressing issues versus paying for someone to compile our plan for submission.

Mayor Cost stated that it may be an ideal project for UM students to assist in identifying the areas of sidewalks that need to be addressed and agreed the money would be better spent addressing the issues. Mayor Cost asked Council Member Peterson to have the Sustainability Committee take on the challenge of compiling the plan and asked that she be notified of when the committee will meet to begin the process.

○ **Tree Preservation & Protection Ordinance**

Mayor Cost explained currently the City has a practice of replacing trees when removed but not an official policy or ordinance to ensure the procedure. Council Member Nix questioned whether the Ordinance addresses only City right-of-ways or city property. Mayor Cost responded that the ordinance strictly addressed the City right-of-ways areas. The ordinance was presented as follows:

**Ordinance \_\_\_\_\_**

**Tree Preservation & Protection**

**Whereas**, the City of Montevallo is a Tree City; and

**Whereas**, trees have great value to our community, including:

- Providing protection from the sun and wind,

- Providing habitat and food source for birds and other wildlife,
- Naturally reducing air pollution by filtering out harmful gasses and replenishing the atmosphere with oxygen,
- Reducing surface water runoff and preventing erosion,
- Absorbing sound and buffering noise,
- Enhancing the natural and built environments and maintaining the quality of life and general welfare of the city, and

**Whereas**, the city is dedicated to preserving and protecting our trees to the greatest extent possible.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA AS FOLLOWS:**

- 1) Whenever it is necessary to remove a dead or dying tree from city right-of-way or other property owned by the City of Montevallo, the city shall replace the lost tree with a new, suitable tree either at that location or another as recommended by the Montevallo Arbor & Beautification Board.

**ADOPTED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

Signed

Attest

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

\_\_\_\_\_  
Herman F. Lehman, III  
City Clerk

Council Member Nix moved to suspend rules and leave the regular order to vote on the ordinance as presented. Council Member Woodham seconded the motion. Council Member Nix, AYE. Council Member Goldsmith, AYE. Council Member Gilbert, AYE. Mayor Hollie Cost, AYE. Council Member Peterson, AYE. Council Member Woodham, AYE. ALL AYES. THE MOTION WAS APPROVED.

Council Member Nix moved to approve the Tree Preservation and Protection Ordinance as presented. Council Member Gilbert seconded the motion. Council Member Nix, AYE. Council Member Goldsmith, AYE. Council Member Gilbert, AYE. Mayor Hollie Cost, AYE. Council Member Peterson, AYE. Council Member Woodham, AYE. ALL AYES. THE MOTION WAS APPROVED.

Council Member Woodham moved to return to regular order business. Council Member Goldsmith seconded the motion. Council Member Nix, AYE. Council Member Goldsmith, AYE. Council Member Gilbert, AYE. Mayor Hollie Cost, AYE. Council Member Peterson, AYE. Council Member Woodham, AYE. ALL AYES. THE MOTION WAS APPROVED.

- **Request for Funds Supporting Fire & EMS Service – UM and Wilton**

City Clerk Lehman explained that the City was currently providing Fire and EMS Service to the Town of Wilton through contract and the University by location. Currently the Town of Wilton was paying the City of Montevallo approximately \$6300 a year for protection, however, when you look at the number of people being serviced and divide the cost of expenses to provide the service, the cost averages about \$54 a person, indicating that the Town of Wilton should be paying closer to \$38,000 a year. We are asking for the Council to approve the request to ask Wilton to increase their payment for service. Mr. Lehman also noted that Aldrich was currently paying \$10,000 a year. The University formerly paid us \$1400 a month to assist with equipment maintenance and needs but that payment stopped some time ago. Discussions had occurred with multiple UM Presidents over the years regarding reinstating funding, but to no avail. He continued that he understood that the University had limited resources but felt they needed to contribute their fair share. Council Member Nix commented that the campus housed the tallest buildings in the City. Mr. Lehman agreed and noted that the University has its own State Act or Code regarding our Fire services entering the campus. He continued that the City now has a good working relationship with the University and holds trainings on campus. He stated that the Council is being asked to approve our asking the University to consider paying their fair share at approximately \$50,000. Mr. Lehman suggested that the Council approve the Mayor or her designee to begin negotiations with the Town of Wilton and the University regarding paying their fair share for the Fire and EMS Service.

The letters to the Town of Wilton and the University were presented for review as follows:



541 Main Street

May 3, 2016

Ms. April Price  
City Clerk  
Town of Wilton, Alabama  
100 Depot Street  
P.O. BOX 159  
Wilton, AL 35187

Re: Montevallo Fire Service

Montevallo, AL 35115  
205-665-2555  
205-665-9203 Fax  
www.cityofmontevallo.com

Hollie C. Cost, Ph.D. - Mayor  
Herman Lehman - City Clerk  
Jeremy Littleton - Chief of Police  
Bill Reid - Fire Chief

Council Members  
Sharon Gilbert  
Willie Goldsmith  
Rusty Nix  
Jason Peterson  
Dee Woodham

Dear April:

As you know, the City of Montevallo currently provides Fire and EMS service to your town on a contract basis for \$6,300 per year. That works out to around \$9 per Wilton resident, assuming you have 698 people living in Wilton. When you contrast that with the fact our Fire and EMS service costs the residents of Montevallo \$60.23 per person, you can see we have a problem.

Our Fire & EMS service costs our city a total of \$397,575 per year. When you add your residents together with ours and divide that number into that \$397,575, the rate paid by Wilton for our Fire & EMS service should really be \$54.47 per person - \$38,020.06 per year.

Beginning with the 2016-17 budget year, we are asking that Wilton pay its fair and equitable share of these expenses. Therefore, if your city intends to continue to utilize our Fire & EMS services in the coming fiscal year, we ask that your council authorize a new agreement with us which includes this increase in compensation.

Please let me know if you have any questions or concerns.

Sincerely yours,

Hollie C. Cost  
Mayor



May 3, 2016

Dr. John Stewart  
Office of the President  
University of Montevallo  
Station 6001  
Montevallo, AL 35115-6000

Re: Montevallo Volunteer Fire Department

541 Main Street  
Montevallo, AL 35115  
205-665-2555  
205-665-9203 Fax  
www.cityofmontevallo.com

Hollie C. Cost, Ph.D.–Mayor  
Herman Lehman – City Clerk  
Jeremy Littleton – Chief of Police  
Bill Reid - Fire Chief

Council Members  
Sharon Gilbert  
Willie Goldsmith  
Rusty Nix  
Jason Peterson  
Dee Woodham

Download Our  
FREE App



Dear Dr. Stewart:

I am writing you on behalf of the City of Montevallo. As you may recall from our prior discussions, in 1988, the University agreed to help support our volunteer fire department by providing \$1,400 per month in funding for the maintenance and improvement of our firefighting equipment. In the past decade or more, however, we have not received any funds from the University in support of that department.

As you can appreciate, the demands on our Fire and EMS services and the cost of providing those services to our citizens, businesses and the University have increased dramatically over the past 20 years. As a result, we need the University of Montevallo's financial assistance more than ever to help maintain the level of fire and rescue service on which we all rely.

Currently, our Fire & EMS service costs our city a total of \$397,575 per year. We have requested that the Town of Wilton increase their level of support for the services they receive from us from \$6,300 per year to \$38,020.06 – which equates to \$54.47 per resident living in our two cities. Wilton has approximately 698 residents. Montevallo's population is currently estimated at 6,601, which includes UM students living in both on-campus and other housing within our city limits. Of course, our Fire and EMS services cover all of UM's students, faculty, staff and visitors while at UM. As such, we estimate our service benefits another 8,000 (or more) UM-affiliated individuals each year.

Beginning with the 2016-17 budget year, the City of Montevallo is asking that UM assist us by paying its fair and equitable share of these expenses. Therefore, we ask that you request your Board of Trustees authorize a new agreement with us which includes \$50,000 per year in support of our Fire and EMS service. Among other things, this level of support will enable us to purchase a new pumper truck. The new truck is needed to help maintain our ISO 3 rating, which helps to keep all of our insurance rates low. Importantly, this funding will also help to otherwise ensure that our Fire and EMS personnel continue to have

**the tools, equipment and training they need to protect all of our lives and property.**

**We certainly appreciate that your budget is tight and that we are asking for funds which are likely needed elsewhere. However, we are facing a similar reality with our budget, as well. That is why, after all these many years, we are asking once again for your financial assistance. Our hope is your trustees will appreciate the benefits of maintaining the level of service our largely volunteer department has been able to provide the University and will agree to support us in that on-going effort. In that regard, you may be interested to know that in 2015 alone our Fire and EMS service ran \_\_\_ calls on UM's campus. Clearly, having such a well-equipped and highly trained fire and rescue service at the ready has proven to be a tremendously valuable asset to everyone at your institution. What's more, we feel confident that parents entrusting you with their children's education and safety are comforted by the knowledge that such professional and highly rated life-safety services are available, if and when the need arises.**

Needless to say, we deeply appreciate the extraordinarily positive working relationship you and your trustees have helped to foster between UM and the City. As with our other joint efforts, we are confident your partnership with our Fire and EMS service will pay even greater and more precious dividends in the years to come. Above everything else, our efforts of late have (or at least should have) taught us all that we are far stronger and more effective when we all work together!

In that same spirit, we also hope to strengthen our partnership not only monetarily but by recruiting and training more university students to serve as Montevallo firefighters and EMTs. To that end, we are currently investigating the possibility of obtaining grant funds which would offer UM students who volunteer a stipend of some sort to help offset tuition, books or other school related costs. This could actually become a recruiting tool for UM. We look forward to discussing this with you in more detail as we learn more about the types of grants and programs available to us.

In the meantime, as always, we greatly appreciate your time and consideration.

Sincerely yours,

Herman F. Lehman, III  
City Clerk & Treasurer

Council Member Nix moved to approve the Mayor or her designee to negotiate the terms of payment for Fire and EMS Service being provided to the Town of Wilton and the University of Montevallo. Council Member Peterson seconded the motion. ALL AYES. THE MOTION WAS APPROVED.

○ **National Preservation Month Proclamation**

Mayor Cost presented the Proclamation as follows:



**National Preservation Month  
PROCLAMATION**

**WHEREAS**, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability;

**WHEREAS**, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds;

**WHEREAS**, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people;

**WHEREAS**, "*This Place Matters*" is the theme for National Preservation Month 2016 and it is meant to excite current supporters and introduce additional supporters and community members to preservation and the enrichment of the places that make Montevallo special;

**WHEREAS**, Montevallo has historic resources located throughout the City, is working with the Montevallo Historic Preservation Commission to improve, preserve and protect the resources we have, has two established National Historic Districts within our city, and has applied for participation in the Main Street Alabama program and will be sending representatives from Montevallo to the Main Street Conference in Milwaukee at the end of the month; and

**WHEREAS**, Montevallo will celebrate these efforts during National Preservation Month.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF MONTEVALLO**, I, Hollie C. Cost, Mayor of the City of Montevallo, Alabama, hereby proclaim May 2016 to be NATIONAL PRESERVATION MONTH in Montevallo and encourage all Montevallo citizens to join in this observation.

Dated this \_\_\_\_ day of May 2016.

---

HOLLIE C. COST, MAYOR

ATTEST:

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HERMAN LEHMAN, CITY CLERK

Mayor Cost stated that although the Council does not have to approve to authorize the Mayor to sign a Proclamation, she prefers to have Council support for the Proclamation. She asked that the Council vote to indicate their support to designate May 2016 as National Preservation Month.

Council Member Nix moved that the Council approves and supports the National Preservation Month Proclamation as presented. Council Member Peterson seconded the motion. ALL AYES. THE MOTION WAS APPROVED.

○ Declaration of Surplus Property and Authorization for Disposal at Auction

Mayor Cost noted that three items were being requested to declare as surplus by the Police Department. All three items were vehicles no longer in service. The following information was provided:

**CITY OF MONTEVALLO  
AUTHORIZATION FOR MOVEMENT OR REMOVAL OF CITY OF MONTEVALLO  
PROPERTY**

**INSTRUCTIONS:** Maintain completed form in City Hall. Provide Copy of completed form to person moving or removing property.

**REFERENCE:** City of Montevallo Fixed Asset and Inventory Policy

Date: 05/02/2016

TO WHOM IT MAY CONCERN:

Mayor & Council | \_\_\_\_\_  
Name of Individual | Title

is authorized to ( ) move ( ) remove the following equipment:

	Description	Asset Label #	Serial #
1	2005 Ford Expedition	000745	1FMPU155356A482479
2	2007 Dodge Charger	001072	2B3KA43H4714757859
3	2008 Dodge Charger	001067	2B3K443H8H26283
4			
5			

This authorization is valid for movement or removal of the above described property under the following conditions:

Move/Removal Date:
Scheduled Return Date:
Location Moved/ Removed From: <u>Police Department</u>
Location Moved to: (address)
Purpose of Equipment Relocation: <u>Surplus</u>

Custodian of Equipment:

\_\_\_\_\_  
Employee Date

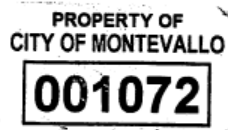
AUTHORIZED BY: Jeremy Littleton 05/02/2016  
Department Head Date



2005 Ford Expedition, VIN: 1FMPU15535LA482479, Tag: 46985MU, Unit: A-9



2007 Dodge Charger, VIN: 2B3KA43H47H757859, Tag: 50546MU, Unit: A-22



2008 Dodge Charger, VIN: 2B3K443HX8H216283, Tag: 49636MU, Unit: A - 24



Council Member Goldsmith moved to approve the declaration of three Police vehicles as surplus property and authorize for disposal at auction. Council Member Woodham seconded the motion. ALL AYES. THE MOTION WAS APPROVED.

#### **Old Business**

- **Demolition Bid Award - 613 Shelby St.**

Mayor Cost noted that a recommendation from the Abatement Board had not been received to remove this agenda item therefore, no action was required.

- **Food Truck Ordinance**

City Clerk Lehman explained that the Ordinance was still being edited and would be discussed at a future meeting.

### **Board Appointments**

- Water & Sewer Board – Roger Wheeler

Mayor Cost noted that Roger Wheeler had agreed to continue to serve on the Water & Sewer Board and is seeking reappointment.

Council Member Nix moved to reappoint Mr. Roger Wheeler to the Water & Sewer Board. Council Member Gilbert seconded the motion. ALL AYES. THE MOTION WAS APPROVED.

The Mayor and Council expressed their gratitude for his willingness to serve.

### **Other Business**

City Clerk Lehman noted that the Council had discussed the possibility of establishing Bloch Street as a One-Way only and it was determined that there may be an issue with creating a dead end at Valley Street. Mr. Lehman indicated that Dr. Anderson is no longer in favor of the one-way street. Mr. Lehman stated that the public hearing on the issue was originally set for May 23<sup>rd</sup>, however, due that issues had been identified the hearing would need to be postponed. Council Member Nix noted that establishing the one-way was also to address the major safety concern at that intersection. Council Member Woodham suggested that the Council obtain recommendations from the Police and Fire Departments on the issue. Mayor Cost stated that the hearing would be delayed until the 1<sup>st</sup> of June.

Mayor Cost asked for the Council to consider the request from Ms. Barnett with Helping Hands of Alabama to waive the facility and vendor fees for her event in September at Orr Park.

Council Member Nix moved to waive the reservation and vendor fees for Our Helping Hands of Alabama for the September 10 event being held at Orr Park. Council Member Peterson seconded the motion. ALL AYES. THE MOTION WAS APPROVED.

### **Citizen Participation**

Mayor Cost thanked all citizens for being present and bringing issues they were passionate about to the Council for consideration. She asked if anyone else wanted to address the Council.

Michael Patton, resident on Highland Street, stated he had a question regarding the Tree Preservation and Protection Ordinance. He asked whether the ordinance

addressed living trees that may be removed as the language of the ordinance only addressed dead or dying trees. Mayor Cost assured Dr. Patton that the City will replace any tree that must be removed and thanked him for paying close attention and stated that she would review the language of the ordinance.

### **Adjourn**

Council Member Nix made a motion to adjourn the meeting. Council Member Woodham seconded the motion. ALL AYES. THE MEETING ADJORNED AT 6:50 pm.

Submitted by:

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Herman Lehman  
City Clerk