

**MINUTES**

**Montevallo City Council Work Session**

**September 10, 2018**

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

**Mayor Hollie Cost, Council Member Rusty Nix, Council Member Willie Goldsmith, and Council Member Tiffany Bunt Council were in attendance. Member Matt Walker was absent.**

Mayor Cost called the Work Session to order at 5:30 p.m.

Mayor Cost welcomed everyone and then asked our city auditor, Wayne Barber, to report on the audit for the fiscal year ending September 30, 2017.

Mr. Barber said he was pleased to note there was mostly good news to report. He asked the Council to ask questions as he goes through the document. He noted that our city's finances have improved greatly over the past 10 years. He said this report provides the city with a "clean" opinion, which means that we have complied fully with GAAP standards.

(See attached audit)

Mr. Barber pointed out that, as always, this year's audit includes a management letter which includes recommendations on items the city can improve. He said there was nothing noted in the management letter which is unusual or of concern for a city our size.

Mayor Cost thanked Mr. Barber and his associates for doing such a good job, as always.

Chief Littleton presented the Police Department report:

Montevideo Police Department Stats

	January-18	February-18	March-18	April-18	May-18	June-18	July-18	August-18	September-18	October-18	November-18	December-18	Total
Total Reports	110	101	128	96	117	109	91	121					873
Criminal Cases	78	36	70	63	72	60	52	66					497
Non-Criminal	8	15	30	16	9	20	7	13					49
Traffic Accidents	14	11	15	20	18	15	12	14					39
Traffic Citations	120	134	117	86	197	153	154	282					1243
DUI Arrests	3	3	3	5	6	1	2	4					27
Public Intox Arr	2	2	2	3	1	6	1	0					17
Alias Arrests	24	16	18	7	15	16	10	20					128
Juvenile Arrests	1	0	1	2	1	1	0	1					7
Misd Arrests	12	12	7	11	4	3	4	8					63
Felony Arrests	3	1	7	1	7	2	1	13					29
Drug Related	4	3	9	4	1	9	9	19					64
Total Arrest	50	37	49	33	37	38	27	62					333
Auto Thefts	1	2	0	1	0	0	0	0					4
Burglaries	4	0	2	2	4	3	3	1					19
Auto Recoveries	0	0	0	0	0	0	0	0					0
Auto Burglaries	1	2	1	0	0	0	0	1					5
Criminal Mischief	5	3	0	3	2	2	4	7					26
DV, Related	15	13	11	11	15	10	10	11					96
Assaults	0	2	1	0	2	1	1	0					8
Fraud/Forgery	9	2	2	1	4	1	0	1					20
Harass / Reck	5	9	3	0	7	5	6	2					39
Misc. Offenses	18	18	25	18	16	21	21	15					152
Robberies	0	0	2	0	0	0	0	0					2
Thefts / Attempts	14	16	10	6	5	4	7	8					70
Suicide Attempts	1	0	1	0	0	0	0	1					3
Suicides	0	0	0	0	0	0	0	0					0
Deaths	1	1	2	0	1	3	2	1					11

Karen Kiker  
3:09 PM  
9/10/2018



## Montevallo Police Department Code Enforcement Activity Report

Date:  
09/10/2018

Inspection Period  
08/28/2018

Inspection Period  
09/10/2018

### Inoperable Vehicle Inspections:

Inspected:

Pending:

Closed:

### Animal Complaint Inspections:

Inspected:

Pending:

Closed:

### Abandoned Building Inspections:

Inspected:  
2

Pending:  
2

Closed:

### Property Inspections:

Inspected:  
22

Pending:  
13

Closed:  
9

### Miscellaneous Complaints:

Inspected:

Pending:

Closed:

Inspected:  
24

Total Inspections this Period:  
24

Total Inspections Year to Date:  
57



## Montevallo Police Department Code Enforcement Activity Report

### Inspections this Period:

22 Yards (needed mowed)  
2 yards with trash outside of Cans.

### Inspections Pending Continued from Last Period:

\* 5 Abatement Letters (Houses to be condemned) were sent with Deadlines falling on 21 and 22 September 2018.  
\* 1 House and property to be condemned. Certified Warning letter sent. Deadline 5 October 2018.

### Cases Closed this Period:

9 cases Closed. Seven were Overgrown Yards and two were Trash outside containers.

### Other Comments:

Chief Reid reported that August was a slower month than usual, with only 104 calls. However, they have already responded to over 1,000 calls in the first 8 months of the year. Block 3 of firefighter training classes end soon and the 4<sup>th</sup> will begin shortly. They have not responded to any major calls lately. He also reminded everyone that the annual Fire Prevention Parade is scheduled for October 13<sup>th</sup>.

Kirk Hamby, Director of Public Works, reported that Phase II of the sidewalk improvement project should begin in around 3 weeks. Likewise, we will start our leaf vacuum in a few weeks, too. Our crews still have a lot of debris to pick up from recent storms. In addition, we've seen "white goods" pile up along the streets lately, and we hauled off 7 to 8 loads of items to the dump last week alone.

Mr. Hamby noted that the volume at the Recycling Center remains down since we began our curbside recycling service. He noted we still see a lot of activity at the Center from folks in Chilton and Bibb counties.

Council Member Nix urged everyone to remember that the county's "free dump day" is coming up in October.

Council Member Peterson asked Mr. Hamby what our garbage pick-up schedule is supposed to be. He said we have experienced a lot of problems with our curbside service lately.

V Adams with Waste Pro was at the meeting and explained that, due to the holiday, everything should have been picked up Saturday. However, they had issues with the route and several areas were delayed. She asked those not serviced to leave their carts out and they will be serviced.

Mayor Cost reminded everyone that there will be a Glow Ride Wednesday starting at UMOM at 6:30 p.m.

In the absence of Mr. Baugh, our Park & Recreation Director, Council Member Nix updated the Council on that department. Importantly, he noted that the restrooms at Stephens Park are functioning well and we had no complaints during the recent tournament. As expected, crowds at our youth football games have increased because of the change in our designation. The crushed brick we use on our fields has really made a difference and helps to drain water from the field much more rapidly.

Critters by the Creek is scheduled for Sunday, October 28<sup>th</sup> from 1:00 to 3:00 p.m. He said they are still looking for a veterinarian to offer discounted rabies vaccinations. He asked that the Council add a waiver of vendor fees for this event under Other Business.

Abigail Heuton updated the Council on the Montevallo Junior City Council (MJCC). She said they have been talking to local businesses to raise funds for their movies. They have raised \$500 so far. They need around \$1,000 to purchase everything they need. Their next meeting is next Monday night at 6:00 p.m. at City Hall.

**Montevallo City Council Meeting  
September 10, 2018  
6:00 p.m. at City Hall**

**Mayor Hollie Cost, Council Member Rusty Nix, Council Member Willie Goldsmith, and Council Member Tiffany Bunt Council were in attendance. Member Matt Walker was absent.**

**Pledge of Allegiance**

**Meeting Call to Order** - Mayor Cost called the regular meeting to order at 6:00 p.m.

**Approval and/or corrections of the minutes - 8/27/18**

Council Member Peterson made a motion to approve the Minutes from August 27, 2018 as corrected. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

**Recognitions / Awards: NONE**

Mayor Cost informed everyone that the MJCC is being recognized on the national level at an event in Washington, D.C. Representatives from the MJCC, including Mayor Cost, will attend the event and will be in Washington on October 17, 18 and 19.

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

Thomas Lilly, Jr. suggested that the Council install a restroom facility at George Dailey Park.

Mayor Cost said she would like to see that happen, as well. She will ask Mr. Baugh to get us some cost estimates.

Veronica Bailey asked questions regarding the 3 day limit included in the proposed food truck ordinance. She suggested that the trucks would not need to leave for an entire day in order to be cleaned.

Sherry Valdes also expressed her concern over losing our taco truck as a result of this ordinance. She said they take their truck home every night to be cleaned and asked why they would need to vacate their spot at any point during the week.

Revenue Officer Debby Raymond explained that the biggest concern which has been expressed to her is the awning, picnic tables and other things the trucks have set up on those sites. The vendors are unclear as to whether or not those items would need to be removed, as well.

Chamber Director Steve Gilbert noted that the trucks also move from time to time for special events. We need to consider that too. He said he realizes that the intent is to not give the food trucks an unfair advantage over our established brick and mortar restaurants.

Leslie Dials noted that Alabaster places far more restrictive guidelines on the food trucks operating in their city.

### **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.

**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) –

Library Director Lauren Bartell presented her report:

**PARNELL MEMORIAL LIBRARY  
MONTHLY REPORT  
AUGUST 2018**

**CIRCULATION:** 2758 items charged  
(Decreased by 6.3%)

**ELECTRONIC CIRCULATION:** 1840 items charged

**COMPUTER USE:** 513 users  
(Decreased by 14%)

**STORYTIME/5:** 154  
(Increased by 54%)

**MOVIES/0:** NO MOVIES THIS MONTH

**OTHER CHILDREN'S PROGRAMS/0:** NONE THIS MONTH

**ADULT PROGRAMS/4:** 88

**DEPOSITS:**

8/2/2018	\$119.60
8/9/2018	\$140.30
8/16/2018	\$154.35
8/23/2018	\$145.03
8/29/2018	\$137.90
8/31/2018	\$52.75
	\$749.93

**Notes:**

- Tell us your stories with a photo on Facebook during the month of September with #PMLSnapshots
- Pilcrow Foundation Grant request to apply

She then presented a grant request, which requires no city funding:



I request permission to apply for the Pilcrow Foundation Children's Book Project Grant. This grant will provide up to \$1200 dollars of funds for new hardcover children's books. \$200 of matching funds have been promised by the Parnell Memorial Library Foundation, and I am in discussion with the local Kiwanis Club leadership regarding additional matching funds to maximize our potential award.

The deadline to apply for this grant is October 1<sup>st</sup>. Libraries will be notified by late October.

Council Member Bunt informed everyone that Montevallo Connections will meet Thursday at 4:00 p.m. at Montevallo High School. She also noted that the University of Montevallo was ranked very high again this year by U.S. News & World Report.

Council Member Bunt then submitted the following request for funding from the ArtWalk Committee:

**Herman Lehman**

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**From:** Emily Gill <emilygill77@gmail.com>  
**Sent:** Sunday, September 09, 2018 10:44 AM  
**To:** Herman Lehman  
**Subject:** Montevallo Art Walk budget request

Hello Herman,

Tiffany Bunt advised me to message you to ask that a request for funding of \$1000 be included in the City budget discussions for Art Walk.

We would use the funds for operating costs like website, advertising and supplies as well as programming expansion to have more, smaller Art Walk branded events throughout the year. We've tried a couple pop-ups, but in all honesty those have been a personal labor of love that I have paid out of pocket and piggy-backed on concurrent community events. This funding would provide advertising and support for not only our annual Halloween-time event, but those smaller events as well.

Please let me know if you need any further information,  
Emily Gill  
678-575-7548

**Finance, Economic Development & Tourism** (Finance, MDCD, IDB, Chamber, Historical Commission, Main Street) – Discussed earlier.

Steve Gilbert informed the Council that the Tinglewood Festival went very well. He said the festival would not have been possible without the funding and other support from the city, as well as the support they received from a long list of sponsors. He also thanked Mr. Hamby and his crews, our Police Officers, Explorers, EMS technicians and everyone else who contributed their time and talents to make the event a great success. He said they estimate at least 6,000 people attended the festival. He said the event attracted people from

well outside of Montevallo, and the State of Alabama. He thanked the City Council for providing this opportunity and said the committee attends to do it again next year.

Council Member Nix suggested they include some sort of sign-in sheet so we can tell where the attendees are from. Mr. Gilbert said their discussed the idea of have volunteers ask people as they arrive or throughout the day for their zip code.

Mayor Cost stressed that events such as this are tremendous economic drivers, but they are also a great way to bring our community together.

Montevallo Main Street Director Courtney Bennett reminded everyone that Friday Nights at the Cove has been extended to include Open Mike Night from 5-7 this Friday, as well as on September 28<sup>th</sup> and October 12<sup>th</sup>.

Janice Seaman, Chair of the Montevallo Historical Commission, said she was concerned with the fact that the Mahler House MOA included a September 5<sup>th</sup> start date. However, she said they haven't done anything yet.

Debby Raymond mentioned that McDonalds has reopened its lobby. She also noted that Shampoochie's relocated to Valley Street.

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

**Consent Agenda:** NONE

**New Business:**

Presentation and Acceptance of the Financial Audit – Council Member Peterson suggested this item be delayed for consideration until the next meeting so that the Council has time to fully review and consider the audit. The Council agreed.

Presentation of the Draft 2018-19 Financial Budgets – The Mayor presented the following proposed budget to the Council:



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  
Tiffany Bunt  
Willie Goldsmith  
Rusty Nix  
Jason Peterson  
Matt Walker

MEMORANDUM

Date: August 30, 2018  
To: Montevallo City Council  
From: Hollie C. Cost, Mayor  
Re: 2018-19 Fiscal Year Financial Budgets

Council:

It is my pleasure to present you with our recommended financial budgets for the upcoming 2018-19 Fiscal Year. In addition to the draft budget resolution included within this document, for management purposes, I have also attached separately detailed budgets for each of our funds. These budgets will allow you the opportunity to drill-down and see, line-item by line-item, the funding requested by each of our departments.

As you review these documents, please note the following;

- In the General Fund, on the revenue side, you will note that our projected income remains in line with our actual experience this year.
- On the expenditure side, the biggest change in next year's projected budget is the 3% step increase we've committed to for eligible employees. You will note that specific increase reflected in the salary line-item within each department. This is well deserved by all who are receiving it.
- Similarly each department's budget includes an anticipated 6% increase in health insurance rates for next year. This is what we've been told to expect beginning in January of 2019.
- Importantly, the General Fund budget continues our \$10,000 in support for the Tinglewood Festival. (p.22)
- The budget also keeps our other "contributions" at essentially the same level as last year, with a \$200 increase for ID cards for MHS students to access specific community privileges and a contribution of \$500 to support the highly successful MoYo Yoga Festival. (p. 23)
- Under Office/Administration you will note that, as requested by their board, our support for the Chamber of Commerce is increased by \$8,000 in order to allow them to make their Director full-time. As you know, we rely heavily on the Chamber to promote our city and support our local businesses. (p. 24)

- Under Police Salaries, we've included the \$5,000 we pay to Compact 20/20. Of course, we receive \$35,000 in return for our participation in that program. (p. 29)
- Similarly, we've included \$5,000 in Compact 20/20 activity related expenses under Special Projects. (p. 30)
- We also increased our support for the Library, as they requested, by \$16,421. As you all know, the library's Director and Board have always been outstanding stewards of our limited public funds. (p. 63)
- In addition, we received the request from the Park Board for their Activity Expenditures this coming year. Their requests are detailed under the Activity Expenditure line-item. We also added in \$300 for the Shoal Creek Park Grand Opening event. (p. 54)
- We also received notice on August 30<sup>th</sup> that Waste Pro will be instituting a 1.29% CPI increase effective October 1. As such, we expect our garbage service costs to increase by around \$3,000 next year. (p. 45)
- Given everything, we project in the General Fund a positive ending balance at the end of the year of \$6,119. (p. 64)
- As you will see, budgets for most of the special funds remain essentially the same as last year.
- One exception is the Library. As noted earlier, the Library requested a small increase in operating support this coming fiscal year. (pp. 86-89)
- Another exception is the Regions Reserve. Although there are no major changes in this fund, it is worth noting that the proposed expenditures include \$3,000 to fund a city-wide tree replacement program, as well as \$15,000 for additional banners and other decorations for our streets as previously approved by the Council. (p. 91)

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

**A RESOLUTION OF THE CITY OF MONTEVALLO, ALABAMA  
ADOPTING ITS 2018-2019 FISCAL BUDGETS**

**Whereas**, Generally Accepted Accounting Policies and Procedures recommend municipalities approve an annual financial budget;

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

1. The Council hereby adopts the following:

**2018 GENERAL FUND BUDGET**

REVENUES:	\$5,345,723	(\$252,300 UP)
Trans from Court (fines)	100,000	(No Change)
Trans from Court (restitution)	<u>40,000</u>	(No Change)
TOTAL REVENUE	\$5,485,720	(\$252,300 UP)
EXPENDITURES:		
Beautification -	\$ 2,400	(No Change)
Historical Commission -	2,000	(No Change)
City Judge -	20,252	(3% Increase)
City Prosecutor -	12,655	(3% Increase)
Mayor's Office -	12,964	(\$3,000 UP)
Clerk's Office -	87,426	(\$3,515 UP)
City Council -	3,200	(No Change)
Revenue Officer -	75,670	(\$1,342 DOWN)
Elections -	0	(No Change)
Economic Development -	64,554	(\$12,237 UP)
City Hall – General Operations	588,669	(\$51,359 UP)
City Shop -	17,300	(\$2,450 UP)
Police -	1,522,119	(\$39,396 UP)
Fire & Rescue -	326,581	(\$7,257 UP)
Cemetery -	78,897	(\$5,897 UP)
Building Inspector -	10,904	(No Change)
Fire Inspector -	71,504	(\$1,644 UP)
Streets & Roads -	532,521	(\$27,970 UP)
Leaf & Limb -	95,493	(\$7,418 UP)
Sanitation -	314,101	(\$5,081 UP)
Animal Control -	23,504	(\$1,129 UP)
Golf Course -	307,182	(\$12,971 UP)
Aging Program -	51,937	(\$760 UP)
Parks & Recreation -	272,670	(\$26,532 UP)
Community Band -	250	(No Change)
Recycling Center	10,300	(\$2,800 UP)
Mahler Property	1,200	(No Change)
90% of 1 Cent Expense (MDCD)	551,250	(\$17,250 UP)
10% of 1 Cent Expense	61,250	(\$1,917 UP)
Fire Truck Lease Repayment	54,654	(No Change)
Library Loan Repayment	70,776	(No Change)
Transfer to Library -	<u>212,000</u>	(\$26,421 UP)

TOTAL EXPENDITURES	\$5,229,043	(\$256,561 UP)
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REVENUES OVER EXPENDITURES	\$ 3,119	
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**4/5 CENT GAS EXCISE TAX FUND**

REVENUES	\$ 11,462	(No Change)
EXPENDITURES	<u>11,000</u>	(No Change)
REVENUES OVER EXPENDITURES	\$ 462	(No Change)

**2 & 7 CENT GAS EXCISE TAX FUND**

REVENUES	\$ 14,805	(No Change)
EXPENDITURES	<u>14,805</u>	(No Change)
REVENUES OVER EXPENDITURES	\$ 0	(No Change)

**COURT**

REVENUES	\$ 370,100	(No Change)
EXPENDITURES	<u>370,027</u>	(\$243 DOWN)
REVENUES OVER EXPENDITURES	\$ 316	(\$243 UP)

**FORFEITURE FUND**

REVENUES	\$ 0	(No Change)
EXPENDITURES	<u>0</u>	(No Change)
REVENUES OVER EXPENDITURES	\$ 0	

**CAPITAL IMPROVEMENT FUND**

REVENUES	\$ 56,000	(No Change)
EXPENDITURES: Misc - Old City Hall Demo/Paving)	<u>50,000</u>	(No Change)
REVENUES OVER EXPENDITURES	\$ 6,000	(No Change)

**LIBRARY FUND**

REVENUES	\$ 235,300	(\$25,521 UP)
EXPENDITURES	<u>235,114</u>	(\$25,707 UP)
REVENUES OVER EXPENDITURES	\$ 0	(\$186 DOWN)

**MONTEVALLO REGIONS CAPITAL RESERVE FUND**

**REVENUE**

Library Debt Payments	\$ 70,776	(No Change)
Fire Truck Lease Payments	54,654	(No Change)
10% of 1 Cent Tax	61,250	(\$1,917 UP)
90% of 1 Cent Tax	<u>551,250</u>	(\$17,250 UP)
TOTAL	\$737,930	(\$19,000 UP)

**EXPENDITURES**

MDCD	551,250	(\$17,250 UP)
City Hall	20,000	(\$10,000 UP)
Police - Vehicles	33,000	(No Change)
Fire Dept – Capital	95,000	(No Change)
Misc. –	18,000	(\$9,000 DOWN)
Capital – Mahler/SCP	10,000	(No Change)
Street Mower	<u>9,300</u>	(No Change)
TOTAL	\$736,550	(\$18,250 UP)

UNALLOCATED \$ 1,380 (\$917 UP)

ADOPTED AND APPROVED THIS \_\_\_\_ DAY OF SEPTEMBER,  
2018.

\_\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

Set Date for Meetings to Approve the Budgets (Tentative List) -

The Council agreed to the following dates:

- Budget Work Session – 5:30 PM, Monday, September 17<sup>th</sup>
- Budget Hearing – 6:00 PM, Monday, September 24<sup>th</sup>
- Special Council Meeting to Approve the Budget, 6:00 PM, Thursday, September 27<sup>th</sup>

**Old Business:**

Food Truck Ordinance –

Ordinance No. \_\_\_\_\_

City of Montevallo “Food Trucks Ordinance”

Mobile Food Vendors.

**Section 1. Definitions**



Definition: Mobile food unit- a self-contained vehicle, trailer or pushcart that serves prepared foods or prepares and serves food in various locations of the city.

Mobile Food Unit Park- more than one mobile food unit (a.k.a. food truck park) located on a site larger than ¼ acre.

## Section 2. Guidelines

1. Mobile food vendors (a mobile food dispensing vehicle that sells prepared food products) and mobile units that sell agricultural produce may be permitted, subject to the approval of a mobile food vendor permit by the city clerk and the presentation of written permission from the property owner on whose property the mobile food vendor is to be located. All mobile food vending businesses shall be subject to the following criteria:
  - a. A mobile food vending business shall be treated and permitted as a Peddler Local and subject to the regulations thereof.
  - b. All mobile food units shall be self-contained.
  - c. All required Alabama Department of Public Health permits must be obtained and copies provided.
  - d. No mobile food vendor shall be allowed to operate in excess of three consecutive days in any one location, unless they have the Mayor or City Clerk's written approval to operate at one location for an extended period of time related to a special event lasting more than three days. During days of non-operation, the mobile food vendor and all associated vehicles, etc. must be removed from the premises.
  - e. Only one mobile food unit shall be permitted on a site smaller than ¼ acre. A maximum of five mobile food units shall be permitted within a "mobile food unit park" – a.k.a. "food truck park" site larger than ¼ acre but smaller than a ½ acre, unless approved otherwise in writing by the Mayor for a special event, community event or festival.
  - f. Mobile food vendors shall only be located and operated in areas or districts zoned non-residential unless they are temporarily operated for specific events held at an institution (i.e church, school, etc.) that is located on a parcel zoned for residential.
  - g. No more than one mobile food vendor shall operate on the same site per day unless they have the Mayor's written approval related to a special event or the site is permitted as a "mobile food unit park" – a.k.a. "food truck park."
  - h. Signage will be limited to signage located on the mobile food unit. No portable signage is allowed, with the exception of a sandwich board style sign.
  - i. Property owners renting space to one or more mobile food units (constituting a "mobile food unit park" – a.k.a. "food truck park") shall be considered lessors and shall be required to pay the same annual business license rate per rental space as required of other landlords.
2. A minimum of four parking spaces per site shall be required for the use of the mobile vendor patrons. Mobile food vendors may not occupy parking spaces required to fulfill the minimum requirements of the principal use, unless they have written approval of the Mayor or City Clerk.
3. No mobile vendor shall operate in the following areas:

- a. Within ten feet from the right-of-way of any public street or roadway.
  - b. Within a required landscape buffer or improvement setback.
  - c. Within ten feet of any street intersection or cross walk.
  - d. Within ten feet of any driveway or other curb cut access, loading zone or bus stop.
  - e. In any area within 15 feet of a building entrance.
  - f. On the median strip of a divided roadway.
  - g. In front of display windows of a fixed location business.
  - h. Within ten feet of a fire hydrant or fire escape.
  - i. Within ten feet of any parking space or access ramp designated for persons with disabilities.
4. No vending cart or stand, or any other item related to the operation of a mobile vendor use, shall be located on any city sidewalk or other public way during non-vending hours. Nor shall any vehicle be parked, stored or left overnight on any city sidewalk or other public way.
5. Vendors shall keep the sidewalks, roadways and other spaces adjacent to their vending sites or locations clean and free of paper, peelings, and refuse of any kind generated from their business. All trash or debris accumulating within 25 feet of any vending stand shall be collected by the vendor and deposited in a trash container provided by the vendor. The trash container shall be emptied regularly and marked as being for litter.
6. Mobile vendors may not do any of the following:
- a. Obstruct pedestrian or motor vehicle traffic flow.
  - b. Obstruct traffic signals or regulatory signs.
  - c. Obstruct adequate access to emergency and sanitation vehicles.
  - d. Interfere with access to abutting properties.
  - e. Sound any device that produces a loud noise or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention.

### **Section 3. Penalties**

Any person violating any provision of this article may be issued a citation by the Montevallo Police Department or at the request of the Revenue Officer or his/her designee be issued a summons and shall be required to appear in the Montevallo Municipal Court. Upon conviction, any person shall be subject to any fines and other applicable court costs which may be assessed by the Montevallo Municipal Court.

### **Section 4. Exceptions**

The Mayor or City Clerk may provide written approval, related to a special event, of the following exceptions: duration, location and hours of operation. Special events include Annual festivals such as the ArtWalk, Arts Fest, and other communitywide functions.

### **Section 5. Severability**

If any part, section or subdivision of this resolution shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this resolution, which shall continue in full force and effect

notwithstanding such holding.

**Section 6. Effective Date**

This Ordinance Number \_\_\_\_\_ shall become effective October 1, 2018 following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

ATTEST:  
  
\_\_\_\_\_  
Herman Lehman, City Clerk

Council Member Bunt suggested that the Council delay action on this item in order to clarify several outstanding questions. She said the last thing we want to do is to deter quality food trucks from locating in Montevallo.

Council Member Nix agreed, noting we need to clarify the issue regarding relocating the truck at some point during the week. He said we don't need to have these trucks setting up as permanent locations instead of locating in vacant storefronts.

White Goods – Update –

Mayor Cost asked Council Member Peterson to have his committee look into this issue. She explained that White Goods include household items such as furniture, mattresses, appliances and other things we do not pick-up through our normal garbage service. She

noted that many cities offer this service. She said she thinks offering this service in Montevallo would be of benefit to our residents and help to keep our neighborhoods and streets looking good.

**Board Appointments:** NONE

**Other Business:**

Mayor Cost informed the Council that she delivered the following proclamation over the weekend:



## **A Proclamation Honoring David Lindsey, a Revolutionary War Veteran, his family, and the David Lindsey Chapter of the Daughters of the American Revolution**

**Whereas,** David Lindsey was a Revolutionary War soldier who lived in present day Cecil, Washington County, PA during the War, where he was a soldier in the 4th PA battalion; and

**Whereas,** Mr. Lindsey and members of his family moved to Alabama from Tennessee in the early 1800's, settling in Shelby County, Alabama around 1820; and

**Whereas,** Mr. Lindsey and his sons, Elijah, James, and John, Joseph Lindsey, along with his sons-in-law, Richard Crowson and Joseph Hale, amassed a large quantity of land near each other in Shelby County between the years 1823-1834; and

**Whereas,** David Lindsey died in Shelby County, Alabama around 1836 and was buried on the old homestead of their son, Elijah Lindsey, near Maylene, Alabama, approximately 5 miles from Montevallo along Shelby Co. Highway 17, south of Helena; and

**Whereas**, the burial site for David Lindsey and Mary Casey also contains the graves of others, marked and unmarked, including their son, Elijah, who is buried there in an unmarked grave; and

**Whereas**, the David Lindsey Chapter, Alabama Society, Daughters of the American Revolution placed and dedicated a marker on David Lindsey’s burial site on Alabama Day, 1953; and

**Whereas**, among many other good works such as this over the years, the David Lindsey Chapter of the Daughters of the American Revolution promotes “patriotism, service to our community and to our country and the conservation of the beautiful land in which we as Americans live. . . help educate our students and recognize the special accomplishments of young people . . . work to preserve our history and historical sites . . . welcome our new citizens and introduce them to life in America and help care for our veterans and their families.”

**Now, therefore**, I, Hollie C. Cost, as Mayor of the City of Montevallo, Alabama, do hereby proclaim September 9, 2018 as David Lindsey Day, and encourage all residents of Montevallo and other communities in Shelby County to join with us in thanking the David Lindsey Chapter of the Daughters of the American Revolution for all their good works, and celebrating the life and service to our nation of David Lindsey and his family.

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Hollie C. Cost, Mayor

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Date

The Mayor also presented the following:

## Constitution Week 2018

*Whereas*, September 17, 2018 marks the two hundred and thirty-first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

*Whereas*, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

*Whereas*, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

*Whereas*, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, Hollie C. Cost,

Mayor of the City of Montevallo, Alabama,

do hereby proclaim September 17 through 23, 2018 to be

### CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Montevallo, Alabama on this 10<sup>th</sup> day of September the year of our Lord two thousand eighteen.



*Hollie Cost*  
\_\_\_\_\_  
Mayor

Council Member Nix made a motion to waive all business licenses and vendor fees for the ArtWalk, Critters by the Creek, and the Fire Prevention Parade. Council Member Bunt seconded. ALL AYES . . . MOTION APPROVED.

Council Member Bunt made a motion to grant permission to apply for the Pilcrow Foundation Children's Book Project Grant. This grant will provide up to \$1200 dollars of funds for new hardcover children's books. \$200 of the matching funds were promised by the Parnell Memorial Library Foundation, and Ms. Bartell is in discussions with the local Kiwanis Club leadership regarding additional matching funds to maximize our potential award. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

**Citizen Participation:** NONE

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 6:34 p.m.

Submitted by:

Herman Lehman  
City Clerk