

**Montevallo City Council Work Session
November 23, 2020
5:30 p.m. at City Hall**

**Montevallo City Council Meeting
November 23, 2020
6:00 p.m. at City Hall**

Due to COVID-19 restrictions, this meeting of the City Council will be featured on the city's Facebook Page starting at 5:30 p.m. Everyone is encouraged to participate in the meeting through that platform. You will have an opportunity to submit your questions or comments in writing during the Citizen Participation portions of the meeting. Of course, you may also attend the meeting in person. However, seating will be limited, and strict social distancing protocols, including wearing a mask, will be enforced.

Pledge of Allegiance

Meeting Call to Order

Approval and/or corrections of the minutes – 11/09/20

Recognitions / Awards:

Opportunities for citizens to speak to the Council

Committee Reports and Consideration of Bills:

- **Public Health & Safety** (Police, Fire, Code Enforcement, Housing Abatement and Planning & Zoning). **David King- Chair**
- **Sustainability** (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives, and Historical Commission) – **Kenny Dukes- Chair**
- **Recreation, Preservation and Community Development** (Parks & Recreation, Youth Athletics, Trails, Annexations) -**Martha Eisenberg- Chair**
- **Education, Arts & Outreach** (Schools, UM, Boys & Girls Club, Library, American Village, Sister City Commission, Art Walk, IMPACT) - **Lella Mitchell- Chair**
- **Finance, Economic Development & Tourism** (Finance, MDCD, IDB, Chamber, Main Street) **Sonya Swords- Chair**

Consent Agenda: Payment of Bills

New Business:

- Recommendation to close Golf Course Bank Account and transfer remaining funds to the City General Fund Account
- Recommendation to accept quote from Type Shop Inc. for Recycling Informational Magnets from ADEM Grant Funds
Sustainability Coordinator Olivia Barone.

Old Business:

- Recommendation to adopt Ordinance 11232020-301 Chapter 4 Article II – (Animal Control) of the Montevallo Municipal Code to further protect animal health and welfare.

Board Appointments

- **IDB (Industrial Development Board):**
 - Re-appointment of Phil Burns - term to expire 11/23/2023
 - Re-appointment of Dr. Steve Condrey – term to expire 11/23/2023
 - Appointment of Janice Seaman – term to expire 11/23/2023

Abatement Board

- District 1 – Kevin Hughes – term to expire 11/1/2024
- District 2 - Lorenza Mitchell, Sr. - term to expire 11/1/2024
- District 3 – Ethel Mae Thompson - term to expire 11/1/2024
- District 4 – Claude Elledge - term to expire 11/1/2024
- District 5 – George Henry term to expire 11/1/2024

Water & Sewer Board

- Re-Appointment of Brad Davis – term to expire 11/24/2023

Other Business

Citizen Participation

Adjourn

MINUTES

Montevallo City Council Work Session

November 23, 2020

5:30 p.m. at City Hall

Mayor Rusty Nix, Council Member David King, Council Member Lelia Mitchell, Council Member Kenneth Dukes, Council Member Sonya Swords, Council Member Martha Eisenberg were in attendance.

Mayor Nix opened the work session at 5:30 p.m.

Councilman David King presented the Fire Department Report: 11/1-11/23

82 calls total: 15 lift assist, 2 test calls, 1 brush fire, 1 fire complaint, 2 battalion fire calls, 1 fire alarm, 1 dumpster fire, 1 transformer fire, 1 appliance fire, 4 MVC, 2 cardiac arrest, 51 ems calls

Chief Littleton presented the Police Department monthly report see appendix 1

Kirk Hamby, Director of Public Works, reported his crews hauled a total of 180 truckloads of storm debris to the leaf and limb site. Upgrades have been made to leaf vacuum. Leaf removal has resumed. Christmas decorations are in the process of being installed on Main Street and the Santa Trailer is being decorated for the Christmas parade on December 3rd. The new auxiliary parking area has been graveled across from City Hall next to the Victory Building providing an addition 12 parking spaces.

Oliva Barone, Sustainability Coordinator, reported on sustainability activities. Recycling and document shredding took place on November 21st with 2,800 lbs. of documents being processed and shredded. The new park bench was installed and dedicated at Owls Cove Park. The bench is made from recycled plastic film. The residents recycled over 40,000 plastic bags to meet the goal to receive the bench and commemorative plaque. See appendix 2.

Shane Baugh: Park and Recreation reported via zoom that cleaning of storm debris from the parks is on schedule, some trails are still blocked due to large, downed trees. They are being removed as quickly as possible. The youth basketball program beings playing games the week of November 30th. Mahler House renovations are progressing, the front porch has been reconstructed, the new roof is installed, floor joists have been replaced and new decking has been laid down for flooring.

Councilwoman Lelia Mitchell reported for Savannah Kitchens, Director of Parnell Library, the library is currently closed due to COVID-19 Issues and the limited operation days due to the Thanksgiving Holiday. The letters to Santa program in conjunction with the Chamber of Commerce is open until December 14th. The Library will resume limited in person operations in December with curbside services also available.

Sarah Hogan, Director for Impact, called on MJCC Junior Mayor Olivia Gilbert via Zoom to present MJCC information on Super Youth Saturday, and other MJCC activities. Report details see appendix 3.

Courtney Bennett, Director of Mainstreet, presented the department report, see appendix 4.

Adele Nelson, Acting Director for Chamber of Commerce, reported on planning for the Chamber Christmas Parade on Thursday December 3rd. Forms for participation are available at City Hall or via the Chamber Website. Business Hall of Fame Inductees will be recognized with a custom yard sig to display designating them as a Class of 2020 inductee. Announcement of selections will be made virtually by the Chamber.

Councilwoman Swords reported the Finance Committee Meeting would be held on Wednesday December 2nd at 4:30 PM in Council Chambers.

City Clerk Steve Gilbert announced there would be a special session of the City Council held on Nov 30th at 6:00 PM for the purpose of conducting 2 Public Hearings regarding the Planning and Zoning Commission's recommendations for the Lexington Parc Subdivision request to reduce lot sizes and setbacks, and The Xcaret Grill site plan approval.

Montevillo City Council Meeting

November 23, 2020

6:00 p.m. at City Hall

Mayor Rusty Nix, Council Member David King, Council Member Lelia Mitchell, Council Member Kenneth Dukes, Council Member Sonya Swords, Council Member Martha Eisenberg were in attendance.

Pledge of Allegiance

Meeting Call to Order – Mayor Nix called the meeting to order at 6:00 PM

Approval and/or corrections of the minutes

Councilman Dukes made a motion to approve minutes from 11.09.20 as amended by corrections from Councilwoman Mitchell. Second Councilwoman Eisenberg. ALL AYES . . . MOTION APPROVED.

Recognitions / Awards: None presented

Opportunities for citizens to speak to the Council:

Chris Nelson County Road 73, Montevallo addressed the Council on behalf of the Block the Brierfield Prison Group. He distributed materials to the mayor and council regarding the ongoing efforts to stop construction of the prison. See attached Appendix 5 with Map of proposed site.

Richard Tims, 165 Kiowa Street, spoke asking that the council and the City provide special recognition of the Public Works Crews efforts to remove storm damage in the city. He suggested a bonus for the workers and or perhaps a luncheon recognizing their efforts and long work hours.

Public Works Director Kirk Hamby thanked Mr. Tims for his support of the department.

John Wagener 1235 Nabors Street addressed the council seeking payment for damages to his vehicle due to the storm on October 29, 2020. Large limbs from a tree fell on his Dodge Pick-up. A claim was filed by Mr. Wagner seeking payment for damages. The claim was denied by the City's Insurance as an act of nature. Mr. Wagner asked that the Council investigate further. A motion to reconsider the claim with new photographs of tree and damage in other Business was made by Councilwoman Eisenberg. Second Councilman Dukes. All Ayes Motion Passed.

C.P. Pierson, 1131 Oak Street, spoke to council regarding the annual MLK Day March in Montevallo, on January 18th, 2021 to request a parade permit. He invited the mayor and all council members, city employees and citizens to participate. Mayor Nix asked that the request be placed on the agenda under Other Business

Facebook messages: Sanchez Tannehill to Council reminder of free cupcake day at K'J's in Alabaster. Calvin Meadows in support of the Public Works Department for a job well done on storm damage removal.

Committee Reports and Consideration of Bills:

Public Health & Safety (Police, Fire, Code Enforcement, Housing Abatement)– reported earlier.

Sustainability (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives) – reported earlier.

Recreation, Preservation and Community Development (Parks & Recreation, Golf Course, Youth Athletics, Trails, Planning & Zoning, Annexations,) – reported earlier.

Education, Arts & Outreach (Schools, UM, Boys & Girls Club, Library, American Village, Sister City Commission, Artwalk, IMPACT) – reported earlier

Finance, Economic Development & Tourism: reported earlier

Consent Agenda: Payment of Bills. Motion to pay the bill as presented Councilwoman Swords Second Councilwoman Eisenberg. All Ayes motion passed.

New Business:

Recommendation to Close Golf Course Bank account and transfer funds to City General Fund Account: Motion to Approve the account closing by Councilman Dukes, Second: Councilman King All Ayes. Motion passed.

Recommendation to accept quote from Type Shop Inc. for Recycling Informational Magnets from ADEM Grant Funds

Motion to accept Councilman Dukes. Second Councilwoman Swords. All Ayes. Motion passed.

Old Business:

Recommendation to adopt Ordinance 11232020-301 Chapter 4 Article II – (Animal Control) of the Montevallo Municipal Code to further protect animal health and welfare. See Appendix 6 Ordinance read by City Clerk Steve Gilbert, Discussion: Councilwoman Swords to Chief Littleton regarding enforcement procedures. Chief Littleton Animal Control is first response after a complaint is filed. Councilman Dukes commented he was not in favor of all items within the ordinance. Councilman King commented on the procedures for enforcement contained in the ordinance. Mayor Nix spoke on behalf of the spirit of the ordinance in terms of dealing with animal abuse. Councilwoman Eisenberg spoke that the requirements for types of shelter were overreaching. City Clerk Steve Gilbert advised Council that our attorney had recommended removing the word negligence from section 4.30 as the only change in the ordinance. A motion to accept the change was made by Councilman King. Second Councilwoman Swords. King Aye, Dukes Aye, Mitchell Abstain, Nix Aye Swords Aye, Eisenberg Nay Motion to Amend Passed 4 to 1. No further Discussion Mayor Nix called for a vote on the amended Ordinance. Motion Councilwoman Swords Second: None Motion to approve failed.

Board Appointments

- Re-appointment of Phil Burns - term to expire 11/23/2023
- Re-appointment of Dr. Steve Condrey – term to expire 11/23/2023
- Appointment of Janice Seaman – term to expire 11/23/2023

Abatement Board

- District 1 – Kevin Hughes – term to expire 11/1/2024
- District 2 - Lorenza Mitchell, Sr. - term to expire 11/1/2024
- District 3 – Ethel Mae Thompson - term to expire 11/1/2024
- District 4 – Claude Elledge - term to expire 11/1/2024
- District 5 – George Henry term to expire 11/1/2024

Motion to approve slate of appointments by Councilwoman Swords. Second by Councilwoman Eisenberg Vote: All Ayes Motion passed

Other Business:

Water & Sewer Board

- Re-Appointment of Brad Davis – term to expire 11/24/2023

Motion to approve Councilman Dukes. Second Councilman King. Vote: All Ayes Motion passed.

Library Board

- Re-Appointment of Kathy Bearden – term to expire 11/24/2023

Motion to approve Councilwoman Mitchell. Second Councilman King. Vote: All Ayes Motion passed.

Recommendation to accept AT&T Internet Service Agreement Proposal 2 options presented. See Appendix 7. Motion to approve Plan 2 as presented Councilman Dukes. Second Councilman King Vote: All Ayes Motion passed.

Request by C.P. Pierson for MLK Day Parade Permit on January 18, 2021 Motion to grant permit Councilman King. Second Councilwoman Mitchell Vote: All Ayes Motion passed.

Request to Appeal Insurance claim decision on behalf of John Wagner. Motion to appeal Councilman Dukes. Second Councilwoman Eisenberg. Vote: All Ayes Motion passed.

Citizen Participation:

C.P. Pierson spoke on behalf of and in support of the Council's decision to appeal the Insurance Company's denial of the claim for John Wagner.

Richard Tims 165 Kiowa Street spoke of his displeasure that the council had allowed the Animal Control Ordinance to not be passed. It was his hope that the council would reconsider the Ordinance as soon as possible.

Mayor Nix spoke that the ordinance could be reconsidered at a future council session and would be looked at as to the concerns raised by council with its current wording.

There being no further business before the Council, Mayor Rusty Nix called for a motion to adjourn. Motion to Adjourn from Councilman Dukes, Councilwoman Eisenberg seconded. ALL AYES . . . MEETING ADJOURNED at 7:12 p.m.

Submitted by:

Steve Gilbert
City Clerk / Treasurer

APPENDIX 1

day - 14 November 2020 - pg 2 of 2

Log

Activity Report 10 November to 23 November 2020

Detailed Report

- *Reported this period: 0*
- *Animal Complaints: 0*
- *Overgrown Grass and Weeds: 0*
- *Trash and/or Debris: 0*
- *Inoperable Vehicles: 1*
(1) 309 Waller Street
- *Unsafe Structures: 0*
- *Miscellaneous: 1*
(1) 98 Western Drive
- *Closed Cases: 1*
(1) 98 Western Drive.
- *Continued from last period: 2*
(1) 98 Western Drive - On [9 November 2020, the Montevallo City Council Ruled](#) to allow the Goode Family's mobilehome to remain on the property at 98 Western Drive.
(2) [309 Waller Street](#) - 5 inoperable vehicles lined up in the street against the curb. Letters sent and notices attached to vehicles. 30 days for owner to remove the vehicles.

General Report -

- *Reported this period: 0*
- *Inoperable Vehicles: 1*
- *Miscellaneous: 1*
- *Closed Cases: 1*
- *Continued from Last Period: 2*

Montevallio Police Department Stats

	January-20	February-20	March-20	April-20	May-20	June-20	July-20	August-20	September-20	October-20	November-20	December-20	Total
Total Reports	98	75	76	63	99	67	68	58	125	103	52		884
Criminal Cases	40	22	22	30	44	35	40	35	57	54	36		415
Non-Criminal	11	15	18	6	15	12	14	10	16	32	6		128
Traffic Accidents	13	15	9	8	12	12	9	8	16	18	6		136
Traffic Citations	150	140	68	16	101	67	95	127	125	102	88		1079
DUI Arrests	3	9	2	2	3	5	1	3	0	4	2		36
Public Intox Arr	0	1	1	2	2	3	1	4	3	2	0		19
Alias Arrests	13	3	8	1	5	2	1	6	9	9	6		68
Juvenile Arrests	2	0	0	0	0	0	0	0	0	0	1		3
Misd Arrests	3	7	5	0	12	2	3	8	14	6	4		64
Felony Arrests	1	0	1	5	8	4	3	2	9	4	2		39
Drug Related	5	2	2	7	9	3	6	6	8	5	1		7
Total Arrest	25	23	19	17	39	19	15	37	48	34	16		290
Auto Thefts	0	0	1	2	1	0	0	0	1	0	0		5
Burglaries	1	3	2	0	2	1	1	0	0	1	1		12
Auto Recoveries	0	0	1	1	0	0	0	0	0	0	0		2
Auto Burglaries	4	1	0	0	0	1	0	0	2	2	7		18
Criminal Mischief	4	2	4	5	0	2	4	1	9	5	3		39
DV. Related	64	7	9	12	11	5	12	8	3	9	7		83
Assaults	8	4	4	3	3	2	9	2	5	7	4		51
Fraud/Forgery	0	2	1	1	0	1	2	1	2	0	1		11
Harass / Reck	4	0	6	2	8	4	4	2	5	3	1		39
Misc. Offenses	25	10	18	7	1	23	20	11	23	28	6		172
Robberies	0	1	0	0	0	0	0	0	0	0	0		1
Thefts / Attempts	8	12	4	4	4	2	0	4	7	6	6		54
Suicide Attempts	0	0	0	1	0	0	0	0	0	0	0		0
Suicides	0	0	0	0	0	0	0	0	0	0	0		0
Deaths	0	0	0	0	1	0	0	0	0	1	0		1



Montevallo Sustainability

WE'RE LEADING BY EXAMPLE

2019-2020 ANNUAL REPORT



APPENDIX 2

Summary:

Montevallo hosts several sustainability programs. Most visibly, Montevallo's Recycling Center serves as a hub for residents to recycle in Montevallo and surrounding communities as far as Chilton County. Since the hiring of the city's first Sustainability Coordinator, Montevallo's recycling center added additional programs like donation bins to the local thrift store and plastic bag recycling. During its first three months, Montevallo donated 11,500 lbs to America's Thrift Store. Montevallo also entered Trex's plastic film recycling challenge where, for every 500 pounds of plastic film collected in six months, Trex will exchange the plastic for an outdoor bench. We collected and recycled 500lbs in less than 6 months – a token for how successful programs grow quickly here. The bench was installed November 2020. Montevallo also takes pride in its parks, walkable downtown, and public art.

In a partnership with Commute Smart Birmingham, three additional bike racks have been installed along our Main Street corridor. We also host a local farmers market and we have the oldest bike share program in the state. Montevallo regards energy efficiency as a top priority as our parks, fire department and city hall are equipped with LED and motion sensor lights. Our downtown Main Street corridor also has LED lights and, most recently, Montevallo has partnered with Alabama Power to change all of our streetlights to LED.

Montevallo's sustainability goals would not be nearly as robust without the help of our community organizations, city departments, University partnership, and support from the Mayor and City Council. Whether directly related to energy savings, emission reduction, or resource conservation, Montevallo has a knack for doing good for the environment and its residents while cutting costs.



Montevallo Sustainability

2019-2020 ANNUAL REPORT

In this Report:

- 1. Recycling
- 2. Impressions
- 3. Grants
- 4. Energy
- 5. Walkability
- 6. Community

Montevallo by the Numbers.

- Waste diverted away from landfill since Jan 2020:
 - Recycled: 111,760 lbs*
 - Donated: 34,700 lbs
- Impressions:
 - +2,000 residents reached
 - +620 social media followers
 - 100 resident contacts*
- Funding Awarded: \$107,857
- Energy (City Operations) 2019: 661,856 kWh*
- Energy (Resident Usage) 2019: 180,000,000 kWh*
- Fuel Consumed 2019: 26,064 gallons*
- Municipal Greenhouse Gas Footprint 2019-2020: 1,173.6 MT CO₂e*

Montevallo's Reuse It Book Vol. I

Made in conjunction with the City of Montevallo and the University of Montevallo's Trio Upward Bound Program

In This Issue

Montevallo's Recycling Center.....	2-3
Why recycle, reuse, and reduce?.....	4-5
What can I recycle or donate?.....	6
Where can I recycle or donate?.....	7
Sustainability Wins.....	8



cityofmontevallo.com/sustainability.aspx



Sustainable Montevallo



Montevallo Sustainability

2019-2020 ANNUAL REPORT

Recycling:

- Renovated Recycling Center with new signs and new hours for a more efficient operation.
- Saved 60% on fees.
- Added additional recycling programs:
 - Plastic Film Recycling
 - Electronics Recycling
 - America's Thrift Store Donation Bins

Impressions:

- Tabling at Arbor Day, Montevallo's Farmer's Market, and Love Montevallo Day.
- America Recycles Day Celebrations
 - Community Clean Up, Recycled Bench Ribbon Cutting, and Document Shredding Truck
- Group Presentations on Waste Reduction.
- Earth Day reusable bag giveaway at Montevallo High School.
- Monthly Sustainability Segment in Chamber Chatter.
- Active Facebook Page.

Grants:

- Awarded:
 - \$38,313 ADEM Recycling Fund Grant
 - \$29,544 AARP Communities Challenge Grant
 - \$40,000 ADECA State Energy Program Grant
- Applied:
 - Alabama Power Foundation Grant
 - VW Settlement Grant

Energy:

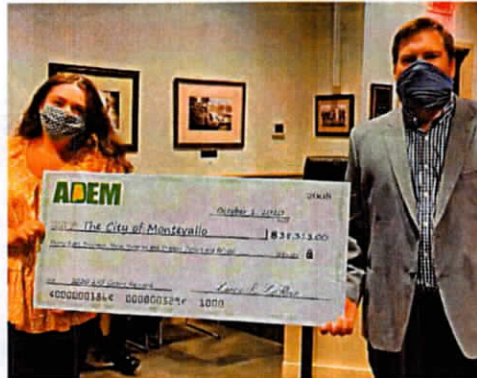
- Conducted Energy Audit for city operations.
- Calculated Montevallo's first municipal carbon footprint.
- All Alabama Power Street Lights will be converted to LED.

Walkability:

- Three new Bike racks installed on Main Street Corridor.
- Montevallo Elementary School Island Street crosswalk and completed Bulldog Bridge path.
- ADA Transition Plan and New Construction sidewalk prioritization.

Community:

- Worked with University of Montevallo Sustainability Capstone Course.
- Produced First "Reuse It Book" with University of Montevallo's Trio Upward Bound Program.
- Active Board Member on:
 - Alabama Environmental Council
 - Montevallo Main Street
- Montevallo Main Street Sustainability Committee.
 - Green Business Program:
 - 3 community supporters
- Diane Johnson was the first Certificate of Recognition recipient for her extraordinary volunteer work at the Recycling Center.





City Council Meeting
November 23, 2020

APPENDIX 3

- **MJCC:** Ms. Olivia Gilbert, our junior Mayor will provide an update regarding the Junior City Council activities and initiatives.
- **NCA Graduation:** We received notice last week that Impact Montevallo has qualified for graduation from the National Coalition Academy. Thank you to the coalition members for their dedicated work and passion to make a positive impact in our community.
- **CADCA's Chairman's Award:** The Coalition did submit a video application for CADCA's, Community Anti-Drug Coalitions of America, NCA Chairman's Award demonstrating the knowledge that was received through the process that is being implemented here in Montevallo.
- **Chief's Challenge:** We continue to receive great media coverage from our Chief's Challenge. Thank you to Emily with Shelby County Reporter for covering the story that has now also been released on the NewsBreak app.
- **General Price:** I'm excited to announce that the President & CEO of CADCA will be attending Impact Montevallo's January meeting scheduled for January 5. I hope the Mayor and Council members will be available to attend as well as any Montevallo citizen that is interested in learning more about our work as a coalition. Please email me at shogan@cityofmontevallo.com to be added to the attendee list. We are honored that General Price is attending to learn more about our efforts here in Montevallo.
- **Faith-Based Communities:** We held an action team meeting last week and drafted a letter that Coalition members are sending to all local churches. Thank you to Councilman Dukes and Councilwoman Mitchell for their assistance with this project. We have to establish and strengthen this partnership to engage as many citizens as possible.
- **Next Meeting:** Our next meeting will be next week on Tuesday, December 1 at 9:00 am. I invite any interested citizen to attend, please email me for the meeting link or check our Facebook page @ImpactMontevallo.

Steve Gilbert

From: Mainstreet
Sent: Monday, November 23, 2020 5:05 PM
To: Steve Gilbert
Subject: Main Street Report to City Council 11/23

***Report to City Council
November 23, 2020***

- Small Business Saturday is this upcoming Saturday, November 28. We have been running a social media campaign leading up to this date which features individual businesses, as well as distributing materials to businesses from American Express. Our goal is to remind shoppers to think of small businesses first as they prepare for the holiday shopping season. We will also be releasing a video on our Facebook page in the next couple of days that is being directed by Adele Nelson, who serves on our Promotion Committee.
- Our Design Committee's Window Decorating Contest is well underway. As a reminder, we host two annual window decorating contests—one for merchants to decorate their own windows, and one for student groups to decorate empty storefront windows. Today was the deadline for student groups to submit designs to be printed on 3' x 6' banners. On Monday, November 30, we will install the banners. All window designs will be judged by 3 individuals from outside of Montevallo on Wednesday, December 2, and winners will be announced on our Facebook Page on Thursday, December 3. Cash prizes will be awarded to the top three designs in each category.
- Next Monday, our Public Works Department will be installing our Christmas tree in front of the Post Office. Main Street volunteers will convene at 10 AM to decorate the tree. Due to COVID-19, we will not be hosting a Tree Lighting Ceremony immediately preceding the Christmas Parade as we have done in past years. Instead, we will be hosting a small Tree Lighting on Tuesday, December 1, at 4 PM and have invited the Mayor & Council to attend for a photo opportunity.

Respectfully submitted,

Courtney Bennett
Executive Director

Courtney Bennett

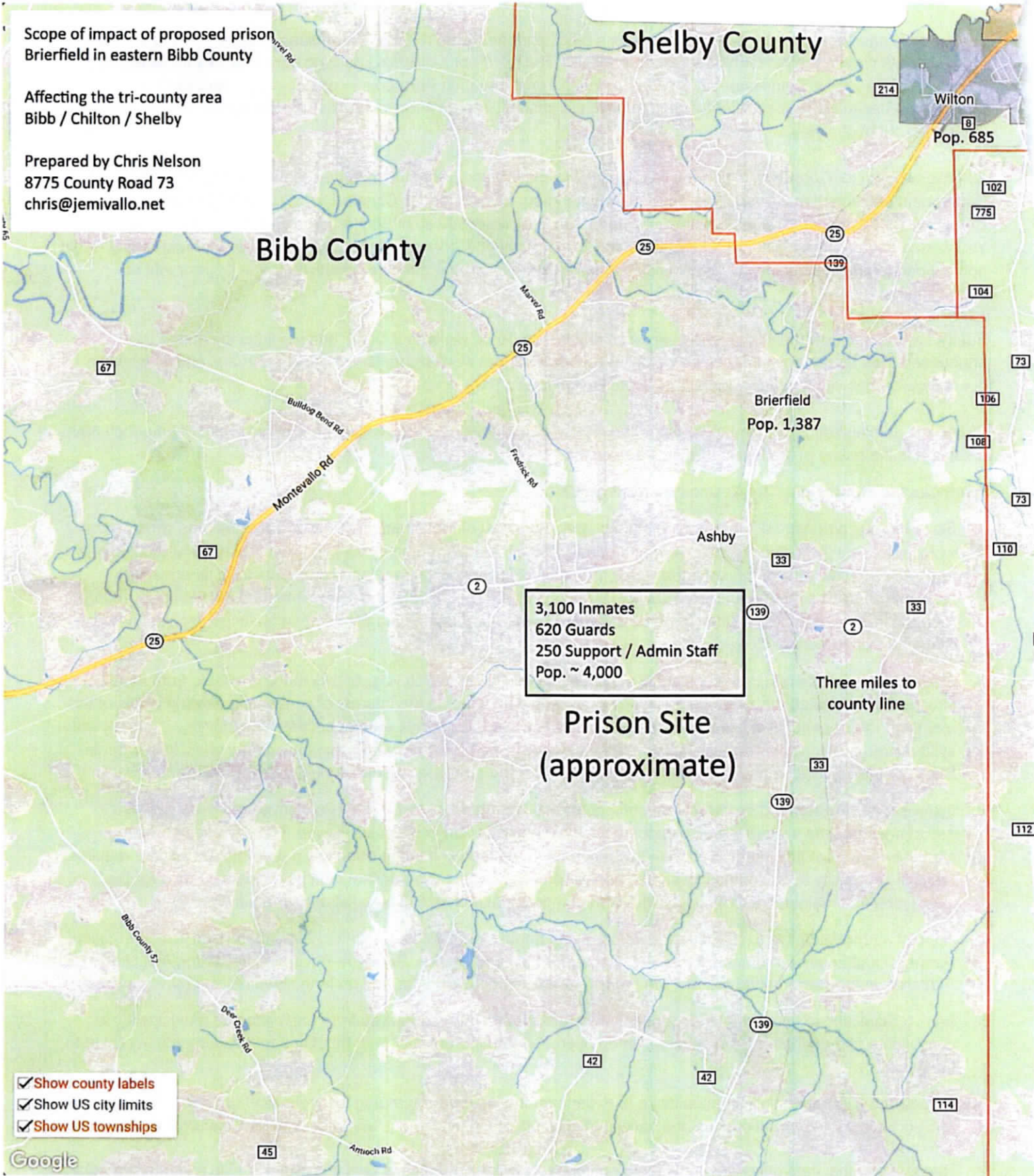
Executive Director | Montevallo Main Street

541 Main Street | Montevallo, Alabama | 35115
Office: 205.665.2555, ext. 106
Cell: 205.597.9322

Scope of impact of proposed prison
Brierfield in eastern Bibb County

Affecting the tri-county area
Bibb / Chilton / Shelby

Prepared by Chris Nelson
8775 County Road 73
chris@jemivallo.net



3,100 Inmates
620 Guards
250 Support / Admin Staff
Pop. ~ 4,000

Prison Site
(approximate)

Three miles to
county line

- Show county labels
- Show US city limits
- Show US townships

The process has been opaque. Both the governor's office and the Department of Corrections have rejected open records requests seeking information on bidders and proposals. The governor's office is finalizing agreements with CoreCivic, based out of Nashville, Tennessee, and Alabama Prison Transformation Partners, a conglomerate that includes Birmingham-based BL Harbert International, to build the prisons. The developers chose the sites for the prisons, following criteria set out by the state.

A spokeswoman for CoreCivic, which will build prisons in Elmore and Escambia counties, directed questions to the Department of Corrections. (A spokeswoman for Montgomery-based Caddell Construction Co., which is working with CoreCivic on the project, directed questions to CoreCivic.) Representatives of BL Harbert and Star America, a New York-based company that is part of Alabama Prison Transformation Partners — which will build the Brierfield facility — did not respond to emailed questions. Gina Maiola, a spokeswoman for Ivey, directed questions to the Department of Corrections.

But it's hard to see how they can come to an accommodation. Rose wrote that DOC "has no plans to change the announced sites for the prisons." Legislators like Ward and Barfoot won't return to work until February, and with Ivey in direct negotiations with the developers, they have limited leverage.

"When the administration decided to do this without us, we've been kind of in the dark on it," Ward said. "If you don't have a vote on it, the power of the legislature gets decreased."

What can the Montevallo City Council do right now?

1. Gov. Ivey has proposed a 3,100-inmate state prison southwest of Montevallo, in Brierfield (Ashby), the construction which will affect the nature of traffic flow and density through the city, primarily via Highways 25 and 119. Accordingly, any traffic studies, environmental impact statements, public safety concerns, and comments from landowners / residents should be made generally available. The city should request that these documents be in the public record, regardless if they are held by the Governor's Office, any affiliated engineering firms or consulting agencies, or the Alabama Department of Corrections;
2. Such prison facilities require a substantial supply of potable water, which is generally made available from a municipal source; it is estimated that 500,000 gallons per day would be used. In the interest of conserving existing levels of this resource, the city and its citizens should be aware of any intent to provide aquifer access to the facility. If current water systems require additional capacity to do so, the city should be privy to how this expansion may affect its residents. Plans for the installation and maintenance of supply lines and pumping stations should be available for review.
3. Likewise, wastewater and sewage management for prisons require significant levels of investment, as well as assurances that the system will be designed in such a way as to be ecologically sound. The city and its citizens should be aware of any intent to provide this resource to the facility. If the existing sewage treatment system requires additional capacity to do so, the city should be aware of any impact this may have on its residents. Plans for the installation and maintenance of supply lines and pumping stations should be available for review.
4. Appoint a representative to coordinate with interested parties for (Gov. Ivey's Office, Alabama Prison Transformation Partners) and against (Alabama Appleseed Center for Law and Justice, Southern Poverty Law Center, ACLU of Alabama, and environmental groups) the project, to keep the council informed on both sides of this important issue;
5. Pass a resolution to support an independent study group, with representatives from each affected municipality, to consolidate and address citizen concerns in an open and transparent way, with meetings and documents available to the public;
6. Empower this group to solicit the opinions of experts on the issues surrounding for-profit incarceration, environmental and social impacts of rural prisons, the validity of claimed economic benefit, and other related concerns;
7. Request that the state delay any movement on contracts or land purchases until this group is able to compile a public report and submit it for comment

Excerpts from "Brierfield residents oppose Alabama prison plan that caught them by surprise" - Al.com (October 9th, 2020) - Mike Cason

On Sept. 3, Gov. Kay Ivey revealed that confidential negotiations are in the works with private developers to build a 3,100-inmate prison in Brierfield. It's one of three large prisons the Ivey administration plans to develop to replace most of the state's aging, overcrowded prisons. The others are slated for Elmore and Escambia counties.

[In Brierfield,] [a]bout 150 people showed up for a Sunday afternoon meeting on Sept. 13. A Facebook group called Block the Brierfield Prison came to life. An online petition has collected more than 2,000 signatures.

Ivey's predecessor, Gov. Robert Bentley, proposed building four new prisons with an \$800 million bond issue, but the Legislature did not approve the plan.

Ivey is trying a different approach, hiring private developers to finance, build, and maintain the prisons and lease them to the state, a plan that does not require legislative approval. The use of private developers and confidential negotiations has limited public access to information about the projects.

Residents in Brierfield said they had no warning about what Ivey announced on Sept. 3

Sen. Cam Ward, R-Alabaster, whose district includes Brierfield and Ashby, said he's heard from residents and believes their concerns about the lack of notice and how a prison could change their community are justified.

"I think there should have been some public engagement," Ward said. "I actually put in a formal request with the governor and her staff and have talked to them about them coming there and having a public information meeting with those folks."

"Because the facilities will be built and owned by private companies, holding a public hearing was not a part of the process," Samantha Rose, public information specialist for the Department of Corrections said. "This is not unusual. Moreover, to protect the integrity of the procurement process, the ADOC was not at liberty to discuss the contents of the proposal, including any information about any of the sites or developer teams until the proposals had been vetted and determinations had been made."

Al.com sent questions to Ivey's office and the ADOC about the concerns of Brierfield residents, including how the prison could be built and operated without disrupting the rural environment [...]

"The construction of the prison will be similar to any other construction project of comparable size and scope," Rose said in an email. "The increase in economic activity, during construction and after occupancy, will benefit the surrounding communities. Once in operation, these modern, state-of-the-art facilities should have minimal impacts on the surrounding areas. This is true even of our existing facilities, which are dilapidated and structurally failing."

Excerpts from "As Alabama moves to build new prisons, opposition mounts in communities getting them" - Montgomery Advertiser (October 9th, 2020) - Brian Lyman

The Alabama Legislature in 2016 and 2017 rejected proposals to issue bonds for new prisons, citing the cost of the project and the potential to close existing prisons in communities that rely on them for jobs or infrastructure. In response, Ivey has bypassed the Legislature and negotiated directly with developers. The state is opting for a "build/lease" model, in which private companies will build the new prisons, while the state staffs them and pays rent for their use.

The project is expected to cost at least \$2 billion, though the governor's office says the state will not pay more than \$88 million a year for annual lease payments.

BLOCK THE BRIERFIELD PRISON NO PRISON IN OUR BACKYARD

Gov. Ivey wants to sign a 30 year lease on the building of a new 3,100 inmate prison 5 miles away.

Say NO! Make your voices heard!

Governor Kay Ivey
600 Dexter Avenue
Montgomery, AL 36130
PH: 334.242.7100
FX: 334.353.0004

Cam Ward
AL State Senate - 14
P.O. Box 1749
Alabaster, AL 35007
PH: 205.620.6610
CL: 205.566.6746

Matt Fridy
AL Rep. - Dist. 73
Suite 403-A
11 S. Union St.
Montgomery, AL 36130
PH: 334.261.0468

BLOCKBRIERFIELDPRISON.COM

Paid for by Block the Brierfield Prison P.O. Box 49 Brierfield, AL 35035

Community meeting takes place about prison

By Lisa Lightsey, Reporter :: lialightsey@gmail.com :: Published in the Centreville Press (Wed, Sept 16th, 2020)
Reprinted with permission by Block the Brierfield Prison :: PO Box 49 Brierfield, AL 35035 :: www.blockbrierfieldprison.com

The Block Brierfield Prison group held a meeting Sunday afternoon, September 13, 2020 to put out information already gathered, and get further input and information from citizens.

The Block Brierfield Prison group is comprised of local citizens, including leader Jackson McNeely, who are concerned about the legal and constitutional aspects of Governor Kay Ivey's decision to locate a prison within the Brierfield community; and about the potential negative impacts said prison may have on the community services if the mega prison is actually constructed in the proposed location.

The meeting focused on the impact the prison may have on such services as medical care, EMS, fire departments, law enforcement, utilities, roads, and bridges. Also mentioned was what will be done with the garbage, etc., that will be generated as the current landfill is little more than a transfer station that will likely not be able to handle the additional waste. One concerned citizen also noted that the prison site, which has not yet been pinpointed but has only been generalized, is near a railroad on which chlorine is transported. He said it has not been too far in the past that a railway car has overturned causing the need for evacuation of residents. He asked how the 3,000 - 4,000 inmates to be housed at the mega prison will be evacuated should such an action be needed.

Concerns included not only the strain on the current public services, but on where water will come from for the prison, how much will be needed, how sewage will be handled, and how the watershed will be impacted.

The impact on the safety of schools was also mentioned, as five schools (Randolph Elementary, Montevallo Elementary, Montevallo Middle, Montevallo High School, and University of Montevallo) are located within a few miles the proposed site of the mega prison.

Several speakers were present from organizations whose members have already been successful in stopping the construction of prisons in rural areas throughout America and other countries, and who have thrown their hats in the ring to work toward stopping this one, as well. In addition to these organizations, McNeely reported that the American Civil Liberties Union (ACLU) and the Southern Poverty Law Center (SPLC) are also on board. State Auditor Jim Zeigler has also been deemed an ally in the effort.

There is also an anonymous donor who is currently seeking an attorney for the effort, particularly for the obtaining of Environmental Impact Statements and GEO reports, and for help with the permitting process involving ADEM.

So, far, Block the Brierfield Prison has requested state oversight on decision-making because the process has been so secretive with no opportunity for citizens, stakeholders, or lawmakers to express concerns or provide input or gain information. In addition to having contacted the Governor's office, the group has also reached out to State Senator Cam Ward and to other local politicians.

Discussion also took place Sunday afternoon about what to do should the group's efforts fail and the prison is constructed. Concessions, such as requesting

that buyouts of property take place at 120% of fair market value; improvement to EMT support; building and supporting a Bibb County Trauma Center that will allow the Bibb Medical Center to better handle any mass issues that may occur in a prison of the size proposed; improved infrastructure for the community; and installation of underground electric and broadband services.

These concessions were discussed in brief, as the citizens and volunteers present were more focused on blocking the prison. They discussed the negatives of prisons, such as decreased property values, concerns of personal and home safety, and the perceived overall devaluing of the lives they have chosen and constructed for themselves and their families. They also discussed how the terms of the contract that have been allowed the public will cause citizens to leave a legacy of high payments without material gain.

Very little information has been provided from either the Governor or the ADOC, but what has been said is that there will be a 30-year lease agreement, with annual renewals. The press release Governor Ivey sent out last week stated that the developers are well aware of the \$88 million affordability limit for the annual lease payments, and that the State does not intend to increase that limit year-over-year.

The citizens at the meeting understand the \$88 million annual lease payments, which covers all three of the new proposed mega prisons, but question where the funding will come from to actually run the prison, including payment of

utilities and staff, especially since the ADOC already admits understaffing and a tight budget.

A member of one of the volunteer groups stated that she understood that in order to turn a profit, an ADOC representative had stated that the prisons would need to have 120% occupancy. The volunteer stated that the only place to get those prisoners would be to take people off the street who have committed minor offenses and imprison them as if they have committed major ones. Experiences were shared that illustrated that has already taken place on some level.

Discussion further centered around the developers who will construct and maintain the buildings. McNeely stated that everyone needs to follow the money, and that research has revealed that Governor Kay Ivey, Lt. Governor Will Ainsworth, and 26 legislators, including Senator Cam War, received donations from the firms that the Governor has hired to build the \$900 million prison in Alabama, including the one in Bibb County. Donations were revealed to have equalled \$67,000.

The Alabama Prison Transformation Partners (AFTP), which is comprised of Star America; BL Harbert International; Butler-Cohen; Arrington Watkins Architects; and Johnson Controls, Inc., is the Governor's choice for the prison in Brierfield. There is very little information available about the AFTP, which has been called labeled by some media sources as the 'mystery company' due to its lack of online presence.

- continued on reverse -

The developer team of the proposed mega prisons in both Elmore and Escambia counties is CoreCivic, which is comprised of CoreCivic; Caddell Construction; DLR Group; and R&N Systems Design.

Group volunteers Sunday urged concerned citizens to research the developers of the three new mega prisons, as information already found has not only revealed political contributions to the current government leaders, but also lawsuits that have been filed against one or more of the companies in relation to conditions and unsafe aspects at other prisons and detention centers they have developed.

Several citizens have requested that a public information meeting with the ADOC be scheduled as a means of allowing the citizens to have input, but, despite Senator Ward's having left a request to the that effect, it seems that the ADOC has no such meeting in the works.

The Block the Brierfield Prison group, as well as all volunteers, encouraged those present Sunday and all who hear about the prison project to contact the Governor's office, the ADOC, and their local representatives in an effort to put a stop to the development of the mega prison. Addresses may be located on the Block the Brierfield Prison Facebook page.

While there have been many negatives brought forth concerning the proposed prison in Brierfield, there have also been some reports of benefits. The current prison, Bibb Correctional Facility, is located on 250 acres in Brent. It was built with a 900 inmate capacity, but currently houses approximately double that amount, which, strangely, comes as a positive for Brent.

Brent City Clerk Rosalyn Adams

provided information that states that the prison's population is included in the City of Brent's census count, which means that the City of Brent will feel that loss of revenue once the prison is closed, and, in no uncertain terms, it will be closed, according to Senator Ward.

This loss of revenue, according to Adams, will be especially impactful when future projects and grants are considered.

Also, the Brent Utility Board will have a lot less water consumption, which will be a loss of considerable revenue, as it will reduce by at least 250,000 gallons a day that the prison currently uses. This reduced revenue will mean less sewer treatment to be done, as well as differences in the repair and maintenance costs, which may mean a loss of employees within the Utility Board.

Further, the prison uses a lot of electricity, which will leave Brent with an even further reduction in annual revenue because of a loss of business license fee from Alabama Power, which, apparently, because the company's revenue is figured into the cost of the business licensing fee.

The loss of the prison will also cost Brent the sales and gas tax paid by employees who shop in Brent, and from those purchases made locally by the prison itself.

Initially, the City of Brent and the Utility Board invested a great deal in to the prison before it was opened in 1997. The City of Brent took out a loan, put in the water and sewer system, and helped to add a tank for the prison's use. The City of Brent also built the road to the prison.

Bibb County also bought the property on which the current facility sits and gave it to the State to build the prison.

"Closing this prison will take a lot of traffic out of downtown Brent," said former Mayor of Brent Jerry Pow. "A lot of the employees stopped at different stores, and that will be missed. The prison, itself, also traded with several businesses. That, too, will be missed. When we worked to get the prison, we looked at it as an industry to create jobs in our county, and we have some of our people working there, not as many as we should have, but that's due to our people, not the prison. We, in Bibb County have an investment in the prison and I will be working to get the State to return that property to Bibb County and we can use it as an industrial site. Even with the grants we received for water, sewer, and the prison road, Bibb County and the cities have a larger investment in the site."

Senator Ward said the current prison must be closed due to its deterioration, primarily due to the prison's having been build on a swamp and moisture seepage having negative impacted the structure.

Pow sees it differently.

"The land is not the problem," said Pow. "Most of Brent is built on a swamp! The problem is more in the construction of the buildings."

While he doesn't come out and say he would like to see the prison remain in Brent, Pow said something does need to be on that site.

Sarah Stephens, who reports for the Elmore/Autauga News, said the proposed mega prison in Elmore County seems to be quite welcome by those who live there.

"It is very favorable here so far, at least for people who have lived here a while," said Sarah. "The most probable location here is going to be on property already owned by DOC, and there are

Elmore County is presently home to Elmore Correctional Center (with an operational capacity of 1176 inmates), Staton Correctional Facility (with a capacity of 1,376), and Draper Correctional Center (with a capacity of 1,232).

Attempts failed to contact reporters about the proposed prison in Escambia County. Escambia County is presently home to Holman Correctional Facility (capacity 1010), and Fountain Correctional Facility (capacity 1613).

Ordinance No. 11232020 - 301

An Ordinance Amending Chapter 4, Article II (Animal Control) of the Municipal Code of Montevallo

Whereas, the City of Montevallo desires, to the greatest extent practicable, to do everything it can to protect the health and welfare of animals within its city limits; and

Whereas, a group of concerned citizens has conducted public forums, solicited public and city staff input regarding possible changes to our codes; and

Whereas, they have recommended certain amendments to our code, which would greatly improve our ability to protect the health and welfare of animals living within our community;

NOW, THEREFORE, BE IT ORDAINED as follows:

- 1) Chapter 4-ANIMALS, ARTICLE II-ANIMAL CONTROL, Sec. 4-27.- Penalties shall be amended to read as follows:
 - a. Any person found guilty of non-compliance or violation of the ordinance set forth in sections 4-21 to 4-41 of this document shall be liable for any and all costs incurred in the apprehension, detention, kenneling and medical treatment of any dog whose owner is in violation and shall be fined \$50.00 plus any costs for the first offense; \$100.00 plus any applicable costs for the second offense \$200.00 plus any applicable costs for third offense and may be jailed at the discretion of the municipal judge up to the limits of municipal jurisdiction for fourth and subsequent offense.
- 2) Chapter 4 -ANIMALS, ARTICLE II -ANIMAL CONTROL, Sections 29, 30 and 31 shall be added as follows:

Sec. 4.29. - Duty to provide for animal health.

It is the intent of this ordinance to keep animals and citizens safe and happy. Our goal is to educate animal owners on best practices to ensure the health and wellbeing of their pets. We consider rehoming animals to be a last resort, only used if attempts to improve the animal's living conditions have failed.

- 1) **It shall be the duty of any animal guardian or owner of property where the animal is contained to provide adequate clean, fresh potable water available to the animal continuously, which is of adequate amount for the animal's size, age, breed, health, and environment in which the animal is kept to prevent overheating or dehydration. The water shall be either free flowing or provided in a removable receptacle that is properly secured to prevent tipping, soiling or otherwise rendering it useless.**

- 2) It shall be the duty of any animal guardian or owner of property where the animal is contained to provide adequate fresh food in amounts sufficient to maintain adequate levels of nutrition suitable to the health of the animal based on size, age, health and physical condition. Food shall be kept in a container adequate to prevent molding, spillage, and infestation by insects and to prevent food from being taken by wildlife.

Sec. 4.30. - Duty to properly restrain dogs on private and commercial property.

- 1) It shall be acknowledged as the responsibility of every dog owner or owner of premises where the dog is housed to keep the animal within effective, humane and hygienic restraint. It shall be unlawful for a person responsible for any dog to fail to maintain a dog under proper restraint as outlined in the following order. Negligent failure to provide or maintain effective restraint shall be deemed unlawful.
- 2) It shall always be the duty of every person having custody or control of a dog to physically restrain the dog when left unattended outdoors. The dog should be restrained such as to prevent the dog from leaving the premises of its owner or coming in contact with the public unsupervised.
- 3) Proper restraint will be defined as confinement within a fenced enclosure with adequate space for ease of movement and adequate exercise. Proper dimension should be at least 200 square feet for the first dog and at least an additional 100 square feet for each additional dog. Enclosure must be made of fencing meant for containing an animal (i.e., chain link, wood, or similar material). Fencing must be of sufficient height to prevent animals from escaping. Enclosure must include at least 50% of enclosed area to be dry, clean, comfortable, shaded, and safe for sleeping of dog(s).
- 4) An animal that can bite or snap through fencing shall not be considered properly enclosed.
- 5) Multiple dogs that fight each other shall not be kept together in the same enclosure at any time, for any length of time.
- 6) Dogs may be restrained by means of a trolley system attached to a pulley on a cable provided the following requirements are met:
 - a. Trolley restraint shall be affixed in a manner that allows the dog free movement along the trolley, prevents the dog from becoming entangled, wrapped around any object and does not allow the leash to be shortened to allow for injury, strangling or restricting access to food, water and shelter.
 - b. The trolley restraint shall be of proper weight for the dog and shall be affixed to a properly fitted harness with a swivel attachment. The harness must be made of a suitable material other than metal or chain and shall not cause damage or injury to the dog's skin. Choke collars, pinch collars, pinch collars and chains shall be deemed unlawful type restraint for tethering a dog to a trolley system.
 - c. Only one dog shall be tethered to one trolley system.

- d. There shall be a swivel attachment on both ends of the attachment to help prevent tangling of the tether.
- i. (S)The size and weight shall be of adequate size to restrain the dog but shall not be of excessive weight as determined by Montevallo Animal Control Officer considering the size, age, strength and health of the dog.
- (9) The length of the tether from the cable to the dog's harness shall allow access to reasonable exercise and shall always allow continuous access to clean potable water, adequate food, and suitable shelter.
- (10) The length of the cable tether shall be of appropriate configuration to confine the dog to the owner's property, to prevent the tether from entangling in or extending over an object or edge that could cause injury to the dog.
- (11) A dog may not be left on a tether more than twelve consecutive hours or overnight.
- (a) Dogs may be tethered to a stationary object only if conditions (1) - (9) are met:
- (1) A tether shall be equipped with a swivel on both ends.
- (2) A tether shall be a minimum of ten feet in length and shall be made of either metal chain or coated steel cable.
- (3) Tethers shall be attached to a buckle-type collar or harness and under no circumstances shall the tether itself be placed directly around a dog's neck. Tethers shall not be used in conjunction with training collars such as choke or pinch-style collars.
- (4) The weight of the tether shall not exceed ten percent of the total body weight of the dog but shall be of sufficient strength to prevent breakage.
- (5) The tether by design and placement shall allow the dog a reasonable and unobstructed range of motion without the possibility of entanglement, strangulation, or other injury. The tether shall allow the dog access to adequate food, water, and shelter.
- (6) A dog must be four months of age or older to be tethered.
- (7) Only one dog shall be attached to a single tether.
- (8) Pulley systems, running lines, and trolley systems may be used in conjunction with a tether.
- (9) An animal control officer may in his/her discretion order a more restrictive tethering requirement if circumstances require and it is not detrimental to the health, safety, or welfare of a dog.
- (10) Exemptions. Citizens residing in townhomes, apartments, condos or similar multi-family housing units with lot sizes insufficient to meet the length and property line requirements specified in subsection (2) above, may only tether dogs for temporary exercise and relief.

Sec. 4-31. - Duty to provide adequate shelter.

(a) Any animal that is habitually kept outside or repeatedly left outside unattended shall be provided with structurally sound, moisture proof, windproof shelter large enough to keep the dog reasonably clean and dry. A shelter which does not adequately protect the animal from temperature extremes or precipitation, or which does not provide adequate ventilation and drainage shall not comply with this section. Adequate protection from temperature extremes shall be determined by Montevallo Animal Control officer and shall be determined based on breed, age, size, health, coat condition and medical condition of the animal. Generally, the inside of the shelter shall be above Forty degrees Fahrenheit and below Ninety degrees Fahrenheit.

(b) Adequate bedding shall be kept in a hygienic manner to minimize the risk of the animal contracting disease, being injured, or becoming infested with parasites.

(c) Shelter for an animal shall be minimally defined as a structure having four sides in addition to a roof and floor with one side having an entrance. An Igloo type structure manufactured for housing an animal shall also be appropriate. The structure shall be large enough for the animal to enter, stand, sit, lie down, and turn around in a normal manner. A barrel, keg, drum, trashcan, or box shall not meet the requirements of adequate shelter. Transport carriers designed to transport an animal shall not be considered shelter.

(d) Area surrounding shelter shall be maintained in a manner to remain clean, free of excessive excrement, and have drainage adequate to maintain a dry floor and inside.

1) Sections 4-32-4-59 shall be Reserved.

ADOPTED AND APPROVED by the City of Montevallo this the __ day of November 2020.

Rusty Nix, Mayor

ATTEST:

Steve Gilbert, City Clerk

AT&T Internet Proposal

Current Plan

- Speed: 100 MBPS
- Price: \$950 / month

APPENDIX 7

The following options have been quoted to us from AT&T

Option 1

- 24 Month Commitment
- Speed: 100 MBPS
- Price: \$883.90 / month

Option 2

- 24 Month Commitment
- Speed: 150 MBPS
- Price: \$993.70 / month

43,770 43
5.6
5.1

** All prices before tax **