

MINUTES

Montevillo City Council Work Session
December 27, 2022
5:30 p.m. at City Hall

Present: Council Member David King, Council Member Lelia Mitchell, Council Member Kenneth Dukes, Council Member Sonya Swords. Absent: Mayor Rusty Nix, Council Member Martha Eisenberg. Quorum present.

Work Session called to order at 5:30 p.m. by Mayor Pro Tempore David King.

Mayor Pro Tempore King called for Discussion of New Business Items on Agenda:

Discussion of release of the Landscape Surety Bond for Dollar General located at 110 Cedar Street.

Discussion of release of the Landscape Surety Bond for the Hallmark Developer, LLC, for the property located at Overland Road and Scott Street (Bluegrass Apartments).

Discussion of the first reading of Ordinance #12272022-911; An Ordinance creating the Montevillo Emergency Medical Services (MEMS) as a separate department.

Mayor Pro Tempore King Called for Committee Reports:

Mayor Pro Tempore King began with Public Health & Safety: Mayor Pro Tempore King called on Lt. Harrelson for the Police Department report. He reported there were 70 Reports for December and 1186 Total Reports Year to Date. See Appendix 1.

Mayor Pro Tempore King called on Chief Davis for the Fire Department Report. Chief Davis reported there were 55 Calls for the first half of December. See Appendix 2.

Mayor Pro Tempore King called on Council Member Dukes for the Sustainability Report. Council Member Dukes called on Kirk Hamby, Head of Public Works. Kirk reported he is working with a skeleton crew this week due to employees taking time off. He reported the Recycling Center use was very heavy after closure for the holidays. He reported the Christmas decorations would begin coming down the week of January 3rd, 2023.

Mayor Pro Tempore King advised there was no report for Recreation, Preservation and Community Development.

Mayor Pro Tempore King called for the Education, Arts and Outreach Committee Reports. Council Member Mitchell called on Savannah Kitchens Director of Parnell Memorial Library. Savannah reported the January calendar of events for the Library is on the website and Facebook page; she reported on the various programs being held at the library in January. See Appendix 3.

Council Member Mitchell advised there is no report for Impact Montevillo or MJCC.

Council Member Mitchell reported students return to school on January 4th, 2023 and the University of Montevillo students resume on January 9th, 2023. Council Member Mitchell reported the University of Montevillo fishing team was named the Major League Fishing (MLF) National School of the Year.

Mayor Pro Tempore King called on Council Member Swords for Finance, Economic Development & Tourism.

Council Member Swords called on Adele Nelson, Executive Director Montevallo Chamber of Commerce. Adele reported Chamber Chatter newsletter would be delivered on December 30. She reported Ace Hardware will be opening in the Spring of 2023. She reminded everyone the 19th Annual MLK Celebration March hosted by the Shelby County N.A.A.C.P. will be held Monday January 16th, 2023, at 10 am and participants are asked to lineup behind McDonald's to march to MHS with the program at 11 am. Appendix 4

Council Member Swords advised there is no report for Montevallo Main Street.

Council Member Swords reported there would be a Finance Committee meeting Wednesday, December 29th in Council Chambers and is open to the public.

Council Member Swords reported MDCD meets on the 2nd Monday of each month and the next meeting will be on January 9th, 2023, at 1 pm, and the meeting is open to the public.

Montevallo City Council Meeting

December 27, 2022

6:00 p.m. at City Hall

Present: Council Member David King, Council Member Lelia Mitchell, Council Member Kenneth Dukes, Council Member Sonya Swords. Absent: Mayor Rusty Nix, Council Member Martha Eisenberg. Quorum present.

Pledge of Allegiance

Council Meeting called to order at 6 p.m. by Mayor Pro Tempore King.

Approval and or corrections of the Minutes 12.12.22 – Motion by Council Member Dukes, second by Council Member Mitchell, All Ayes, Motion passed.

Recognitions / Awards: None

Opportunities for Citizens to speak to the Council:

C.P. Pierson 1131 South Oak Street Question about naming street in Dr. King's memory. He asked if we are able to get a portion of an area named as a memorial in his honor.

Dr. Arthur Lee Birmingham Addressed Council regarding the courtesy to allow any and all funeral processions to be given the right to not be stopped along the way or cited for Blue Lights Law in the State when procession is going to the Alabama National Cemetery. How can the Council assist.

Mayor Pro Tempore King, Council Member Dukes and Council Member Swords commented that we will work for a resolution.

Public Health & Safety (Police, Fire, Code Enforcement, Housing Abatement, Planning and Zoning) – Reported during City Council Work Session.

Sustainability (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives, and Historical Commission) – Reported during City Council Work Session.

Recreation, Preservation and Community Development (Parks & Recreation, Youth Athletics, Trails, Annexations) – Reported during City Council Work Session.

Education, Arts & Outreach (Schools, Library, UM, Boys & Girls Club, American Village, Sister City Commission, Artwalk, IMPACT) – Reported during City Council Work Session.

Finance, Economic Development & Tourism (Finance, MDCD, IDB, Chamber, Main Street) – Reported during City Council Work Session.

Consent to Pay the Bills

Mayor Pro Tempore King asked for a Motion to Pay the Bills. Council Member Mitchell made a motion to pay the bills, second by Council Member Dukes, All Ayes. Motion passed.

New Business:

Request to release the Landscape Surety Bond in the name of the Broadway Group, LLC on behalf of the Dollar General Located at 110 Cedar Street, Montevallo, AL. Final Inspection has been completed and property is in compliance with approved site plan. Motion made by Council Member Dukes, seconded by Council Member Swords, All Ayes, Motion passed. See Appendix 5.

Request to release the Landscape Surety Bond in the name of the Hallmark Mobile Developer, LLC, for the property located at Overland Road and Scott Street in Montevallo, AL (Bluegrass Apartments). Shelby County Development Services has been notified that the project has been terminated. Final Inspection has been completed and property is in compliance with approved site plan. Motion made Council Member Swords, seconded by Council Member Dukes, All Ayes, Motion passed. See Appendix 6.

First reading of Ordinance #12272022-911. An Ordinance creating the Montevallo Emergency Medical Services (MEMS) as a separate department of the City of Montevallo and establishing a Department Head to be appointed by the City Council upon recommendation of the Mayor. See Appendix 7.

Old Business: None

Board Appointments: None

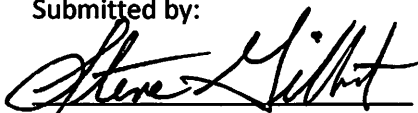
Other Business: None

Citizen Participation:

Ms. Lillian Bushelon, Bushelon Funeral Home Birmingham is here in support of the services of the escort of funeral processions to the Alabama National Cemetery when a veteran is laid to rest.

There being no further business before the Council, Mayor Pro Tempore King called for a Motion to Adjourn. Motion to adjourn made by Council Member Dukes, second by Council Member Mitchell, All Ayes. Meeting Adjourned at 6:17 pm.

Submitted by:



Steve Gilbert
City Clerk / Treasurer

APPENDIX 1

	January-22	February-22	March-22	April-22	May-22	June-22	July-22	August-22	September-22	October-22	November-22	December-22	Total
Total Reports	93	103	92	88	85	94	109	132	128	82	110	70	1186
Criminal Cases	62	80	57	57	61	70	91	104	105	53	79	52	871
Non-Criminal	31	23	25	27	24	24	17	28	23	26	31	18	297
Traffic Accidents	15	18	14	17	14	14	7	15	13	18	13	9	167
Traffic Citations	310	299	118	70	78	179	52	90	84	60	110	72	1522
DUI Arrests	9	7	7	5	6	2	4	8	9	6	44	3	110
Public Intox Arr	0	1	4	1	1	2	2	2	0	1	2	0	16
Alias Arrests	9	13	10	8	10	12	8	7	12	6	19	12	126
Juvenile Arrests	0	1	1	2	2	0	0	1	0	0	0	0	7
Misd Arrests	9	10	5	9	6	6	14	9	6	6	8	2	90
Felony Arrests	0	5	1	4	4	5	2	3	5	4	4	5	42
Total Arrest	31	37	28	28	29	28	30	30	32	25	44	23	397
Auto Thefts	0	0	0	0	0	0	1	0	0	0	0	0	1
Burglaries	0	0	0	0	0	2	4	3	1	2	1	2	15
Auto Recoveries	1	2	0	0	0	0	1	0	0	0	0	0	4
Auto Burglaries	2	2	3	2	2	2	0	2	1	0	1	1	18
Criminal Mischief	3	2	0	2	0	2	2	6	2	1	2	0	22
DV. Related	10	9	9	6	13	8	19	9	11	5	7	7	113
Assaults	2	4	4	2	5	4	7	0	6	2	2	1	39
Fraud/Forgery	0	1	0	1	1	2	1	6	1	1	2	0	16
Harass / Reck	3	0	4	2	3	2	7	6	10	3	4	1	45
Misc. Offenses	11	23	20	16	16	18	27	29	32	17	25	16	250
Robberies	0	1	0	0	0	0	0	0	0	0	0	0	1
Sex Crimes/Other	1	0	0	2	0	1	1	0	1	0	0	0	6
Thefts / Attempts	11	9	6	6	2	10	8	10	8	4	0	2	76
Suicide / Attempts	0	0	0	0	0	0	0	1	0	0	0	0	1
Deaths	0	0	0	0	0	0	0	0	0	2	2	0	4

Montevallo Fire Department Report 12-27-22

Total Calls for December 1st through December 15th 2022

EMS- 40
Lift assist- 5
Structure Fire- 1
Brush Fire- 0
Electrical Fire - 0
Vehicle Fire- 2
Fire Alarm - 9
MVC- 2
Fuel Spill/ gas leak- 0
Assist other agency- 0
Assist Public-

Total Calls for 1st half of December- 55

Brad Davis
Fire Chief
City of Montevallo
Montevallo Fire & Rescue Service
541 Main Street
Montevallo, AL 35115
Office- 205-666-2555. Ext. 705

PARNELL MEMORIAL LIBRARY

DECEMBER 27, 2022

- January event calendars are now available at the library, on our website (parnellmemoriallibrary.org), and our events are posted on our social media sites.
 - The library is closing on Saturday, Dec. 31 through Monday, Jan. 2 and will reopen for normal hours on Tuesday, Jan. 3
 - Family Fun Night is Tuesday, Jan. 3 between 5 - 7; we're doing blow paint art for national Drinking Straw Day. As always, welcome to the whole family, no age limits.
 - Take & Make Craft Kits:
 - Kid's Craft Kit: Tue., Jan. 3
 - Adult Craft Kit; Mon., Jan. 9
 - Kid's Craft Kit: Tue., Jan. 10
 - Toddler Craft Kit: Wed., Jan. 11
 - Sweets and Eats: Tue., Jan. 17
 - Teen Craft Kit: Tue, Jan. 19
 - Classic Movie Monday: Mon., Jan. 23 at 2 pm.
 - Kid's Movie: Tuesday Jan. 17 at 3:30
 - Mini Music on Tuesdays at 10 and Mr. Mac Storytime on Wednesdays at 9:15
 - ESOL classes are on holiday break but will resume meeting on Thursday, Jan. 12 at 6 pm

- 1) Jan 2023 **Chamber Chatter** will be delivered on Friday, Dec 30
- 2) Chamber will be assisting with the January **Alabama Pet Pantry** food distribution on Sat January 14th, 2-3pm, in the SEA Parking lot
- 3) Reminder- **19th Annual MLK Celebration March** hosted by the Shelby County N.A.A.C.P. will be Monday Jan 16 10am, lineup behind McDonald's and March to MHS with program at 11am
- 4) "**State of the City Address**" Chamber Luncheon / Annual Meeting will be on Wed. Jan 18, 2023 from 11:30am to 1pm ; noon - lunch , at Parnell Library meeting room \$15.00 per person, Sponsor - Trustmark Bank



Adele Nelson

Executive Director

Montevallo Chamber of Commerce

P.O. Box 270 Montevallo, AL 35115

205.665.1519 office

www.montevallocc.com



SHELBY COUNTY
DEPARTMENT OF DEVELOPMENT SERVICES

1123 COUNTY SERVICES DRIVE
PELHAM, ALABAMA 35124
205.620.6650
www.ShelbyAL.com

November 18, 2022

Steve Gilbert
City Clerk/Treasurer
City of Montevallo
541 Main St.
Montevallo, AL 35115

RE: SP20-001 Hwy 25 Dollar General

Dear Mr. Gilbert,

A final landscape inspection was completed for Hwy 25 Dollar General on November 17, 2022 and all materials were found to be in compliance with the approved site plan; however, a fence has been damaged and should be repaired by the property owner.

With the completion of the landscape requirement, the bond held by the Cincinnati Insurance Company may be released pending completion of the fence repair. I have attached the bond documentation submitted with the approved plan.

Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Kristine Goddard".

Kristine Goddard, AICP
Senior Planner

cc. Chrissy Freeman, Broadway Group *(via email)*

The CINCINNATI INSURANCE COMPANY-Commercial Surety **Bond No. B-3253221**

BOND

Principal: The Broadway Group, LLC

REPORT OF

Address: PO Box 18968

EXECUTION

City: Huntsville

State: AL

Zip: 35804

(submit with copy of bond and related documents)

Obligee (Estate of): City of Montevalle

Address: 541 Main Street

City: Montevallo

State: AL

Zip: 35115

* for contract bonds rated in FL, KY or LA, enter risk address (location of the project)

* Risk Address: 110 Cedar Street

* City: Montevallo

* State: AL

* Zip:

Bond Amount: \$ 125,000

Term: Year(s)

** include applicable surcharge and/or premium tax

Premium: \$ 2,500

** Total: \$ 2,500

Effective Date: 5/28/2020

Expiration Date: 5/28/2021

Agency: Fountain, Parker, Harbarger & Associates, LLC

Code: 01101

Description of Risk: Landscape

If a Renewal, former Bond Number:

If Bond exceeds your authority, name of approving underwriter and when approved: Jake Gunnell

IF A CONTRACT BOND:	BIDDERS:
Contract Price: \$	1 st : <u> </u> \$ <u> </u>
Completion Time: <u> </u>	2 nd : <u> </u> \$ <u> </u>
Maintenance Period: <u>1</u>	3 rd : <u> </u> \$ <u> </u>
BIDS MUST BE KNOWN TO WRITE FINAL BOND ON PUBLIC PROJECTS AND MUST BE IN LINE. IF NOT, CONTACT HOME OFFICE.	

ENCLOSURES:

BOND ALWAYS

APPLICATION/INDEMNITY

FINANCIAL STATEMENT

CONTRACT/SUBCONTRACT

LIST OF BIDS AND BIDDERS

Kentucky Bonds:

Surcharge (1.8%): \$

Premium Tax:

Municipal Tax: \$

County Tax: \$

City Tax ID Code:

County Tax ID Code:

Florida Bonds:

FHCA Surcharge (1.3%): \$

Police Code: \$

HOME OFFICE USE ONLY	
Code: 907-85	
Rate:	Comm. 30
Annual Review Code: 7N125	
Status:	
Underwriter Approval: 6010	Date: 5/19/2020
C/O Date:	
Comments:	
AL City Tax Code: 050312	
Small Business Indicator: 9	

PERFORMANCE BOND

Bond No. B-3253221

KNOW ALL MEN BY THESE PRESENTS:

That **The Broadway Group, LLC PO Box 18968 Huntsville, AL. 35804**

as Principal, hereinafter called Contractor, and, **THE CINCINNATI INSURANCE COMPANY**, as Surety, hereinafter called Surety, are held firmly bound unto

The City of Montevallo, 541 Main Street, Montevallo, AL 35115

as Obligee, hereafter called Owner, in the amount of **One Hundred and Twenty-Five Thousand Dollars and 00/100. (\$ 125,000)**, for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Contractor has by written agreement dated **March 23, 2020**, entered into a contract with Owner for

The installation of Bermuda sod per plan, supply and install all plant material, mulch in beds per plans, and supply and install irrigation per irrigation plan for Case No. SP20-001, New Retail Hwy 25.

in accordance with Drawings and Specifications prepared by

[Schoel Engineering]

which contract is by reference made a part hereof, and is hereinafter referred to as the Contract.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Contractor shall promptly and faithfully perform said Contract, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the Owner.

Whenever Contractor shall be, and declared by Owner to be in default under the Contract, the Owner having performed Owner's obligations thereunder, the Surety may promptly remedy the default, or shall promptly

- 1) Complete the Contract in accordance with its terms and conditions, or
- 2) Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by Surety of the lowest responsible bidder, or, if the Owner elects, upon determination by the Owner and the Surety jointly of the lowest responsible bidder, arrange for a contract between such Bidder and Owner,

and make available as Work progresses (even though there should be a default or a succession of defaults under the contract or contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion less the balance of the contract price, but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the contract price", as used in this paragraph, shall mean the total amount payable by Owner to Contractor under the Contract and any amendments thereto, less the amount properly paid by Owner to Contractor.

This bond is irrevocable for two (2) years from the date of issuance, however, it will be automatically renewed without amendment for successive periods of one (1) year each, unless at least ninety (90) days prior to the initial expiration date or any successive expiration date the issuing surety gives the Shelby County Development Services notice by registered letter to the address above that the issuing surety elects not to have this bond renewed for such additional period.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Owner named herein or the heirs, executors, administrators or successors of the Owner.

Signed and Sealed this 28th day of May, 2020




The Broadway Group, LLC (Principal) (Seal)



(Witness)


Robert M. Broadway, Manager

(Title)



(Witness)

The Cincinnati Insurance Company

By 

John T. Freisen, Attorney-in-Fact

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Mark P. Harbarger; David E. Harbarger; John T. Freisen and/or Virginia M. Crump

of Huntsville, Alabama

its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to Twenty Million and No/100 Dollars (\$20,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 10th day of October, 2008.



STATE OF OHIO) ss:
COUNTY OF BUTLER)

THE CINCINNATI INSURANCE COMPANY

Signature of Thomas H. Kelly, Vice President

On this 10th day of October, 2008, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



Signature of Mark J. Huller, Attorney at Law

MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio, this 28th day of May 2008



Signature of Gregory J. Schlemmer, Secretary



SHELBY COUNTY
DEPARTMENT OF DEVELOPMENT SERVICES
1123 COUNTY SERVICES DRIVE
PELHAM, ALABAMA 35124
205.620.6650
www.ShelbyAL.com

December 2, 2022

Steve Gilbert
City Clerk/Treasurer
City of Montevallo
541 Main St.
Montevallo, AL 35115

RE: SP19-007 Bluegrass Apartments

Dear Mr. Gilbert,

The applicant for the above referenced project, Paul Widman, contacted our office to indicate that the Bluegrass project will not be moving forward due to expiration of funding.

With the termination of the project, the bond held by the Old Republic Surety Company may be released. I have attached the bond documentation submitted with the approved plan.

Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Kristine Goddard".

Kristine Goddard, AICP
Senior Planner

cc. Paul Widman, Bluegrass (*via email*)

PERFORMANCE BOND

Bond No.-NFB5422149

KNOW ALL MEN BY THESE PRESENTS:

That Hallmark Mobile Developer, LLC, 539 Primrose Way, Louisville, KY 40206 as Principal, hereinafter called Developer, and, Old Republic Surety Company, a corporation duly organized under the laws of Wisconsin as a Surety, hereinafter called Surety, are held firmly bound unto

The City of Montevallo, as Obligee, hereafter called City, in the amount of Sixteen Thousand Six Hundred Fifty and 00/100 Dollars. (~~\$16,650.00~~), for the payment whereof Developer and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Developer has by written Development Agreement, entered into with City for agreement

Land Disturbance Permit in preparation and in accordance with the approved Case No. SP19-007, Project Name: Bluegrass Apartments in accordance with approved engineer's estimates, which Agreement is by reference made a part hereof, and is hereinafter referred to as the Agreement.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Developer shall promptly and faithfully perform said Agreement, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the City.

Whenever Developer shall be, and declared by City to be in default under the Agreement, the City having performed City's obligations thereunder, the Surety may promptly remedy the default, or shall promptly

1) Complete the Agreement in accordance with its terms and conditions, or

2) Obtain a bid or bids for completing the Agreement in accordance with its terms and conditions, and upon determination by Surety of the lowest responsible bidder, arrange for a contract between such Bidder and City, and make available as Work progresses (even though there should be a default or a succession of defaults under the contract or contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion less the balance of the contract price, but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof.

This bond is irrevocable for two (2) years from the date of issuance, however, it will be automatically renewed without amendment for successive periods of one (1) year each, unless at least ninety (90) days prior to the initial expiration date or any successive expiration date the issuing surety gives the City of Montevallo, Alabama notice by registered letter to the address above that the issuing surety elects not to have this bond renewed for such additional period.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the City named herein or the heirs, executors, administrators or successors of the City.

Signed and Sealed this 25th day of February, 2020

Hallmark Mobile Developer, LLC

(Principal)

(Seal)

Carric Widman

(Witness)

Paul Widman

(Title) President

Beth A. Seibert

Beth A. Seibert

(Witness)

Old Republic Surety Company

By *Lydia A. Mantle*

Lydia A. Mantle, Attorney-in-Fact



OLD REPUBLIC SURETY COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:

NEVIN BEYER, BETH A. SEIBERT, LYDIA A. MANTLE, AIMEE R. HORVATH, OF HARRISBURG, PA

its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds), as follows:

ALL WRITTEN INSTRUMENTS

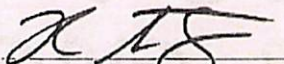
and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This document is not valid unless printed on colored background and is multi-colored. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that, the president, any vice-president, or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

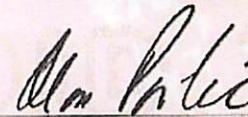
RESOLVED FURTHER, that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification there of authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 30TH day of OCTOBER, 2019.


Assistant Secretary



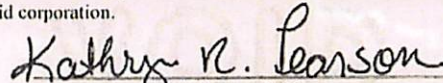
OLD REPUBLIC SURETY COMPANY


President

STATE OF WISCONSIN, COUNTY OF WAUKESHA-SS

On this 30TH day of OCTOBER, 2019, personally came before me, Alan Pavlic and Kevin Abitz, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say; that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.




Notary Public
My commission expires: 9/28/2022

(Expiration of notary commission does not invalidate this instrument)

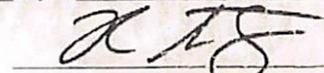
CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

72-6400

Signed and sealed at the City of Brookfield, WI this 25th day of FEB 2020




Assistant Secretary

KEYSTONE BONDING & SURETY AGY

THIS DOCUMENT HAS A COLORED BACKGROUND AND IS MULTI-COLORED ON THE FACE. THE COMPANY LOGO APPEARS ON THE BACK OF THIS DOCUMENT AS A WATERMARK. IF THESE FEATURES ARE ABSENT, THIS DOCUMENT IS VOID



City of Montevallo Ordinance No. 12272022-911

**An Ordinance Creating The Montevallo Emergency Medical Services [MEMS]
Department of the City.**

WHEREAS, the City of Montevallo currently employs emergency medical services personnel, provides volunteer emergency medical services and also provides volunteer firefighter services for the health, safety and general welfare of its residents and citizens; and,

WHEREAS, the City desires to continue to provide those services consistent and compliant with Alabama law; and,

WHEREAS, in order to more effectively and efficiently provide for the emergency medical services of its residents and citizens, the City has determined that those Emergency Medical Service Personnel [EMSP] employees and volunteers currently organized under the City's Fire Department be redeployed under a separate department;

NOW, THEREFORE, in order to accomplish the stated goals of the City in reorganizing its EMSP, it is hereby ordained as follows:

1. Those Emergency Medical Service Personnel (as defined by § 22-18-1(1), (8), (9), (10) and (13), *Code of Alabama*), inclusive of volunteers and employees, currently organized under the City's Fire Department are hereby redeployed and organized under a separate department to be known as the Montevallo Emergency Medical Services [MEMS] Department of the City.

2. The [MEMS] Department shall report to the Mayor.
3. The Mayor shall recommend and propose to the City Council at each convening and organizational session a Department Head, who shall serve at the discretion of the City Council and at the direction of the Mayor, as Chief Executive Officer of the City.
4. This Ordinance is otherwise enacted and shall be enforced in accordance with and reference to the provisions of §§ 22-18-1, 22-18-60 and 36-32-1, *et. seq.*, *Code of Alabama* (1975), particularly including the powers and duties of municipal governments delegated to the City in § 36-32-12 *Code of Alabama* (1975)

ADOPTED AND APPROVED by the City of Montevallo this the 9th day of January 2023.

Rusty Nix, Mayor

ATTEST:

Steve Gilbert, City Clerk