

**MINUTES**

***Montevallo City Council Work Session***

**April 25, 2022**

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

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

**Work Session called to order at 5:30 p.m. by Mayor Nix.**

**Discussion of New Business Items on Agenda:**

Request from Scott Lovelady to remove the requirement of Landscape Architect Stamp from Lot 16 Montevallo Commons Site Plan as per newly amended City of Montevallo Zoning Ordinance Article 23.06

Consideration of ABC Board License Application Number 20220406113618542 for Slice Pizza and Brewhouse, Restaurant located at 1105 Ashville, Road, Retail Liquor Sales.

Adoption of Letter of Permission for EL Agave Restaurant to allow serving of alcoholic beverages within a defined area, (table seating), on City Sidewalk in front of building located at 628 Main Street.

Adoption of Letter of Permission for The Dive Bar to allow the serving of alcoholic beverages within a defined patio area located at the rear of the building at 721 Middle Street.

Recommendation from City Engineer, in accordance with Section 4.08 of the City of Montevallo Land Disturbance Ordinance, to release The Broadway Group from the Land Disturbance Permit Bond posted for their Dollar General locations at 4169 Highway 119 and 110 Cedar Street, respectively.

**Old Business:** SD22-001 Heritage Trace – Amended Master Plan. Discussion of matter from tabled motion two weeks ago.

**Board Appointments:** None.

**Mayor Nix called for Committee Reports:**

Council Member King called on Chief Littleton for the Police Department Report. Chief Littleton reported there were 53 Total Reports. See Appendix 1.

Council Member King called on Chief Davis for the Fire Department Report and he reported the Total Calls for the first half of April was 52. See Appendix 2.

Mayor Nix called on Council Member Dukes for Sustainability. Council Member Dukes called on Kirk Hamby, Public Works and he reported 16 ton of trash was collected at the Recycling Center Saturday for the Shelby County Free Landfill Day. Bucket truck has the new engine installed. Truck scheduled for return to service within two weeks. Brush pickup has increased. Motley Avenue, street sign is down: (Reported by Council Member Dukes.)

Mayor Nix called on Shane Baugh, for Parks and Recreation. No report to Council.

Mayor Nix called for Education, Arts, and Outreach. Council Member Mitchell called on Sarah Hogan, Program Director Impact Montevallo. Sarah reported National Prescription Day is this Saturday. Please participate. Camp Journey is seeking "rising 6<sup>th</sup> graders" to participate. See Appendix 3.

Council Member Mitchell called on Olivia Gilbert, MJCC Junior Mayor. The MJCC is bidding off last year's birdhouses for funds to go toward this year's birdhouse decorating project. Elections have been held for new MJCC officers and will be recognized on the next Agenda at City Council.

Council Member Mitchell read a report from Savannah Kitchens, Parnell Memorial Library. The MJCC has created a Library Committee to give input to the library from the youth. The Library is preparing for its Summer Reading Program. See Appendix 4.

Council Member Mitchell reported the Boys and Girls Club is in need of counselors for Summer Programs. Renovations of building currently underway.

Council Member Mitchell reported Montevallo High School Graduation will be held on May 23.

Mayor Nix called on Council Member Swords for reports on Finance, Economic Development & Tourism.

Council Member Swords called on Courtney Bennett, Executive Director, Montevallo Main Street. Courtney reported the inaugural Spring Fling Family Food Truck Fest was a great success and well attended. She reported Friday Night's at the Cove starts this Friday at 6:30 pm at Owls Cove Park. See Appendix 5.

Council Member Swords called on Adele Nelson, Executive Director, Montevallo Chamber of Commerce. Adele reported the Golf Tournament will be held Thursday, April 28. She attended the Montevallo High School Awards Day and Beth House (Mary Lou's daughter) presented the Mary Lou Williams Memorial Scholarship to Anna Kate Deerman. Montevallo Chamber is a co-host at the 2022 Shelby County Small Business Awards Luncheon on May 18. See Appendix 6.

Council Member Swords had no report.

### **Pledge of Allegiance**

### ***Montevallo City Council Meeting***

**April 25, 2022**

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

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

**Council Meeting called to order at 6 p.m. by Mayor Rusty Nix. All Council Members present.**

**Approval and or corrections of the Minutes: 4.11.22 – Motion by Council Member Mitchell, second by Council Member King, All Ayes, Motion passed.**

**Recognitions / Awards: None**

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

C.P. Pierson 1131 Oak Street - safety issue question about people diving off of bridge (walk bridge). No Diving signs are needed at the Bridge in Orr Park.

Jody Talley District Court Judge Place 1; native of Shelby County. Asking for citizen support. Juvenile Court work and work in DA office. (Juvenile Court Judge is Place 1.)

Joyce Lewis 310 Reonda Lane, Bench for Dr. Cunningham, changes have been made to design of bench and its location. It will be located at Parnell Library Garden. Please ask questions if you have them and about the project to raise funds.

**Senior students in Susan Caplow's Environmental Studies / Capstone Class gave their Senior Presentation to Council.**

First student group's presentation was on topic of Litter in Main Street Area. Several studies information how and why people litter. Access to more trashcans and more area cleanups (organized). Cigarette litter is a big problem and they've purchased a cigarette receptacle that is to be placed in the strip center where Pizza Hut is located on one end and CVS on the other. Rules and signs for Orr Park Pavilion area. Enforce by not allowing future rentals if not left clean.

Second group's presentation was on Ecotourism of parks, marketing management and education to economic impact. Videos to be added to City Park and Recreation website. Conducted survey. Trail development. Better promotion. Sunday, May 1<sup>st</sup> event at Shoal Creek Park to promote visiting the park. Trails clean up, students learned litter issues on trails and in parks need to be addressed.

**Committee Reports:**

**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.

**Consideration of Bills**

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

**New Business:**

Scott Lovelady request to remove the requirement of the Landscape Architect Stamp, Lot 16 Montevallo Commons. Motion made by Council Member King, Second by Dukes, All Ayes. See Appendix 7.

Consideration of ABC Board License Application for Slice Pizza and Brewhouse. Motion by Council Member Dukes, second by Council Member King, Abstain: Mitchell, 4 Ayes. See Appendix 8.

Letter of Permission for EL Agave Restaurant to allow serving of alcoholic beverages on sidewalk in front of building. Motion by Council Member Dukes, second by Council Member King, Abstain: Mitchell, 4 Ayes. See Appendix 9.

Letter of Permission for The Dive Bar to allow the serving of alcoholic beverages within a defined patio area. Tabled to next Agenda. See Appendix 10.

Land Disturbance Bond for Broadway Group Dollar General Bond is for Land Disturbance only not landscaping. Motion by Council Member Mitchell, second by Council Member King, All Ayes. See Appendix 11.

**Old Business:** SD22-001 Heritage Trace – Amended Master Plan. First Reading of Ordinance for Rezoning. No Council Action. Appendix 12.

**Board Appointments:** None

**Other Business:** Proposal to Purchase new Fire Engine. Our oldest is 32 years old. This is our reserve engine.

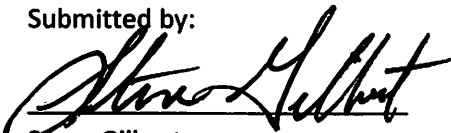
**Citizen Participation:**

C. P. Pierson 1131 Oak Street - Question can the new fire Engine be purchased with COVID Relief Funds. How can it be spent? Reply from City Clerk Gilbert, Yes.

Joyce Lewis Reonda Lane - Diving from bridge is a problem please address. Fire Department and Rescue doing a great job. Please provide funding for new Engine.

There being no further business before the Council, Mayor Nix called for a Motion to Adjourn, Motion to adjourn made by Council Member King, Second by Council Member Dukes, All Ayes. Meeting Adjourned at 7:03 p.m.

Submitted by:



Steve Gilbert  
City Clerk / Treasurer



## **APPENDIX 2**

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**Montevallo Fire and Rescue City Council Report 4/25/22**

**4/1/2022 - 4/15/2022**

**EMS- 38**

**Lift assist- 5**

**Structure Fire- 2**

**Brush Fire- 1**

**Electrical Fire - 1**

**Vehicle Fire-**

**Fire Alarm - 1**

**MVC- 3**

**Fuel Spill/ gas leak-**

**Assist other agency- 1**

**Assist Public-**

**Total calls for 1st half of April-52**

**Brad Davis**

**Fire Chief**

**City of Montevallo**

**Montevallo Fire & Rescue Service**

**541 Main Street**

**Montevallo, AL 35115**

**Office- 205-666-2555. Ext. 705**

City Council Meeting  
April 25, 2022

Ms. Sarah Hogan, program director provided the following report:

- **Community Events:** Thank you to those that attended our events last week, including the Chamber luncheon and our inaugural Spring Fling event. Both events were a huge success, and we were able to strengthen collaborations within the community and truly make a positive impact.
- **National Prescription Take Back Day:** National Prescription Take Back Day will be held this Saturday, April 30 from 10:00 – 2:00 at Montevallo Drug. Please make sure to properly dispose of all unused and expired prescriptions medications to minimize the risk of abuse. This event is hosted by the DEA and supported by our Shelby County Sherriff's Office in conjunction with our local law enforcement.
- **Alabama SAYS:** The Alabama Substance Abuse Youth Summit will be held tomorrow in Montgomery. I look forward to discussing current drug trends and substance youth policy while networking with other prevention professionals. It is my understanding that we are expected to receive some news
- **Distracted Driving Display:** Montevallo High School is hosting the County's Distracted Driving Display this week. The display showcasing the visual of what can happen when you drive distracted is placed next to the cafeteria on Valley St. Officer Holloway is working on providing informational displays to accompany the visual and working for us to host our fatal vision challenges and courses at the schools. We are also working on an informational brochure to send home with teens and parents about setting expectations for no alcohol use and risks of social hosting for the upcoming Prom on May 7<sup>th</sup>.
- **Alabama Alcohol Observational Tool:** The Alabama Action Network has worked to create the Alabama-Alcohol Observational Tool (survey) is sponsored by the Alcohol, Tobacco, and Other Drugs Section of the American Public Health Association. This Tool is a resource to monitor recent allowance of alcohol home delivery, curbside pickup, and drinks to go in Alabama. Findings may help prevention organizations identify areas of concern and support efforts to reduce alcohol-related harms, including eliminating access to minors. Use the following unique link just for our jurisdiction: [https://unc.az1.qualtrics.com/jfe/form/SV\\_cZo6lCtwweEuBUO](https://unc.az1.qualtrics.com/jfe/form/SV_cZo6lCtwweEuBUO) Data will be collected through May 5<sup>th</sup>.
- **Camp Journey:** The deadline of May 6<sup>th</sup> for our rising 6<sup>th</sup> graders camp, Camp Journey is quickly approaching. The camp will be held June 21 – 25 at Montevallo High School. This free camp

provides opportunities for students to build valuable relationships with their SRO and other law enforcement and community leaders that will help develop leadership skills, character traits and values that will help students throughout their academic year and issues they may face moving into the 6th grade and adolescence years. The camp provides a fun active environment where students will also get first-hand knowledge of the duties of our law enforcement agencies. Registration is open. Officer Wilhite did a great job presenting to these students and their guardians at an event last week at the Middle School. If you know of a rising 6<sup>th</sup> grader that may be interested, please have them pick up an application from SRO Wilhite or use the link on our social media.

- **Coalition Meeting:** Our next coalition meeting via Zoom will be held next week, Tuesday, May 3<sup>rd</sup>. Please mark your calendar and plan to join us.



### **Library Report for City Council April 25, 2022**

- We reported at the Education Arts and Outreach Committee. Special thanks to Ms. Mitchell for her dedication to connecting the members of this committee; it's already been beneficial to the library.
- The MJCC has created a Library Committee that will meet at the library on the first and third Tuesday of the month from 4 – 5, starting this fall when MJCC is back in session. We are excited to have their input and are looking forward to this collaboration with the youth of the city.
- We continue to prepare for Summer Reading Program and are about to send summer reading program brochures home with MES students.

That's all I have – let me know if you have any questions!

Thanks,

Savannah Kitchens

Director

Parnell Memorial Library

(205) 667-3052

[www.parnellmemoriallibrary.org](http://www.parnellmemoriallibrary.org)

[skitchens@shelbycounty-al.org](mailto:skitchens@shelbycounty-al.org)

### **APPENDIX 4**

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## Report to City Council

April 25, 2022

## APPENDIX 5

### Activities

- I had the honor of representing Montevillo Main Street at Earth Fest on UM's campus last Thursday and was able to make contacts with several current students.
- Spring Fling Family Food Truck Fest was a great success last Saturday! I'd like to thank all of our partners who made this happen, especially our volunteers; Impact Montevillo; DRUM the Program; the Public Works, Police, Fire, and Parks Departments; and everyone who came out to support the event. I'd also like to thank Mayor Nix, our City Clerk, and Councilors Mitchell, King, and Dukes for attending this first-time event. Based on the positive response we received, we will most likely expand this event next year.
- Friday Nights at the Cove season kicks off this Friday with a show by Birmingham-based band "Mother May I"! Join us at Owl's Cove Park and don't forget to bring your chair. Live music begins at 6:30 PM. Big Boy BBQ and M&M's Lemonade Stand will be on site as well. Thank you again to Mayor Nix & Family for sponsoring this event.
- Please make plans to visit Shoal Creek Park this Sunday between 1-4 PM for a "Finding Nature" event being organized by Dr. Susan Caplow's Environmental Studies Capstone students, who have been working with me this semester on promoting ecotourism and reducing litter in Montevillo.

*Respectfully submitted, Courtney Bennett, Executive Director*

Montevallo Chamber Report City Council 4/25/22

- 1) Montevallo Chamber had a **Pop-Up Congratulations** on Friday April 22 for The Type Shop's new location at 935 Main St. Everybody please stop by and wish Iris & Jack much success!
- 2) Montevallo Chamber attended the **Montevallo High School Awards Day** on Friday April 22 and Beth House (Mary Lou's daughter) presented the Mary Lou Williams Memorial Scholarship to Anna Kate Deerman !!
- 3) **Montevallo Chamber Golf Tournament** to benefit the Mary Lou Williams Scholarship fund will be this Thurs April 28 at Cahaba Falls Country Club in Centreville. Contact Chamber for player registration.
- 4) **Montevallo Onion Sale** (tentative)" PICK-UP" date will be May 5th from 10am - 2pm at Montevallo First Baptist parking lot. Funds raised will go to support the Annual Montevallo Chamber Community Grant Fund.
- 5) Montevallo Chamber is a sponsor for the **Shelby Emergency Assistance Disc Golf Tournament** . May 14th 9am & 2pm/ UM Disc Golf Course Info contact Team :Lehman 205-746-8721
- 6) Montevallo Chamber will Co-Host the **2022 Shelby County Small Business Awards Luncheon** on May 18 11:30am - 1pm @ the Grande Hall in Columbiana. Lunch \$20.. each RSVP to 205-665-1519 We would love to have a Montevallo table !! The Montevallo Small Business of the Year Nominees are Falcon Art Supply, Save My Cell, Strand Coffeehouse, Team Lehman KW Realty and The Soul Spot Wings.
- 7) Montevallo Chamber will have a booth at the **15th Annual Montevallo Arts Fest** on the rescheduled date of Sat June 18th 10am - 5pm



**Adele Nelson**

**Executive Director**

*Montevallo Chamber of Commerce*

P.O. Box 270 Montevallo, AL 35115

205.665.1519 office

[www.montevallocc.com](http://www.montevallocc.com)

## Steve Gilbert

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**From:** Burgess, James M. (Matthew) <JMBurgess@GarverISA.com>  
**Sent:** Monday, April 25, 2022 9:04 AM  
**To:** Steve Gilbert  
**Cc:** kgoddard APPENDIX 7  
**Subject:** Council Meeting

Good morning Steve! I wanted to touch base regarding tonight's Council meeting. I am back in Little Rock, AR for my monthly meetings, but since we have a couple of agenda items that could merit engineering discussion I thought I'd give a high-level summary you can forward on to the members if need be:

1. Lovelady/Montevallo Commons – This is a small site development that has been approved, contingent upon the landscaping issue. If you recall, it was Mr. Lovelady's case that started the conversation regarding flexibility in whom stamps landscape plans included in the engineering approval process. At the time of his submittal, the regs still required a registered landscape architect to stamp the plans. Since the requirement has been amended since that time, this request would retroactively allow the same for Mr. Lovelady and bring his contingent approval forward. I take no issue with this request, particularly given the small size and relatively minor content of the landscape plan included in his original submittal.
2. Dollar General Land Disturbance Bonds – This action grants release of the bonds provided by the developer of the Dollar General for land disturbance. There is an important distinction to note here regarding the landscaping – this does not release that bond. I don't want land disturbance and landscaping to get confused. Since we are a year in and there is no exposed erodible material and all their vegetation/stabilization is still in place – for these sites, primarily grass. We are aware that the landscaping plants are in poor shape and need attention. That is a separate bond and it is still active. Kristine is working with the developer to revive or replace the landscaping.

Let me know if there's questions. If there is still a virtual option for the meeting, I might be able to jump on right at 6 or a little thereafter. I will investigate that further when I arrive in Little Rock and let you know.

Have a great day! mb



**Matthew Burgess, PE**

Project Manager  
*Transportation Team*

📞 205-443-3090  
📠 205-218-8713



Inspected 04/22/2022  
Okay

**STATE OF ALABAMA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
**ALCOHOL LICENSE APPLICATION**  
Confirmation Number: 20220406113618542



Type License: 020 - RESTAURANT RETAIL LIQUOR State: \$300.00 County: \$600.00  
Type License: State: County:  
Trade Name: SLICE PIZZA AND BREWHOUSE Filing Fee: \$50.00  
Applicant: SLICE MONTEVALLO LLC Transfer Fee:  
Location Address: 1105 ASHVILLE RD MONTEVALLO, AL 35115  
Mailing Address: P O BOX 43649 VESTAVIA HILLS, AL 35243  
County: SHELBY Tobacco sales: NO Tobacco Vending Machines:  
Product Type: Type Ownership:  
Book, Page, or Document info: 2020001286  
Do you sell Draft Beer?:  
Date Incorporated: 01/06/2020 State incorporated: AL County Incorporated: JEFFERSON  
Date of Authority:  
Federal Tax ID: 84-4278933 Alabama State Sales Tax ID: R011302412

Name:	Title:	Date and Place of Birth:	Residence Address:
JASON BRIAN BAJALIEH 9327356 - AL	MEMBER	06/29/1980 BIRMINGHAM, AL	3023 WEATHERTON DR BIRMINGHAM, AL 35243
CHRISTOPHER SALEH BAJALIEH 6073771 - AL	MEMBER	08/30/1976 BIRMINGHAM, AL	5016 10TH COURT S BIRMINGHAM, AL 35222

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES  
Does ABC have any actions pending against the current licensee? NO  
Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO  
Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO  
Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES  
Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO  
Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO  
Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: JASON BAJALIEH  
Business Phone: 205-966-9847  
Fax:

Home Phone: 205-966-9847  
Cell Phone: 205-966-9847  
E-mail: JASON@SLICEBIRMINGHAM.COM

PREVIOUS LICENSE INFORMATION:  
Trade Name:  
Applicant:

Previous License Number(s)  
License 1:  
License 2:



**STATE OF ALABAMA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
**ALCOHOL LICENSE APPLICATION**  
**Confirmation Number: 20220406113618542**



If applicant is leasing the property, is a copy of the lease agreement attached? **YES**  
 Name of Property owner/lessor and phone number: **MONTEVALLO MC 205-243-0234**  
 What is lessors primary business? **DENTISTRY/PROPERTY OWNER**  
 Is lessor involved in any way with the alcoholic beverage business? **NO**  
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**  
 Is the business used to habitually and principally provide food to the public? **YES**  
 Does the establishment have restroom facilities? **YES**  
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**  
 Building Dimensions Square Footage: **1700** Display Square Footage:  
 Building seating capacity: **80** Does Licensed premises include a patio area? **YES**  
 License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**  
 Number of licenses in the vicinity: **0** Nearest: **0**  
 Nearest school: **0 miles** Nearest church: **0 miles** Nearest residence: **0 miles**  
 Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

<b>Name:</b>	<b>Violation &amp; Date:</b>	<b>Arresting Agency:</b>	<b>Disposition:</b>
CHRISTOPHER BAJALIEH	POSSESSION OF CONTROLLED SUBSTANCE 8/04/2005	BIRMINGHAM PD	ATTENDED CLASSES
CHRISTOPHER BAJALIEH	POSSESSION OF MARIJUANA- OWN USE 10/23/1997	JEFFERSON CO SO	DIMISSED
JASON BAJALIEH	POSSESSION OF MARIJUANA 2ND DEGREE 03/01/2008	VESTAVIA HILLS PD	DIMISSED



**STATE OF ALABAMA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
 ALCOHOL LICENSE APPLICATION  
 Confirmation Number: 20220406113618542



**Private Clubs / Special Retail / Special Events / Wine Festival or Wine Festival  
 Participants licenses ONLY**

**Private Club**

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

**Special Retail**

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

**Special Events / Special Retail (7 days or less)**

Starting Date:                      Ending Date:

Special terms and conditions for special event/special retail:

**Wine Festival / Wine Festival Participant licenses (5 Days or Less)**

Starting Date:                      Ending Date:

Special terms and conditions for special event/special retail:

**Other Explanations**

Additional Violations:

Name: JASON BAJALIEH    |    Violation & Date: POSSESSION OF MARIJUANA  
 1ST DEGREE

06/06/2000

Arresting Agency: TUSCALOOSA CO SO    |    Disposition: PARDONED



# STATE OF ALABAMA

## ALCOHOLIC BEVERAGE CONTROL BOARD

### ALCOHOL LICENSE APPLICATION

Confirmation Number: 20220406113618542



**Initial each**

**Signature page**

- JB In reference to law violations, I attest to the truthfulness of the responses given within the application.
- JB In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.
- JB In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.
- N/A In reference to Special Retail, Special Events retail licenses, and Wine Festival and Wine Festival Participant licenses, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.
- N/A In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.
- N/A In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.
- JB In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.
- JB The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.  
The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.
- JB I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

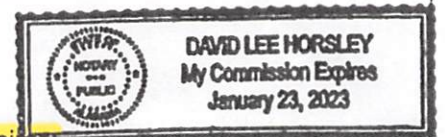
**Applicant Name (print):** JASON BAJALIEH

**Signature of Applicant:**

**Notary Name (print):** David Horsley

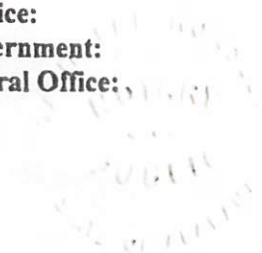
**Notary Signature:**

**Commission expires:**



**Application Taken:**                      **App. Inv. Completed:**  
**Submitted to Local Government:**  
**Received in District Office:**              **Reviewed by Supervisor:**

**Forwarded to District Office:**  
**Received from Local Government:**  
**Forwarded to Central Office:**







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

**Rusty Nix - Mayor**

**Steve Gilbert - City Clerk**

**Jeremy Littleton - Chief of Police**

**Brad Davis - Fire Chief**

**Council Members**

**David King – District 1**

**Lelia Mitchell – District 2**

**Kenneth Dukes – District 3**

**Sonya Swords – District 4**

**Martha Eisenberg – District 5**

APPENDIX 9

April 25, 2022

Alabama Alcoholic Beverage Control Board  
Licensing and Compliance  
234 Aquarius Dr.  
Homewood, AL 25209

Subject: El Agave Outdoor Seating and Serving Area

The Montevallo City Council during a regular session on April 25, 2022 approved by majority vote to grant permission for EL Agave, located at 628 Main Street, Montevallo, AL 35115 to sell and serve alcoholic beverages in a defined area on the City sidewalk in front of the building. The area must be defined by a barrier defining the serving and seating area.

This barrier shall not encroach on neighboring properties or into the City right of way along the sidewalk in front of the building. Persons seated or standing in the patio area must be within the defined barrier and not seated or standing on adjoining properties or the public right of way. The defined area shall be done in such a manner as to not interfere with or limit a person's ability to walk along the City sidewalk. The barrier, tables and chairs shall be arranged in such a manner as to provide access in compliance with ADA regulations.

Steve Gilbert  
City Clerk/Treasurer



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

**Rusty Nix - Mayor**

**Steve Gilbert - City Clerk**

**Jeremy Littleton - Chief of Police**

**Brad Davis - Fire Chief**

**Council Members**

**David King – District 1**

**Lelia Mitchell – District 2**

**Kenneth Dukes – District 3**

**Sonya Swords – District 4**

**Martha Eisenberg – District 5**

**APPENDIX 10**

April 25, 2022

Alabama Alcoholic Beverage Control Board  
Licensing and Compliance  
234 Aquarius Dr.  
Homewood, AL 25209

Subject: The Dive Bar Outdoor Patio

The Montevallo City Council during a regular session on April 25, 2022 approved by majority vote to grant permission for The Dive Bar, located at 721 Middle Street, Montevallo, AL 35115 to sell and serve alcoholic beverages on an outdoor patio located at the rear of the building. The patio area must be defined by a barrier defining the serving and seating area.

This barrier shall not encroach on neighboring properties or into the city right of way in the alley located behind the building. Persons seated or standing in the patio area must be within the defined barrier and not seated or standing on adjoining properties or the public right of way. The barrier, tables and chairs shall be arranged in such a manner as to provide access in compliance with ADA regulations.

Steve Gilbert  
City Clerk/Treasurer



www.GarverUSA.com

April 7, 2022

Mr. Steve Gilbert  
City Clerk  
The City of Montevallo  
541 Main Street  
Montevallo, AL 35115

RE: Recommendation of Bond Release  
Dollar General Land Disturbance Bonds

Dear Mr. Gilbert:

In accordance with Section 4.08 of the City of Montevallo Land Disturbance Ordinance, The Broadway Group has respectfully requested release from the Land Disturbance Permit bond posted for their Dollar General locations on SR-119 and SR-25, respectively. Per the ordinance, release of these bonds requires written authorization by the City Engineer.

Site visits to both stores were conducted on April 5, 2022. No deficiencies in site stabilization or vegetation were noted. Based upon this inspection, we concur that the improvements meet the minimum standard for established vegetation as specified by the City of Montevallo. We recommend the bond posted for these improvements be released by the City for both retail locations.

We appreciate the opportunity to continue serving the City of Montevallo. If you have questions, comments or require additional information on this matter please do not hesitate to contact our office at 205/443-3090.

Regards,  
GARVER



Matthew Burgess, PE  
Project Manager

Enclosure

CC: Kristine Goddard, Shelby County  
Project File



**CITY OF MONTEVALLO ORDINANCE NO. 05092022-700**

**An Ordinance Rezoning Certain Property From R2 - Special District to the  
Agricultural - Residential District**

WHEREAS, certain property located within the limits of the City of Montevallo, Alabama, at [insert address of property] is currently owned by Daniel Sealy and Courtney Sealy and

WHEREAS, after holding a public hearing on the matter, the Montevallo Planning Commission has recommended that, at the request of the property owner, this parcel be rezoned from the R2 Special District to the Agricultural - Residential District, subject to certain conditions; and

WHEREAS, the Montevallo City Council has held a public hearing on the Planning Commission's recommendation and carefully considered the said recommendation and the comments thereon;

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

Section 1. That the zoning district boundaries be amended so as to rezone the following property from R2 Special District to Agricultural - Residential District, and that such rezoning be reflected on the Zoning Map of the City of Montevallo:

[See Attached Exhibit A]

Provided, however, that such rezoning is subject to the following condition: that the uses of the property are restricted to the following uses:

- A. Any Use in existence at the time of zoning the property Agricultural Residential District.
- B. Single family structures located on a minimum of three acres
- C. Garage Apartment
- D. Accessory structures and uses which are an ancillary function of the primary use of the subject property, including garage apartments and not more than one accessory dwelling for persons employed on the premises.
- E. Farm
- F. Home Occupations

Conditional Uses as allowed under the Montevallo Zoning Ordinance.

Section 2. That the City Clerk is directed to file a copy of this ordinance, including a description of the property in the office of the Judge of Probate of Shelby County, and to advertise this ordinance as provided by law.

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

Approved and adopted this day, (insert date), 2022.

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Mayor Rusty Nix

Attest:

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Steve Gilbert, City Clerk / Treasurer

I certify that the attached Ordinance 05092022-700, adopted by the Montevallo City Council on (insert date), was pursuant to §11-45-8(b) of the 1975 Alabama Code, posted in conspicuous places within the community:

1. Public Outdoor Bulletin Board, City Hall, 541 Main Street, Montevallo.
2. The City Shop, 445 Selma Road, Montevallo
3. The Park and Recreation Building/Senior Center, Orr Park, 420 Vine Street, Montevallo.
4. The Parnell Memorial Library, 277 Park Drive, Montevallo, beginning March 29, 2022 and continuing for more than four weeks thereafter.

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Steve Gilbert  
City Clerk / Treasurer