

## ***MINUTES***

### ***Montevallo City Council Work Session***

**October 14, 2013**

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

Mayor Hollie Cost, Council Member Sharon Gilbert, Council Member Rusty Nix, Council Member Willie Goldsmith, and Council Member Don Hughes were in attendance. Council Member Dee Woodham was absent.

Mayor Cost called the work session to order at 5:30 p.m. She then asked the City Clerk to provide the history of the FEMA requirements regarding the Anderson property. The City Clerk explained that FEMA identified approximately 7 properties in Montevallo which had structures within the flood plain. 5 were constructed prior to the 1982 effective date of the FEMA ordinance and, as such, were grandfathered in. However, the vehicular bridge at Orr Park and the home built by Paul Brown off Spring Creek Rd, which is now owned by the Andersons, were built after 1982 and should not have been permitted by the city. We hired a hydrological engineer to study the flood plain to determine if the two improvements resulted in an adverse impact on the flood zone. The bridge was determined to not have had an impact. However, the home did. As a result, the engineer developed a plan whereby the flood path could be rerouted so it would not impact the house on the property. FEMA approved the plan, which includes removing shrubs, trees and ground cover on the Anderson property. The city would be responsible for the cost of clearing the property. The property owners have agreed to keep the area maintained.

Kirk Hamby to explain that we requested bids for the clearing work. We received 3 bids.

Council Member Hughes asked how the bid specifications were presented. Mr. Hamby said they were verbal. The area to be cleared was marked on the property, but everything else was communicated verbally. Council Member Hughes recommended that before the council considers any of the bids we go back to each of the bidders with written specifications and ask them to confirm that their bid covers the specifications as written.

Mayor Cost agreed this was not an action which needed to take place that evening. She asked Council Member Hughes and Mr. Hamby to work together to get the specifications drafted and to go back to the bidders for written confirmations.

The Mayor noted the only other Agenda item for the evening was the Residential Parking Permit Ordinance. She noted the council would need to suspend the rules and leave the regular order of business to consider that ordinance during the upcoming, regular meeting.

Chief Littleton presented the Police Department Report:

**Council Meeting October 14, 2013**

<i>Total Cases</i>	<i>110</i>
<i>Traffic Stops</i>	<i>160</i>
<i>Traffic Citations</i>	<i>79</i>
<i>Total Arrest</i>	<i>27</i>
<i>Domestics</i>	<i>7</i>
<i>Traffic Accidents</i>	<i>24</i>
<i>School Patrols</i>	<i>74</i>
<i>Zone Checks</i>	<i>570</i>

***Investigations Report***

<i>Felony cases brought forward from September</i>	<i>6</i>
<i>New cases for October</i>	<i>7</i>
<i>Total Felony Cases</i>	<i>13</i>
<i>Felony cases closed</i>	<i>3</i>

*We had several major cases and serious incidents over the past month. Everyone at the police department is doing an outstanding job and I appreciate their professionalism and efforts greatly.*

*We will pick our new patrol cars up Wednesday and they will be ready for patrol.*

*I would like council approval to purchase eight (8) new laptops for our patrol cars. Three will go in our new patrol cars and the other five (5) will replace existing laptops that are old and outdated. The total cost will be \$3,648.00 and would be taken out of our forfeiture fund. They will be purchased through Shelby County's IT department who uses the state bidding system.*

*I also would like council approval to use \$519.89 out of our forfeiture fund to pay for a ballistic vest purchased for one of our new police officers.*

He then presented the Code Enforcement report:

## Code Enforcement Summary

10/01/2013 to 10/14/2013

<u>Unkempt Yard Inspections</u>	2
Pending	2
Closed	0
<u>Junked Cars</u>	0
Pending	0
Closed	0
<u>Miscellaneous Animal Complaints</u>	0
Pending	0
Closed	0
<u>Abandoned houses/ Buildings</u>	0
Pending	0
Closed	0
<u>Miscellaneous Complaints</u>	1
Pending	1
Closed	0
<u>Warnings</u>	0
<hr/>	
Total Inspections	3

Mayor Cost commended our officers for their efforts. She said the State Fire Marshall was here recently working an investigation and complimented our Police Department on its thorough investigation of the incident. He told her that level of professionalism. He commended both our police officers and firefighters on their work.

Council Member Nix also commended the officers on the fine work they did subduing an armed suspect in the City Hall parking lot recently. Mayor Cost said we all are very proud of our Police Department.

Council Member Hughes asked when we will receive our new vehicles. Chief Littleton said they will be here Wednesday. In response to another question from Council Member Hughes, Chief Littleton said we will eventually sell several of the old patrol cars which are being replaced by the new ones.

Chief Reid presented the Fire Department report. He said they have been extremely busy lately getting ready for the Fire Prevention Parade and subsequent fire prevention related activities at our schools, etc.

Council Member Goldsmith said he really enjoyed this year's parade.

Herschel Hale reported the Arbor Board has ordered its trees for Arbor Day. He also reported the Shelby County Master Gardener group recently met at our library and he and our Arbor Board talked to them about trees.

Council Member Hughes noted we have trees throughout the city which are losing limbs. He asked if the Arbor Board has looked at those and if we are planning to have them removed. Mr. Hale said he and Mr. Hamby have looked at those trees and that many of them need to come down. Unfortunately, we do not have the funds to take down every tree that needs to be removed.

Council Member Hughes mentioned the need to also have a plan in place to replace the trees we take down with more appropriate trees for that area. He also pointed out that a couple of the trees on the Promenade are dying. He pointed out he had suggested before that we add a sprinkler system along the Promenade. Even though it was decided against, he suggested we may want to reconsider that decision in light of the problems we are having.

Mayor Cost said we have asked our landscape architect to look at those trees and plants along the Promenade. The trees actually died because the gas company dug them up to repair their gas line.

Council Member Hughes noted the power company has been busy clearing power lines around town. He also mentioned he had talked to Mr. Hamby about the need to add safety lights to our vehicles – especially those which do work along our main highways. In addition, he suggested all of our crews wear safety vests. He then requested the Sustainability Committee stay after the meeting that evening for a brief, 10 minute discussion.

Mr. Hamby told the council he agreed his crews should be wearing safety vests. He said he was also okay with adding lights to their vehicles. He did point out, however, that 4 of his 6 trucks already have strobe lights. He then informed the council that we have received a Cushman work truck from Shelby County. It is painted in UM colors and marked with their logo. The county gave it to us for work along the Promenade, at Orr Park, along our trail and other places.

Mr. Hamby said there are 4 trees on Vine Street that need to come down right now. He also mentioned that his crews have been painting crosswalks on Oak St. They are looking at painting them on Valley St, as well. Also, they are beginning to paint our curbs.

Council Member Hughes suggested that the crosswalk in front of Napier would be a good place to install reflectors. Mr. Hamby said the Mayor talked with him about that same thing earlier and that he was going to work on that this week. Council Member Hughes said it is important to do whatever we can to make our streets safer for pedestrians.

Mr. Hamby informed the council that the Leadership Shelby County Class visited Orr Park last Wednesday for lunch. He also noted that Leaders of Tomorrow from the Middle School toured our recycling center last week.

Mayor Cost mentioned we are investigating the pot holes along King Street. She said we need to do some temporary patching in advance of our major paving project. She also informed the council that information on the new garbage and recycling services is being distributed through our schools. Waste Pro has promised us they will retrieve all of their old cans shortly. Residents are asked to leave their old cans curbside so Waste Mgt can pick them up. The switchover has been rough, but we anticipate it will begin to smooth out over the coming weeks.

Mayor cost then thanked the Montevallo Elementary School students and staff for coming to the meeting.

***Montevallo City Council Work Session***  
**October 14, 2013**  
**6:00 p.m. at City Hall**

Mayor Hollie Cost, Council Member Sharon Gilbert, Council Member Rusty Nix, Council Member Willie Goldsmith, and Council Member Don Hughes were in attendance. Council Member Dee Woodham was absent.

**Pledge of Allegiance**

**Meeting Call to Order** – Mayor Cost opened the meeting at 6:00 p.m.

The MES principal, Dr. Allison Campbell, addressed the council. She explained that every year, the Duke University Talent Identification Program recognizes students across the United States for scoring in the 95th percentile on standardized tests, and seventeen Montevallo Elementary students recently received the honor. Last year, four students qualified. This year, there are 17.

The students, who scored better than 95 percent of students taking the Alabama Reading and Math Test, will have the opportunity to take the ACT at the age of 13 to gauge their academic progress.

Duke University recognized the following students: Anna Bright, Eric Castelazo, Campbell Cost, Johannes Delgado-Bu, Jonathan Dryer, Emily Dutton, Jennifer Garcia, Janie Gray, Justin Hyde, Caleb Johnson, William Landers, Nathan Moore, Kaitlyn Ozley, Sofia Parmer, Kayce Sankey, Amelia Verdin, Kali Yancey and Vicki Zou. Each was presented with a certificate of recognition from the Mayor and Council.

Mayor Cost also recognized two teachers: Joan Buckley and Jennifer Nix for the awards they received at MES. She thanked them for all they do for our children and for being such excellent teachers.

**Approval and/or corrections of the minutes** – Council Member Nix made a motion to approve the Minutes as corrected. Council Member Gilbert seconded. Council Member Hughes abstained. ALL OTHERS VOTED AYE . . . MOTION APPROVED.

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

Thomas Lilly addressed the council. He thanked everyone for their kind thoughts and support regarding his sister during his family's time of sadness.

Allison Welcome requested the council pave Hwy 203. She said she has talked with Council Member Hughes about this already.

Council Member Hughes said he asked Shelby County to repair the potholes on the road. He also asked them produce a map detailing all of the roads in Montevallo which are ours and which are theirs. They have agreed to do both. He said her also understood that Ms. Welcome would like to see the entire road repaved, not just patched.

Mayor Cost informed Ms. Welcome that the city is currently working on its prioritized paving list. Once that list is completed, we will make it available to the public. She said she understands Ms. Welcome's concerns and that we should have more information shortly.

Ms. Welcome said she would stay in contact and keep coming to the meetings.

A resident from 88 Western Drive said he talked to our street crews about the clogged drainage pipe at his property. Mr. Hamby informed the council he is aware of the problem and is waiting on equipment from the Water & Sewer Board to clear the clog. He said it should be done by the end of the week.

Another attendee, who identified himself as a non-resident, complained that the flag pole light outside city hall was not working. He suggested we either need to repair the light or take the flag down each night. He also mentioned the light across from the old theater is blocked by the tree.

Council Member Hughes explained the tree has grown up over the light. He said we may be able to trim the tree. Herschel Hale commented that the problem should be remedied as we make improvements along Main Street.

Mayor Cost instructed Mr. Hamby to address his concerns.

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

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

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

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

Council Member Nix reminded everyone that Critters by the Creek is Sunday, October 27<sup>th</sup> from 2-4:00 p.m. He said the event usually brings out a good crowd and is a great event.

Council Member Nix also reminded the council the Golf Board meeting is Tuesday at 4:00 p.m.

Council Member Hughes informed the council he attended the last Golf Board meeting and reminded them they were \$39,000 in arrears to the city for the last fiscal year. He suggested they reevaluate their operating procedures. He said he does not want to see us get rid of the golf course, but we need to see if there are ways to improve their profitability. He said, in his opinion, the course mainly serves adults and that he would like to see more of our limited resources go to supporting our youth than the golf course. He said we may need to look at altering our contract with the course. He said the Park & Rec Board #2 used to work more closely with the city than it does now. Again, in his opinion, they need a complete overhaul of their operations and to get their costs under control.

Council Member Nix said Youth Athletics are in full swing. Our trail is in good shape, but there is more graffiti under the bridge which need to be removed.

Mayor Cost said she has instituted a 24 hour policy – if we see graffiti, it is to be removed within 24 hours.

Council Member Nix reminded the council that the historical trail map is still being worked on. He also mentioned that the old cemetery adjacent to Orr Park needs to be surveyed. Mr. Brown, the adjacent property owner, has indicated a willingness to deed the old cemetery property to the city. Mayor Cost asked him to get a cost for the survey and bring that back to the council for approval.

Council Member Hughes suggested we ask the Boy Scouts to take on the clean-up at the old cemetery as a project. He said there is a 50 foot easement which leads to the property, so we can get equipment and vehicles in and out, if need be.

Mayor Cost mentioned that it had been suggested we adopt an ordinance requiring us to plant a new tree whenever we take down an old tree. Mr. Hale explained that we have an ordinance in place, but it is not a good one. He said we need to put together something more current. The Mayor asked the City Clerk to work with Mr. Hale on this.

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

Council Member Gilbert presented the Library Report:

PARNELL MEMORIAL LIBRARY  
MONTHLY REPORT  
SEPTEMBER 2013

CIRCULATION:	4562 Items Charged (Decreased by 7% from last year)		
COMPUTER USE:	1011 users (Increased by 23%)		
STORYTIME/4:	67 Children (Increased by 37%)		
MOVIES/3:	70 People Attended Decreased by 31%		
WEBSITE VISITS:	Sept 23- Oct 14: 3,141		
ADULT PROGRAMS/7:	140 (plus around 80 at the Garden Dedication party)		
ADDITIONAL CHILDRENS/2:	17 (Lego Club & a craft)		
DEPOSITS:	9/5/2013	\$82.15	
	9/10/2013	\$90.50	
	9/10/2013	\$1316.66	State Aid
	9/13/2013	\$78.55	
	9/19/2013	\$72.39	
	9/23/2013	\$106.19	
	9/26/2013	\$90.70	
	9/30/2013	\$79.60	
	9/30/2013	\$94.65	
	9/30/2013	\$28.55	
	<b>Total</b>	<b>\$2039.94</b>	

Council Member Gilbert reminded everyone the ArtWalk (ArtStalk) is Saturday, October 26<sup>th</sup> from 3 to 7:00 p.m.

With regard to the Dailey Park Grant project, Council Member Gilbert commented that the area residents seemed very pleased with the results of the walk-thru last week. The hold-up on the project has been due to drainage issues. November 1<sup>st</sup> we expect to have our demolition bids back. We hope the project will begin in January and be completed in May.

Council Member Hughes thanked Mr. Hale for attending the walk0thru. He said there are several trees which will need to be removed as part of the project.

Council Member Gilbert said the Mayor's Breakfast at American Village was a great success. She said this year's recipients were exceptional. Attendance was great – especially all the students who were able to be there.

Mayor Cost thanked Cindy Holsombeck and everyone at City Hall for their efforts in making the event a great success.

Council Member Hughes suggested we work with American Village to start a recycling program there. He said that would be a great thing, especially during major celebrations like the 4<sup>th</sup> of July.

Mayor Cost informed the council the Sister City Commission will meet Tuesday night at GLOCO at 5 p.m.

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

In the absence of Council Member Woodham, Mayor Cost presented her Finance Committee update:

- MDCD loan was finalized, 5 million for 17 years fixed at 3.25% with TrustMark Bank.
- The remaining city loan (about 365,000 for the fire truck) has been adjusted and re-amortized by Regions Bank. This is a huge benefit for the city--it allows us to keep a very attractive rate for a good term.
- The County has agreed to lead the Stephens Park improvement projects. They are in the process of testing the pond water for irrigation usage and Chuck Kelly is working on the design phase.

Mayor Cost then updated the council on paving and street signs projects. As was discussed earlier, they are getting their numbers together.

- MDCD has heard several restaurant proposals for Coach Co. and expect to see more detailed proposals in next few weeks.
- MDCD has received the draft hotel feasibility study and is working to finalize that with consultant.

Mayor Cost noted our prospects look good. A hotel is definitely feasible. We need to continue our efforts to find the right location, developer, etc.

Council Member Hughes said he noticed the paper said we authorized \$20,000 for the feasibility study, but he thought the council approved \$8,500. The City Clerk explained that the cost of the study is \$8,500 as approved by the council. The other number was a budget number – not the actual expenditure.

The City Clerk explained that our sales tax revenues were down significantly (40k) in Sept. This was due to the change in collection services from RDS/ALATAX to the State / ALDOR. He said we have already received late payments submitted through RDS/ALATAX and felt confident this was a blip which would average out the following month as businesses figure out where to submit their returns.

Council Member Nix made a motion to approve the payment of the bills. Council Member Gilbert seconded.

Council Member Hughes said that because the bills included payroll for the Golf Course he would have to abstain.

The Mayor called for the vote. Council Member Hughes abstained. ALL OTHERS VOTED AYE . . . MOTION APPROVED.

**Consent Agenda:** NONE

**New Business:**

FEMA Clearing Requirement on Anderson Property – Low Bid - \$5,000 - As discussed earlier, the Mayor said Mr. Hamby and Council Member Hughes would work on a written set of specifications to have each bidder confirm before moving forward with a vote.

As also discussed earlier, the Mayor pointed out that Chief Littleton had requested council approval to purchase eight (8) new laptops for our patrol cars. Three will go in our new patrol cars and the other five (5) will replace existing laptops that are old and outdated. The total cost will be \$3,648.00 and would be taken out of our forfeiture fund. They will be purchased through Shelby County's IT department who uses the state bidding system. He also requested council approval to use \$519.89 out of our forfeiture fund to pay for a ballistic vest purchased for one of our new police officers.

Council Member Hughes asked if the laptops were of good quality. The Chief said they were.

Council Member Goldsmith made a motion to approve the requests as previously described to be paid from the Forfeiture Fund. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

**Old Business:**

Residential Parking Permit Proposal –

Council Member Nix made a motion to suspend the rules and leave the regular order of business. Council Member Goldsmith seconded. Mayor Cost, Council Member Gilbert, Council Member Nix, Council Member Goldsmith, and Council Member Hughes voted AYE . . . MOTION APPROVED.

Council Member Hughes made a motion to approve the Residential Parking Permit Ordinance. Council Member Gilbert seconded. Mayor Cost, Council Member Gilbert, Council Member Nix, Council Member Goldsmith, and Council Member Hughes voted AYE . . . MOTION APPROVED.

**ORDINANCE NUMBER 10142013-300**

COUNCIL MEMBER HUGHES  
INTRODUCED THE FOLLOWING ORDINANCE

COUNCIL MEMBER GILBERT  
SECONDED THE ORDINANCE

**AN ORDINANCE AMENDING SECTION 4-180 (PARKING PERMIT ZONES)  
OF THE CODE OF THE CITY OF MONTEVALLO, AL**

**Whereas**, Section 4-180 (Parking Permit Zones) of the Code of the City of Montevallo regulates parking in residential zones and establishes fees for residential parking permits; and

**Whereas**, it is in the best interest of the public to update and amend said regulations and fees;

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

1. That Section 4-180 of the Code of Montevallo, Alabama be amended as follows:

The following areas of the city are hereby designated as permit parking zones, within which it shall be unlawful for any motor vehicle to be parked on a public right-of-way or street unless such vehicle shall properly display a valid parking permit. Permits may be procured from the city clerk only by residents of the designated permit parking zone for an annual fee of \$20.00. Permits will be issued for specific zones only and parking will be authorized only within that designated zone. Permit holders parking outside of their designated zone will be in violation of city code and will be subject to applicable fines and other remedies. Residents shall display parking permit decals in plain sight on the lower, rear, driver-side window.

2. Parking Zones shall be established as follows:

**(Zone A)**

Highland Street-Commencing at the intersection of Highland and Bloch, terminating at the intersection of Highland and Moody Streets.

**(Zone B)**

Middle Street-Commencing at the intersection of Middle and Valley, terminating at the midpoint on Middle, between Valley and Oak Streets.

**(Zone C)**

Nabors Street-Commencing at the intersection of Nabors and Plowman, terminating at the intersection of Nabors and Moody Streets.

**(Zone D)**

Oak Street, along the NW side thereof, beginning at the end of the yellow curb southwest of the intersection with Middle Street, and extending 20 feet southwest.

**(Zone E)**

Plowman Street-Commencing at the intersection of King and Plowman, terminating at the intersection of Oak and Plowman Streets.

**(Zone F)**

Valley Street-Commencing at the intersection of Vine and Valley, terminating at the intersection of Bloch and Valley Streets.

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

Approved and adopted this 14<sup>th</sup> day of October, 2013.

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Hollie C. Cost, Mayor

Attest:

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Herman Lehman, City Clerk

Council Member Nix made a motion to return to the regular order of business. Council Member Goldsmith seconded. Mayor Cost, Council Member Gilbert, Council Member Nix, Council Member Goldsmith, and Council Member Hughes voted AYE . . . MOTION APPROVED.

## **Board Appointments**

ValloCycle – NO ACTION

## **Other Business:**

Council Member Hughes said he noticed at the Recycling Center there are a lot of broken bikes which have been accumulated by ValloCycle. He suggested they were beyond repair and should be scrapped. The Mayor said she would suggest that to Courtney Bennett.

## **Citizen Participation:**

Thomas Lilly asked when the old garbage cans would be picked-up. The Mayor said they have promised us they will be picked-up this week.

William Bell asked if we have heard anything more from the Shelby County Board of Education regarding their plans at MMS. The Mayor said we have not heard anything yet, but she will keep trying to get some response from them.

There being no other business before the council, Council Member Nix made a motion to adjourn. Council Member Gilbert seconded. ALL AYES . . . MEETING ADJOURNED at 6:46 p.m.

Submitted by:

Herman Lehman  
City Clerk