

***MINUTES***  
***Montevallo City Council Work Session***  
**January 27, 2014**  
**5:30 p.m. at City Hall**

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

Mayor Cost called the work session to order at 5:30 p.m. The Mayor then reviewed the Agenda items with the council.

Regarding the field lease agreements, Mayor Cost noted the amendments made based on previous comments and concerns. She said the new agreement clearly spells our responsibilities.

Council Member Nix noted the lessees will be responsible for any improvements they make to the fields – such as the wood fence at Orr Park.

The Mayor noted the agreements include our providing some janitorial service for the restrooms. The lessee still has the main responsibility for cleaning the restrooms, but we will help to ensure they stay clean in between games.

Council Member Hughes asked if we keep the restrooms open for people using our walking trail. Mayor Cost explained we do not. We keep them locked to avoid problems. We've asked our police officers to keep a watch on the restrooms and to let us know if they are not being locked as required in the lease. Kirk Hamby will issue keys to the coaches and the coaches will be responsible for turning their keys in at the end of the season.

The Mayor discussed the reason we want to purchase the tax deed on the lot on Selma Rd (Hwy 119). She explained we are working on the possibility of extending the road in front of the Housing Authority directly out onto Hwy 119, This lot would need to be owned by the city in order to give us that access. The cost is around \$160.

Council Member Hughes agreed we need that lot. He said we have permission already from ALDOT for a turning lane at that location.

Council Member Nix said that at \$160 it was not a bad deal.

Kirk Hamby informed the council about the bids we received on the roof repair for the recycling center shed. The lowest responsible bidder was David Mims at \$3,500. Mr. Hamby pointed out Mr. Mims has done work for us at a number of other city properties.

Mayor Cost reminded everyone that Linda Easterling, our Court Magistrate, is retiring after 17 years of service. She invited the council to attend her retirement celebration from 10:00 a.m. to 2:00 p.m. the next day. Ms. Easterling's retirement is the reason we have requested replacing her name with that of Ivy Krukowski on our court checking accounts.

Mayor Cost then discussed the request from residents along Highland Street that the 1200 Block of Highland St. be exempted from the Residential Parking Permit Ordinance. Council Member Hughes noted we can always change it back if things change in the future.

Mayor Cost informed the council our warming station at First Baptist Church will remain on standby in case someone in our community needs it. Citizens needing shelter can contact our Police Department and they will contact Terry Sutton at the Church. We are working in conjunction with SEA on this program, as well.

Council Member Hughes asked if animals are welcome at the shelter. The Mayor said the Church is not set up to shelter animals.

The Mayor informed the council that we were able to purchase three used gator-like vehicles for maintenance in our parks for far less than the funds we budgeted in the city's capital account to purchase just one vehicle. She said using these smaller vehicles will help us to save on gasoline expense. We plan on keeping one at Stephens Park, one for Orr Park and the other at the Mahler property.

The Mayor informed the council our new Senior Center bus has arrived. She said Mayor Parker was not able to see the bus before he died. With the new bus, we no longer have a need to keep the old bus. Plus, it is not in safe working order. As such, she recommended we declare the old bus as surplus and send it to auction. Debby Raymond explained the new bus can be used to take our seniors on field trips and will save us the cost of renting transportation.

The Mayor informed the council we have a request again this year to honor Clergy Appreciation Week – February 2-8.

The Mayor also reminded the council she has created an ad-hoc annexation committee consisting, among others, of Council Member Nix, Chief Littleton and a representative of the Fire Department.

The proposed street paving list has cost estimates and is being turned over to the Sustainability Committee for review and recommendation back to the council. She hopes to have the list finalized shortly so we can put it out to bid in April. Paving should be completed this summer. Council Member Hughes said he would get his committee together.

Mitchell Spears, Chairman of the Park & Recreation Board #2 (aka the Golf Board) presented a request to the council regarding the purchase of a new 55 hp mower / tractor for the Golf Course. He said the old mower is worn out and requires costly maintenance to keep it operational. A new mower would cost \$15,950. They will accept our old mower in trade and give us a \$3,900 credit. Therefore, the cost to us will be approximately \$12,000. He said the old tractor was purchased in 2001. If the new tractor lasts us the same amount of time, it will average out to a cost of less than \$1,000 per year. Clay, an employee at the Golf Course, informed the council the old tractor is not safe to use.

Council Member Hughes asked if the purchase of the new tractor is in their budget. Mr. Spears said it is not – that is why they are coming to the council to request assistance. Council Member Hughes reminded Mr. Spears that he has asked Shelby County to keep us in mind if they have any old mowers they are taking out of service. He said he will follow up with them. Mr. Spears said they can use all the help they can get.

Mayor Cost said the council would take their request under consideration.

Chief Littleton provided the Police Department Report:

**Council Meeting January 27, 2014**

Total Cases	82
Traffic Accidents	20
Misdemeanor Arrest	10
Felony Arrest	2

**Code Enforcement**

1 warning on disabled vehicle complaint

We checked with the Shelby County Jail in reference to the litter problem on County Road 10. They informed us they would take care of it since it was a county road. They will also let us know if someone from the city shop can be authorized to use inmates for trash pickup.

David Holloway is our new code enforcement officer. He will also be assigned to bike patrol this spring and summer so he can and ride through the downtown area and our neighborhoods to become better acquainted with the community. We feel this will continue to help develop a positive relationship between our community and the police department.

Council Member Goldsmith thanked the Chief for all he and his officers are doing.

Chief Reid reported that the Fire Department has been staying extremely busy. So far in January, they have already responded to 78 calls, including seven structure fires. That evening, they were to conduct fire drills at UM.

Cindy Holsombeck informed the council of the plans for former Mayor Grady Parker's memorial services.

Kirk Hamby provided an update on the concerns along Hwy 203. He said the culvert running from 8 Western Drive to the top of the hill needs to be dug out. He said the pipe is clear, but the ditch still needs work.

Mr. Hamby also informed the council that he has talked with Alabama Power and they have agreed to perform a survey of all of our street lights to see which ones working properly or are out or dimming.

Mr. Hamby also reported that the new street signs will be ready soon. The plan is to see how many we can install ourselves and with the help of Shelby County before outsourcing the installation.

Council Member Nix updated the council on actives related to Park & Rec. He reminded them that the softball and baseball season will start soon. Mr. Hamby added that turnout so far for registration has been high. Additional opportunities to register will take place February 7<sup>th</sup> & 8<sup>th</sup>. So far we already have 40 players who have registered.

***Montevallo City Council Meeting***  
**January 27, 2014**  
**6:00 p.m. at City Hall**

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

**Pledge of Allegiance**

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

**Approval and/or corrections of the minutes** – Council Member Goldsmith made a motion to approve the Minutes from January 13, 2014 as presented. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

The Mayor informed the council that in the future Sandy Byrd will help take the Minutes of the meetings.

**Student Recognitions / Awards**

Mayor Cost announced the creation of a special, new recognition: The Elizabeth A. Mahler Spirit of Montevallo Award.

Presented to

**Miss McKenzie Shea Hamby**

For her volunteer service with the  
Juvenile Diabetes Research Foundation.

McKenzie began fundraising for JDRF in October, 2007 and has collected more than \$27,000 by having bake sales, serving refreshments at ArtWalk and Movies in the Park. She also sends out more than 400 letters of solicitation to her friends and family. She receives donations from the local community by placing collection jars in Montevallo businesses.

Mayor Hollie C. Cost and the Montevallo City Council are pleased to honor McKenzie with the  
**Elizabeth A. Mahler Spirit of Montevallo Award.**

January 27, 2014

Aubrey Miller, Director of the Juvenile Diabetes Research Foundation, echoed the importance of what Miss Hamby has done to help fight Type I Diabetes. He said the money she has helped raise goes to support research of all types.

Mayor Cost, along with Principal Sheila Lewis, presented the Montevallo Middle School recognitions:

Kyle Purvis

Samantha Dewell

Ahtziri Chavez

Triniti Tolbert

Anna Nalls

Candace Underwood

Emily Kornegay

Georgia Hughes

Abby Smith

Madison Childress

Faculty of the Month – Mona Guraya

Mayor Cost, along with Principal Wayne Hester, presented the Montevallo High School awards:

**Montevallo's Academic Excellence Award**

**Odalys Gallo**

**Kenny Oswald**

**Danielle Blake**

**Chris Seeboth**

**Thomas Frost**

**Claire Gray**

**Kenny Oswald**

**Jonathan Perkins**

**Dylan Sanders**

**Montevallo's Excellence in Service Award**

**Tamara Fletcher**

**C.D. Lawley**

**Hosea (Jay) Brown**

**Zach Tutwiler**

**Landon Pickett**

**Trey Turner**

**Montevallo's School Staff Excellence Award**

**Sonya Lilly**

## **Montevallo's Excellent Educator Award**

### **Brandi Eades**

The Mayor thanked everyone for attending the meeting and supporting our students.

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

H.G. McGaughey expressed his concern that the warming station was not capable of housing pets. He said a lot of pet owners, like him, would not be willing to take advantage of the warming station if they couldn't bring their pets.

Mayor Cost said she appreciated his concern but the Baptist Church was not equipped to handle pets. However, she said we would figure something out if that became a need.

Franklin Bell asked if Mayor Parker was able to see the van bearing his name. Council Members Hughes said he was not.

Mr. Bell commented on Section 14.1 of the proposed amendments to the nuisance ordinance. He said he felt that language about motor vehicles was too broad. He noted that several businesses around town are permitted to store vehicles in a fenced lot. He said residents should be treated the same as businesses.

### **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) –

In addition to what was discussed earlier, Council Member Nix added that the Senior Center will host Soup & Bingo at 11:30 on February 15<sup>th</sup>. He said that is always an enjoyable event.

Kirk Hamby reported that the graffiti on the bridge has been removed and that the washed out spot in the trail has been repaired.

Ed Davis presented the Golf Course Report:

Report as of January 21,2014

Our goal is to increase revenues over last year while decreasing expenses over last year to create a more profitable situation for Montevallo Golf Club. So far through the first 4 months, revenues from categories such as Cart/G.fees, Cart House rentals, Driving Range, Initiation fees, beer sales, and Membership fees have increased \$4201 while expenses have decreased by \$1379.51 for a net gain of \$5580.51 over last year. A great start to the year, especially due to the bad weather we have had.

Compared to last year during same period Oct. 1-Jan. 26

Revenues:

Cart/G.fee income	-1088	worse than (rounds up Jan. by 10.8%)
Cart House rentals	+810	better
Beer sales	+614	better
Driving Range	+162	better
Initiation fees	+50	better
Membership dues	+3653	better

Total revenue increase of \$4201

Expenses –Major areas

Payroll	+5457	better than LY
Repairs /Maintenance	-2081	worse than LY
Utilities	-695	worse than LY

Total expenses decreased by \$1379.51

#### Net gain over last year \$5580.51#####

1. Payroll for October-January 26<sup>th</sup>, 2013 totaled \$59737.21 YTD to \$54,279.79 through January 26<sup>th</sup>, 2014, a decrease in payroll of \$5457.42, or a reduction of payroll of 8.7% this year over last year. This also includes an increase in insurance from \$763 to \$1192, so we start off each month \$429 behind. We are pleased with these efforts to control payroll.
2. From October 1-January 26, 2014, Montevallo Golf Club has written checks to the City of Montevallo totaling \$73,400.27 compared to payroll expenses of \$54279.79 for Oct.-Jan., and thus reducing the amount owed to the City of Montevallo by **11.2%, or \$19,120.48** for the first 4 months of the fiscal year 2013-14.

Ed Davis-PGA  
Golf Department

Council Member Hughes asked if we share any equipment with the Golf Course. Mr. Hamby explained that we are able to share the equipment which they use for their sand traps and we use to drag our infields. Council Member Hughes noted there is also a mower we can loan them, if needed.

Council Member Nix mentioned he will be getting the annexation committee together soon.

Mayor Cost also informed the council she is still working on obtaining quotes for the Shoal Creek Park property Master Plan.

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

Allie Williams presented the Library Report:

# PARNELL MEMORIAL LIBRARY MONTHLY REPORT DECEMBER 2013

CIRCULATION:	2986 Items Charged (Decreased by 29% from last year)		
COMPUTER USE:	736 users (Decreased by 7%)		
STORYTIME/5:	31 Children (Increased by 2%)		
MOVIES/4:	144 People Attended (Increased 31% from last year)		
WEBSITE VISITS:	December 17 – January 27: 1,385		
ADULT PROGRAMS/2:	20		
ADDITIONAL CHILDRENS/3:	61		
DEPOSITS:	12/4/13	\$125.80	
	12/10/13	194.24	
	12/11/13	1074.13	State Aid
	12/12/13	\$70.14	
	12/12/13	\$2250.00	LSTA Grant
	12/17/13	\$72.95	
	12/20/13	\$87.39	
	12/27/13	\$75.90	
	12/31/13	\$43.40	
	12/31/13	\$26.17	
	12/31/13	\$294.15	
	<b>Total:</b>	<b>\$4314.27</b>	

January 27, 2014  
Parnell Memorial Library

### **SURPLUS FUND REQUESTS**

already approved by Library Board—need Council approval

- 1) Chess sets for new chess club up to \$600. Chess sets will be the property of the library and checked out to members so they can take them home to practice. This way cost will not be a deterrent to kids who want to join. If they lose or damage the set, they will have to replace it (just like a library book).
  
- 2) Match for LSTA grant for new computers that I will apply for this Spring. The maximum technology grant I can apply for is \$15,000, therefore the match would not exceed \$3,750. This is an ideal way to get computers we need at minimal cost to us. Our computers experience heavy wear (avg. 1,000 logins a month) because so many of our patrons cannot afford a computer or internet access at home, and our machines are 4+ years old.

Total amount requested to be used from Surplus Fund:

\$4350

Council Member Nix made a motion to authorize the expenditure request for \$4,350 from the library's unallocated reserve. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

Mayor Cost commended Ms. Williams for her efforts.

Ms. Williams also mentioned that there will be free tax preparation services again this year at the library for people with incomes under \$50,000. Mayor Cost suggested this info be included on our city message board.

Council Member Gilbert presented the Education Report:

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

Montevallo Elementary School front offices should re-open by the end of this month. They are sponsoring a Talent Show on March 13 at the University of Montevallo in Palmer Hall. Teachers and students will perform at this event.

Montevallo Middle School EXPLORE scores were above the national average. They recently recognized 116 students who were on the A/B Honor Roll and 40 with perfect attendance.

Montevallo High School baseball team will have a yard sale on February 1<sup>st</sup>. The Day of Pageants will be held on February 8<sup>th</sup>. Baseball and soccer seasons start in February. The first soccer game will be held on February 13 at 5:30 p.m. at the MHS Football Stadium. The MHS graduation rate is 89%. That's a 20% increase.

UM will host The Write Connection February 20-21. This year it will be expanded to include middle school students.

The Dedication Ceremonies for the National Veterans Shrine and Register of Honor will be held at American Village on Monday, February 17<sup>th</sup> at 1:00 p.m. Open house and preview tours will be conducted through 4:00 p.m.

Middle School Grant Update: The advertisement for bids appeared in the Birmingham News on yesterday. The bid opening will be February 21 with Council approval of Construction Award on February 24.

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

Mayor Cost noted that Council Member Woodham was unable to attend the meeting. She reminded everyone the Finance Committee will meet at 4:30 on Wednesday. The hotel feasibility study is complete. Next step is a hotel development RFP. No news on the restaurant.

Council Member Hughes asked to receive a copy of the Minutes from the MDCD meetings so he and the rest of the council can stay informed regarding their progress. The Mayor said that can be done.

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

**Consent Agenda:** NONE

**New Business:**

**Field Lease - Montevallo Youth Athletic Association at Stephens Park**

**Field Lease - Montevallo Middle School at Stephens Park**

**Field Lease - Montevallo High School at Orr Park**

Council Member Nix made a motion to authorize the Mayor to enter into all three of the proposed ball field lease agreements. Council Member Hughes seconded. ALL AYES . . . MOTION APPROVED.

Mayor Cost noted that the purpose of these agreements is to ensure that we are consistent with what we provide and expect from each of the lessees.

**Memorandum of Agreement by and between the City of Montevallo and the Montevallo Youth Athletic Association regarding the use and maintenance of Stephens Park**

The City of Montevallo hereby agrees to allow the Montevallo Youth Athletic Association use of fields One (1), Two (2), Three (3) and Four (4) at Stephens Park from February 1, 2014 through October 31, 2014 for the amount of \$1.00 per annum. This agreement shall be automatically renewed each year, unless written notification is received by either party of its intent to discontinue the agreement.

The City of Montevallo wants to provide the best atmosphere and experience for the players, coaches, board members, and parents. In doing this, there must be a background check on all coaches and board members to ensure the safety of all our youth. The City of Montevallo requires the background check to include city, county and state sources. All forms must be notarized and copies filed with the City Clerk's Office. The Montevallo Youth Athletic Association will be responsible for providing insurance on all players and coaches. A copy of said insurance certificate must name the City of Montevallo as an additional insured and a copy must be filed with the City Clerk's Office.

The Montevallo Youth Association will be responsible for informing the City of Montevallo of any donations of materials, labor and any improvements to the facility made by the Association. However, before conducting any changes or improvements to the facility, the Montevallo Youth Athletic Association must first present a written plan or proposal detailing said changes or improvements to the City Council for approval. No changes or improvements to the facility are to be made without the consent of the City of Montevallo. Any improvements made to the facility by the Montevallo Youth Athletic Association will be maintained by the Association.

The City of Montevallo will continue its efforts to obtain grants or provide other sources of funding to make improvements to the park. The City will be responsible for routine grass cutting and will maintain all common areas of the park including providing trash containers and trash

container pick up twice a week. The City will also provide for the lighting of the fields and all other utilities utilized at the park.

The Montevallo Youth Athletic Association shall be responsible for maintaining the areas within the playing fields, including lining of the fields, dragging the infields, setting bases, etc. The City will provide janitorial services to the Restrooms three (3) days week. However, the Association shall be primarily responsible for keeping the Concession Stand, Locker Rooms and Restrooms clean and maintained during games and at all times. In addition, the Association shall be responsible for picking up litter and other debris left after the fields are used for games, tournaments or practice, and for locking all facilities at appropriate times.

Acknowledged by:

City of Montevallo

---

Mayor Hollie Cost

---

Montevallo Youth Athletic Association

**Memorandum of Agreement by and between the City of Montevallo and Montevallo Middle School regarding the use and maintenance of Stephens Park**

The City of Montevallo hereby agrees to allow the Montevallo Middle School use of field Five (5) at Stephens Park from January 1, 2014 through May 30, 2014 for the amount of \$1.00 per annum. This agreement shall be automatically renewed each year, unless written notification is received by either party of its intent to discontinue the agreement.

The City of Montevallo wants to provide the best atmosphere and experience for the players, coaches, board members, and parents. In doing this, there must be a background check on all coaches and board members to ensure the safety of all our youth. The City of Montevallo requires the background check to include city, county and state sources. All forms must be notarized and copies filed with the City Clerk's Office. The Montevallo Middle School will be responsible for providing insurance on all players and coaches. A copy of said insurance certificate must name the City of Montevallo as an additional insured and a copy must be filed with the City Clerk's Office.

The Montevallo Middle School will be responsible for informing the City of Montevallo of any donations of materials, labor and any improvements to the facility made by the Montevallo Middle School. However, before conducting any changes or improvements to the facility, the Montevallo Middle School must first present a written plan or proposal detailing said changes or improvements to the City Council for approval. No changes or improvements to the facility are to be made without the consent of the City of Montevallo. Any improvements made to the facility by the Montevallo Middle School will be maintained by the School.

The City of Montevallo will continue its efforts to obtain grants or provide other sources of funding to make improvements to the park. The City will be responsible for routine grass cutting and will maintain all common areas of the park including providing trash containers and trash container pick up twice a week. The City will also provide for the lighting of the fields and all other utilities utilized at the park.

The Montevallo Middle School shall be responsible for maintaining the areas within the playing fields, including lining of the fields, dragging the infields, setting bases, etc. The City will provide janitorial services to the Restrooms three (3) days week. However, the Middle School shall be primarily responsible for keeping the Concession Stand, Locker Rooms and Restrooms clean and maintained during games and at all times. In addition, the School shall be responsible for picking up litter and other debris left after the fields are used for games, tournaments or practice, and for locking all facilities at appropriate times.

Acknowledged by:

City of Montevallo

---

Mayor Hollie Cost

---

Montevallo Middle School

**Memorandum of Agreement by and between the City of Montevallo and Montevallo High School regarding the use and maintenance of Orr Park**

The City of Montevallo hereby agrees to allow the Montevallo High School use of fields Two (2) and Three (3) at Orr Park from January 1, 2014 through July 31, 2014 for the amount of \$1.00

per annum. This agreement shall be automatically renewed each year, unless written notification is received by either party of its intent to discontinue the agreement.

The City of Montevallo wants to provide the best atmosphere and experience for the players, coaches, board members, and parents. In doing this, there must be a background check on all coaches and board members to ensure the safety of all our youth. The City of Montevallo requires the background check to include city, county and state sources. All forms must be notarized and copies filed with the City Clerk's Office. The Montevallo High School will be responsible for providing insurance on all players and coaches. A copy of said insurance certificate must name the City of Montevallo as an additional insured and a copy must be filed with the City Clerk's Office.

The Montevallo High School will be responsible for informing the City of Montevallo of any donations of materials, labor and any improvements to the facility made by the Montevallo High School. However, before conducting any changes or improvements to the facility, the Montevallo High School must first present a written plan or proposal detailing said changes or improvements to the City Council for approval. No changes or improvements to the facility are to be made without the consent of the City of Montevallo. Any improvements made to the facility by the Montevallo High School will be maintained by the School.

The City of Montevallo will continue its efforts to obtain grants or provide other sources of funding to make improvements to the park. The City will be responsible for routine grass cutting and will maintain all common areas of the park including providing trash containers and trash container pick up twice a week. The City will also provide for the lighting of the fields and all other utilities utilized at the park.

The Montevallo High School shall be responsible for maintaining the areas within the playing fields, including lining of the fields, dragging the infields, setting bases, etc. The City will provide janitorial services to the Restrooms three (3) days week. However, the High School shall be primarily responsible for keeping the Concession Stand, Locker Rooms and Restrooms clean and maintained during games and at all times. In addition, the School shall be responsible for picking up litter and other debris left after the fields are used for games, tournaments or practice, and for locking all facilities at appropriate times.

Acknowledged by:

City of Montevallo

---

Mayor Hollie Cost

---

Montevallo High School

**Purchase Vacant Lot Selma Rd (PID 36 2 04 1 001 063.001) from State for Back Taxes \$160 +/-** - Council Member Hughes made a motion to approve the purchase of the lot for back taxes – approximately \$160. Council Member Nix seconded. ALL AYES . . . -MOTION APPROVED.

**Award of Recycling Center Roofing Bid – David Mims \$3,500 (Kirk Hamby)** – Council Member Hughes made a motion to award the job to the low bidder, David Mims, at a price of \$3,500. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

**Authorization to replace Linda Easterling with Ivy Krukowski on the Court Checking Account** - Council Member Goldsmith made a motion to add Ivy Krukowski to the court checking accounts. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

#### **Old Business:**

#### **Amendments to the Nuisance Ordinance –**

Council Member Nix said he would like to postpone consideration of this item until the next council meeting. He noted the Ordinance would be entered into the record as the first reading.

Franklin Bell said he thought the council had several concerns regarding the ordinance which need to be addressed and thanked them for taking the time and effort to consider them.

Council Member Hughes pointed out one of the goals of the ordinance is to alleviate the problem we are having with junk cars. If the vehicles are allowed to sit for an abnormal period of time they become a problem.

Mr. Bell suggested that people may not have the money to fix them immediately. He also stressed there are private property issues to consider.

Council Member Hughes noted that if you are living next to a home with junk cars in their yard, it hurts the value of your real estate. The city has an obligation to protect its citizens from junk cars, overgrown weeds and other nuisances.

Mayor Cost said the ordinance would be entered into the record as its first reading and considered at the next meeting.

**ORDINANCE #**

AN ORDINANCE AMENDING CHAPTER 14 OF THE MONTEVALLO  
CODE TO PROVIDE FURTHER FOR REGULATION OF PUBLIC NUISANCES

WHEREAS, the City Council of Montevallo, Alabama, has determined that the health and welfare of the citizens of the City are adversely affected by the existence of public nuisances within the corporate limits and police jurisdiction of the City, and that the Code of Alabama authorizes municipalities to regulate public nuisances,

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

**Section 1.** That Chapter 14, Article I, of the Montevallo Code be amended by omitting Section 14-1 in its entirety and by adding the following sections:

**“Sec. 14-1. Definitions.**

- (a) For the purposes of this Article the term “public nuisance” shall mean anything that works hurt, inconvenience or damage to all persons who come within the sphere of its operation, though it may vary in its effects on individuals.
- (b) The term “public nuisance” shall also include anything defined or declared to be a public nuisance by statute of the State of Alabama, common law, or decision of the trial or appellate courts of the State of Alabama which may be regulated by municipalities.
- (c) The term “public nuisance” shall also include an "inoperable motor vehicle," which is any motor vehicle, trailer, or semi-trailer that has remained on private property and in view of the general public for 30 days and is inoperable in that one or more of its major mechanical components, including, but not limited to, the engine, transmission, drivetrain, or wheels, are missing or are not functional, or

the vehicle otherwise constitutes a nuisance. An inoperable motor vehicle shall not be deemed a public nuisance if:

(1) the motor vehicle has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations;

(2) the motor vehicle is on the premises of a place of business engaged in the wrecking or junking of motor vehicles, or primarily engaged in the storage and sale of damaged or theft-recovered vehicles for insurers;

(3) the motor vehicle is stored or parked in a lawful manner on private property in connection with the business of an automobile dealer, wholesaler, repairman, or wrecker service for repair or sale; or

(4) the motor vehicle is kept in an enclosed building completely shielded from the view of individuals on the adjoining properties or the street.

**Sec. 14-2. Public nuisance unlawful.**

It shall be unlawful for any person to permit or maintain the existence of any public nuisance on any property under his or her control.

**Sec. 14-3. City code enforcement officer to enforce Article.**

The chief of police, law enforcement officers, building inspector, director of public works, fire marshal, health officer, housing abatement board, and such other city employees as may be designated by the city council shall be responsible for reporting any public nuisance defined in this Article I. Such report shall be made to the code enforcement officer or a representative designated by resolution of the city council, who is hereby authorized to abate any such public nuisance found to exist in the city.

**Sec. 14-4. Statutory provisions.**

In addition to the procedures set out in this Article for abatement of public nuisances, the following statutory provisions may be utilized:

- (a) Unsafe structures may be abated pursuant to the provisions of Title 11, Chapter 40, Article 2 (§§ 11-40-30 through -36), Code of Alabama 1975, as amended, as it now exists or as it may hereafter be amended; Title 11, Chapter 53A, Article 1 (§§ 11-53A-1 through -6), Code of Alabama 1975, as amended, as it now exists or as it may hereafter be amended; and Title 11, Chapter 53B (§§ 11-53B-1 through -16), Code of Alabama 1975, as amended, as it now exists or as it may hereafter be amended.
- (b) Overgrown grass or weeds may be abated pursuant to the provisions of Title 11, Chapter 67, Article 4 (§§ 11-67-60 through -67), Code of Alabama 1975, as amended, as it now exists or as it may hereafter be amended.
- (c) Drug-related nuisances may be abated pursuant to the provisions of Title 6, Chapter 5, Article 9, Division 3 (§§ 6-5-155 through -156.5), Code of Alabama 1975, as amended, as it now exists or as it may hereafter be amended.
- (d) Obscene nuisances may be abated pursuant to the provisions of Title 6, Chapter 5, Article 9, Division 4 (§§ 6-5-160 through -160.4), Code of Alabama 1975, as amended, as it now exists or as it may hereafter be amended.

#### **Sec. 14-5. Debris, rubbish, etc.**

An accumulation of debris, rubbish, brush, used building materials, refuse, remains from building demolition, remains from a fire, parts of buildings, parts of untenable structures, or things or places in which stagnant water is collected on any lot or tract of land in the city is hereby declared to be a public nuisance. It shall be unlawful to permit any such accumulation to remain or continue in existence in any place after receiving an order from the code enforcement officer to remove the same.

**Sec. 14-6. Machinery, vehicles, etc., in residential area.**

Storage of used building material, machinery, vehicles, parts of vehicles or any other materials which may provide a breeding place for mosquitoes, harmful insects or rodents, or is so unsightly as to be offensive to the neighborhood in an area zoned for residences, is hereby declared to be a public nuisance. It shall be unlawful to permit such storage to continue after receiving an order from the code enforcement officer to remove the same.

**Sec. 14-7. Area of responsibility.**

It shall be the responsibility of owners, occupants and lessees to keep their property free of public nuisances. Owners, occupants and lessees whose properties face on municipal sidewalks and strips between streets and sidewalks shall be responsible for keeping those sidewalks and strips free of public nuisances. Owners, occupants and lessees whose properties face on municipal alleys shall be responsible for keeping the area from their property to the center line of the alley free of public nuisances.

**Sec. 14-8. Notice to abate public nuisance other than inoperable motor vehicles.**

(a) Procedures for the abatement of weeds shall be governed by the provisions of Article III of this Code. Procedures for the abatement of unsafe buildings or structures shall be governed by the provisions of Article IV of this Code. Procedures for the abatement of other nuisances shall be governed by the provisions of this Article I.

(b) Whenever the code enforcement officer determines that a public nuisance other than an inoperable motor vehicle exists as defined in this Article or other applicable law or ordinance, he or she shall order the owner, occupant or lessee of the property on which the public nuisance is located to abate the same. Abatement shall mean either repair, rehabilitation, demolition or removal, as shall be determined by the code enforcement officer as the proper remedy.

(c) The code enforcement officer shall give written notice to abate to the owner, occupant or lessee, of the existence of the public nuisance, shall describe the particulars which make it a public nuisance, shall order the manner in which it shall be abated, shall state the time within which the public nuisance must be abated, and shall state that a hearing may be requested in writing within fifteen days as provided herein.

(d) The written notice shall be sent by certified mail to that person shown by the records of the Property Tax Commissioner of Shelby County, Alabama, to have been the person last assessed for payment of ad valorem tax on the property where the public nuisance is situated.

(e) If the property is vacant, a notice with the same information as the written notice shall also be posted in a conspicuous place on the property.

(f) Where service of the written notice by certified mail has been attempted but the return receipt shows a failure of service, the notice shall be published once in a newspaper of general circulation in the city.

(g) The notice, whether written, posted, or published, shall require the owner, occupant or lessee to complete the abatement of the public nuisance within fifteen days from the date of the notice; provided however, the code enforcement officer may stipulate a longer time but in no case more than 60 days. The notice shall further state that if the public nuisance is not abated within the stated time, the code enforcement officer may institute legal proceedings against the owner, occupant or lessee for violation of this Article, and the city council may order abatement by the city by the use of its own forces or it may by contract with a third party with the cost assessed against the property.

#### **Sec. 14-9. Notice to abate inoperable motor vehicle nuisance.**

(a) Whenever code enforcement officer determines that a public nuisance arising from an inoperable motor vehicle exists as defined in this Article or other applicable law or ordinance, he or she shall order the owner of record of the vehicle, and the owner, occupant or lessee of the property on which the vehicle is located to abate the same. Abatement shall mean either repair or removal, as shall be determined by the code enforcement officer as the proper remedy.

(b) The code enforcement officer shall give written notice to abate by certified mail to the last registered owner of record of the inoperable motor vehicle, and notice to all other interested parties, including the owner, occupant or lessee of the premises upon which the vehicle is located, by securely affixing the notice to the vehicle. The notice shall also state that a hearing may be requested in writing and that if no hearing is requested, the inoperable motor vehicle will be removed. The notice shall include a list of names of persons or private contractors, or both, who will perform the work of removing the vehicle.

#### **Sec. 14-10. Appeals from notice to abate.**

(a) Any person receiving notice of a public nuisance and an order to abate the same under sections 14-8 or 14-9 from the code enforcement officer may appeal the order to the city council by written notice filed with the code enforcement officer within fifteen days of the date of such notice. No appeal filed later than fifteen days after the notice shall be considered unless the city council consents.

(b) The appeal notice shall contain the name and property interest (owner, lienholder, lessee, etc.) of the appealing party, a short statement of the objections to the finding by the code enforcement officer that the building, structure, inoperable motor vehicle, or other condition is a public nuisance, and a mailing address to which notices and other communications may be sent to the appealing party. The filing of the request shall hold in abeyance any action on the finding of the code enforcement officer until determination thereon is made by the city council. Written notice giving the time, location, and date of the appeal hearing before the city council shall be mailed by certified and regular mail to the person requesting the hearing at the address stated in the appeal notice. Upon holding the hearing, which hearing shall be held not less than five nor more than 30 days after the request, the governing body shall determine whether or not the building, structure, inoperable motor vehicle, or other condition is a public nuisance, and if so, the city council shall order the appropriate abatement of the nuisance. The abatement may be accomplished by the city by the use of its own forces, or it may provide by contract for the abatement.

(c) If the abatement involves the removal of an inoperable motor vehicle, the city, upon removal, may dispose of the inoperable motor vehicle by sealed bid or auction as directed by the city council subject to the rights of any secured party or other holder of a recorded or registered

security interest or lien on the motor vehicle who has requested a hearing and verified the existence of the security interest or lien within the time permitted by this section. The owner, occupant, or lessee of the land on which the vehicle is located may remove the vehicle at his or her own expense prior to the removal of the vehicle by the city.

**Sec. 14-11. Failure to comply with notice to abate.**

If the owner, occupant or lessee shall fail, neglect or refuse to comply with the notice to abate the public nuisance, in addition to any other actions or remedies authorized by law or this Article, the code enforcement officer may proceed to prosecute said person for a violation of the provisions of this Article or other applicable ordinance. In the event no hearing is timely requested, the code enforcement officer shall report to the city council his or her findings and the failure to comply with the notice to abate, which report must be at least 30 days after the date the notice to abate was given. The city council shall determine whether or not the building, structure, inoperable motor vehicle, or other condition is a public nuisance, and if so, the city council shall order the appropriate abatement of the nuisance. The abatement may be accomplished by the city by the use of its own forces, or it may provide by contract for the abatement by a third party.

**Sec. 14-12. Assessment.**

(a) Upon completion of the work ordered by the city council, the code enforcement officer shall compute the actual expenses, including, but not limited to, total wages paid, value of the use of equipment, advertising expenses, postage, and materials used, which was incurred by the city as a result of such work. An itemized statement of such expenses shall be personally served or mailed by first class mail to the last known address of the owner, occupant or lessee of the property.

(b) In the event the owner, occupant or lessee shall fail or refuse for a period of 28 days to pay off and discharge the expenses, the code enforcement officer shall report such failure to the city council at the next regular meeting following the expiration of that period.

(c) The city council shall hold a public hearing before causing the actual expenses of the work to

be levied as a special assessment against the property. Notice of the public hearing shall be mailed to the last known address of the owner, occupant or lessee of the property and published in a newspaper of general circulation in the city at least five days prior to the hearing. After the public hearing the city council may by resolution assess all or part of the expenses against the property.

(d) Any assessment against property under this section shall not be final until seven days after adoption by the city council. Once the assessment has become final, the city clerk shall have such resolution recorded in the office of the Judge of Probate of Shelby County.

**Sec. 14-13. Collection of assessment or civil penalty; remedy of city.**

(a) In the event the owner, occupant or lessee shall fail or refuse to discharge the assessment after a period of 28 days from the date the assessment was made final, the city may commence an action in any court of competent jurisdiction to recover the expenses and any civil penalties assessed which may not have been paid.

(b) In addition to remedies otherwise provided for herein, the code enforcement officer may cause an action to be instituted to enjoin or abate any public nuisance.

**Sec. 14-14. Continuing offenses.**

In all cases the person whose duty it is to abate any public nuisance shall be liable for separate and distinct offenses for each day the public nuisance is allowed to remain after it has become his or her duty by notice of the code enforcement officer to abate it.

**Sec. 14-15. Procedures and penalties for violations.**

Any violation of any provision of this Article may be punished as provided in either of the following subsections:

(a) Fine.

Violators of any provisions of this Article are subject to prosecution in municipal court in the same manner as those who violate other provisions of this Code. Any person or entity violating any provision of this Article shall, upon conviction, be punished by a fine of not more than \$500.00. With respect to violations of this Article that are continuous with respect to time, each day that the violation continues is a separate offense. With respect to other violations, each act constitutes a separate offense. The imposition of a penalty does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions. The imposition of a penalty does not prevent injunctive relief or other available remedy.

(b) Summons and complaint.

(1) Pursuant to Sec. 16-5 of this Code, the code enforcement officer or any law enforcement officer, in lieu of placing persons under custodial arrest, may issue a summons and complaint to any person charged with violating any of the provisions of this Article. Such summons and complaint shall be on a form approved by the city council and shall contain the name of the municipal court of Montevallo, Alabama; the name of the defendant; a description of the offense, including the municipal code cite; the date and time of the offense; the place of the offense; signature of the officer issuing the citation; the scheduled court date and time; an explanation to the person cited of the ways in which he may settle his case; and a signature block for the magistrate to sign upon the officer's oath and affirmation given prior to trial.

(2) Whenever any person is charged with a violation of any of the provision of this Article, the charging officer shall take the name and address of such person and any other identifying information and issue a summons and complaint to the person charged. Such officer shall release the person from custody upon his written promise to appear in court at the designated time and place as evidenced by his signature on the summons and complaint, without any condition relating to the deposit of security.

(3) If any person refuses to give a written recognizance to appear by placing his signature on the summons and complaint, the officer shall take that person into custody and bring him before any officer or official who is authorized to approve bond.

(4) The following schedule of fines for first, second, and subsequent offenders of the alleged violation of the provisions of this Article who are prosecuted under this subsection (b) is hereby adopted, which shall be posted in a place conspicuous to the public within the municipal court clerk's office and the police department:

First offense: \$100.00

Second offense: \$250.00

Third and subsequent offense: \$500.00

(5) A person or entity prosecuted under this subsection (b) may elect to appear before the municipal court magistrate within the time specified in the summons and complaint, and upon entering a plea of guilty, pay the fine and court costs. A plea of guilty shall only be accepted by the magistrate after the defendant has executed a notice and waiver of rights form. In the alternative, the defendant shall have the option of depositing the required bail, and upon a plea of not guilty, shall be entitled to a trial as authorized by law.

(6) The court clerk or magistrate shall receive and issue receipts for cash bail from parties who wish to be heard in court; enter the time of their appearance on the court docket; and notify the charging officer and witnesses, if any, to be present.

(7) If the defendant fails to appear as specified in the summons and complaint, the judge or magistrate having jurisdiction of the offense may issue a warrant for his or her arrest commanding that he or she be brought before the court to answer the charge contained on the summons and complaint. In addition, any person who willfully violates his or her written promise or bond to appear, given in accordance with this section, shall be guilty of the separate offense of failing to appear, a misdemeanor, regardless of the disposition of the violation with which he or she was originally charged.

(8) All fines and forfeitures collected upon a conviction or upon the forfeiture of bail of any party charged with a violation of any of the provisions of this Article shall be remitted to the general fund of the city.

(9) If the defendant corrects the condition upon which the summons and complaint was issued within 10 days of the issuance, the charging officer has the discretion to recall and rescind the summons and complaint.”

**Section 2.** That the following be added as Chapter 14, Article IV, of the Montevallo Code:

**“ARTICLE IV. UNSAFE BUILDINGS OR STRUCTURES**

**Sec. 14-80. Montevallo Housing Code Abatement Board created.**

There is hereby created the Montevallo Housing Code Abatement Board consisting of five members. Each council member shall appoint one member from his or her district to serve on the board for the term of the council member for a maximum of two consecutive terms in office. The board shall perform the duties delegated by Title 11, Chapter 53A, Article 1, Code of Ala. 1975, as amended.

**Sec. 14-81. Notice of unsafe building or structure.**

Whenever the board finds that any building, structure, part of a building or structure, party wall, or foundation situated within the City is unsafe to the extent that it creates a public nuisance from any cause, it shall give notice to the person or persons, firm, association, or corporation last assessed for state ad valorem taxes by personally serving a copy of the notice to remedy the unsafe or dangerous condition of the building or structure, or to demolish the building or structure, within a reasonable time set out in the notice to the person or legal entity to whom the property was assessed for ad valorem taxes, not more than 60 days following the notice. If the unsafe condition is not remedied within 60 days, the building or structure shall be demolished and removed by the city and the costs shall be assessed against the property. In the event that the personal service is returned “Not Found” after not less than two attempts, the notice may be given by registered or certified mail. The mailing of the notice by registered mail, properly addressed and postage prepaid to the address where the notice for ad valorem taxes for the last tax year was mailed, shall constitute notice as required by this article. Prior to the delivery or mailing, the notice or a copy of the notice shall also be posted at or within three feet of an

entrance to the building or structure. If there is no entrance, the notice may be posted at any location upon the building or structure.

**Sec. 14-82. Administrative hearing; order for removal of unsafe building or structure; appeal of order for removal.**

(a) Within the time specified in the notice, but not more than 60 days from the date notice is given, any person, firm, or corporation having an interest in the building or structure may file a written request for a hearing before the city council, together with any objection to the finding by the board that the building or structure is unsafe to the extent of creating a public nuisance. The filing of the request shall delay any action on the finding of the board until a determination is made. A hearing shall be held not less than 10 nor more than 60 days after the request. At the hearing, or in the event no hearing is timely requested, after the expiration of 60 days from the date the notice is given, the city council shall determine whether or not the building or structure is unsafe to the extent that it creates a public nuisance. Notice of the meeting of the city council, and that a determination will be made at the meeting, shall be published one time in a newspaper of general circulation in the city, not less than 10 days prior thereto. If a building or structure is determined to be unsafe to the extent that it creates a public nuisance, the city council shall order the building or structure to be demolished and removed 30 days following the determination. The city may actually perform, or contract for the performance of the demolition and removal of the building structure, and may sell or otherwise dispose of salvaged materials resulting from the demolition and removal.

(b) Any person aggrieved by the decision of the city council at the hearing may, within 30 days thereafter, appeal to the circuit court upon filing with the clerk of the court notice of the appeal and bond for security of costs in the form and amount approved by the circuit clerk. Upon filing the notice and bond, the clerk shall serve a copy of the notice of appeal on the city clerk. The appeal shall be docketed in the court as a preferred case. The city clerk shall, upon receiving the notice, file with the circuit clerk a copy of the findings and determination of the city council. A trial shall then be held without a jury upon the determination of the city council.

**Sec. 14-83. Adoption of resolution fixing costs of removal of unsafe building or structure; fixing of costs to constitute special assessment and lien against property; notice and filing of resolution.**

Upon demolition and removal of a building or structure, the board shall make a report to the city council of the cost. The city council shall adopt a resolution fixing the costs which it finds were reasonably incurred in the demolition and removal and assess the costs against the property. The proceeds of any monies received from the sale of salvaged materials from the building or structure shall be used or applied against the cost of the demolition and removal. Any person, firm, or corporation having an interest in the property may be heard at the meeting concerning any objection he or she may have to the fixing of the costs. The city clerk shall give not less than 15 days' notice of the meeting at which the fixing of the costs are to be considered by publication in a newspaper of general circulation in the city. The fixing of costs by the city council shall constitute a special assessment against the lot or lots, parcel, or parcels of land upon which the building or structure was located, and shall constitute a lien on the property for the amount of the assessment. The lien shall be superior to all other liens on the property except prior recorded mortgages and other prior recorded security interests and liens for taxes, and shall continue in force until paid. The city clerk shall mail a certified copy of the resolution by registered or certified mail to the person last assessed for ad valorem taxes, and a certified copy of the resolution shall be published in the manner as prescribed for the publication of municipal ordinances. A certified copy of the resolution shall also be filed in the office of the judge of probate of Shelby County.

**Sec. 14-84. Assessment of costs against land purchased by the state; redemptioner or purchaser to take property subject to assessment; manner of payment or collection of assessment.**

(a) The costs authorized herein may be assessed against any lot, lots, parcel, or parcels of land purchased by the State of Alabama at any sale for the nonpayment of taxes. A subsequent redemption of the property by any person authorized to redeem, or a subsequent sale of the property by the state, shall not operate to discharge, or in any manner affect the lien of the city for the assessment. Any redemptioner or purchaser shall take the property subject to the assessment.

(b) Payment of the assessment, or if delinquent, the collection of the assessment, shall be made in the same manner as is provided for the payment and delinquent collection of municipal improvement assessments pursuant to Article 1 (commencing with Section 11-48-1) of Chapter 2 of Title 11 of the Code of Ala. 1975.”

**Section 3.** All sections or parts of sections of the Montevallo Code contrary to the provisions of this Ordinance are hereby specifically repealed.

**Section 4.** The provisions of this Ordinance are severable, and if any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the remainder of this Ordinance, which shall remain in full force and effect.

**Section 5.** This Ordinance shall become effective upon its passage and publication or posting as required by law.

**Exemption of Section of Highland St from Residential Parking Ordinance –**

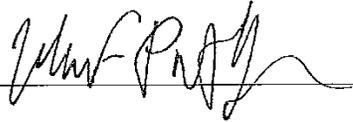
The Mayor noted we received the signatures from all of the property owners along the 1200 Block of Highland Street asking to be excluded from the Residential Parking Permit Ordinance.

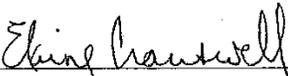
January 11<sup>th</sup>, 2014

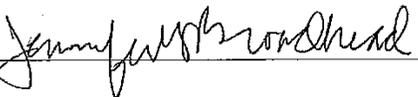
To the Mayor and City Council of Montevallo, AL

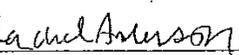
We, the undersigned, hereby request that the 1200 block of Highland Street in Montevallo be exempted from the proposed parking regulations requiring the purchase of resident parking stickers.

As the residents of this block, we do not experience parking issues that necessitate the purchase of resident parking stickers, and formally request an exemption for this block.

 \_\_\_\_\_ 1220 Highland Street

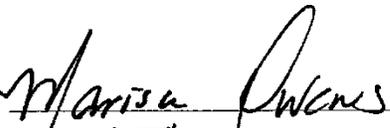
 \_\_\_\_\_ 1240 Highland Street

 \_\_\_\_\_ 1250 Highland Street

 \_\_\_\_\_ 1241 Highland Street

X  \_\_\_\_\_ 1228 Highland Street

\_\_\_\_\_ 1235 Highland Street

 \_\_\_\_\_ 1251 Highland Street  
(St. Thomas Secretary / Hispanic Assn.)  
OK by Fr. Ray Dummer.

Council Member Hughes made a motion to grant the exemption. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

Council Member Hughes informed the council he is working with Debby Raymond to identify rental properties throughout town – particularly rental houses. Many of these homes are rented but their owners have never paid us the \$50 per unit rental license fee.

**Board Appointments:** NONE

**Other Business:** Council Member Goldsmith made a motion to approve the Clergy Week Proclamation. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.



# **PROCLAMATION**

## Montevallo Civitan Club Clergy Appreciation Week

**To establish February 2-8, 2014, as Clergy Appreciation Week in recognition of the clergy of Montevallo whose daily efforts make Montevallo a better community in which to live.**

**WHEREAS**, on February 3, 1943, U.S. Army chaplains George Fox, Alexander Goode, Clark Poling and John Washington were serving aboard the USS Dorchester when it was torpedoed and sank in the North Atlantic;

**WHEREAS**, the story of those four chaplains, who selflessly sacrificed their lives to so that others may live, inspired Civitans to create Clergy Appreciation Week;

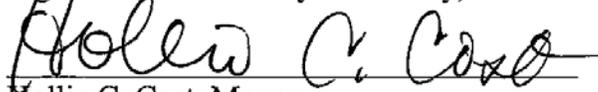
**WHEREAS**, for over forty years Civitans have held Clergy Appreciation Week;

**WHEREAS**, the Montevallo Civitan Club celebrates Clergy Appreciation Week each year; and

**WHEREAS**, Montevallo's citizens benefit from the presence and work that our local clergy provide to our community,

**NOW THEREFORE**, I, Hollie C. Cost, as Mayor of Montevallo, along with the City Council, do hereby proclaim the week of February 2 through February 8, 2014 as Clergy Appreciation Week and February 24, 2014 as Clergy Appreciation Day.

Signed this the 27<sup>th</sup> day of January, 2014.

  
Hollie C. Cost, Mayor

Council Member Hughes made a motion to declare the old bus as surplus and to authorize its sale at auction. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.

Council Member Hughes informed the council he provided the Mayor with a map of roads within annexed areas.

### **Citizen Participation**

H.G. McGaughey commented that 3D Dogs is doing great business and has very good food.

Tami Pickett said she enjoyed the Mayor's breakfast for local business owners last week. She also mentioned how grateful she was for the professional manner in which our police department handled recent events.

Cindy Holsombeck said she lives at the apartment complex where the recent incident occurred. She said the scene was chaotic until the police arrived. Once our officers were on the scene, everything calmed down and she felt safe again.

Mayor Cost said the Martin Luther King, Jr. Parade was excellent again this year and thanked Kenny Dukes and Quincy Whitehead for all their efforts. She also thanked Council Member Hughes for his fine speech at the celebration.

Julie Smitherman asked about the meetings with local businesses regarding the Main Street project. Mayor Cost said ALDOT has set a public hearing for February 27<sup>th</sup> at the library from 4 to 7 p.m. We plan to meet with business owners prior to that.

Herschel Hale reminded everyone that Arbor Day is February 22<sup>nd</sup>.

There being no additional business before the council, Council Member Nix made a motion to adjourn. Council Member Gilbert seconded. ALL AYES . . . MEETING ADJOURNED at 7:07 p.m.

Submitted by:

Herman Lehman  
City Clerk

**Adjourn**