

MINUTES

Montevallo City Council Work Session September 14, 2015 5:30 p.m. at City Hall

Mayor Hollie Cost, Council Member Sharon Gilbert, Council Member Jason Peterson and Council Member Rusty Nix were in attendance. Council Members Dee Woodham and Willie Goldsmith were absent.

Mayor Cost called the Work Session to order at 5:30 p.m. She thanked everyone for coming and expressed her hope that the next meeting would be able to be held in the new City Hall. She then asked the department heads to present their reports, beginning with Chief Littleton.

Chief Littleton presented the Police Department report:



Montevallo Police Department City Council Report

Date:
Monday, September 14, 2015

Patrol Report:

Total Calls: 851	Burglaries: 2	Zone Checks: 857
Total Cases: 85	Auto Burglaries: 3	School Patrols: 65
Traffic Accidents: 19	Domestics: 10	
Traffic Stops: 270	Assaults: 2	
Traffic Citations: 85	Fraud/Forgery: 0	
Total Arrests: 15	Thefts/Attempts: 2	

Investigations:

Felony Cases Pending: 17	Misdemeanor Cases Pending: 4
Felony Cases Closed: 3	Misdemeanor Cases Closed: 1

School Resource Report:

Offense Reports: 0	Traffic Accident Reports: 0	Cases Pending: 1
Incident Reports: 3		Cases Closed: 0

Additional Comments:

I will be going to pick our new patrol car up Wednesday. We will have to get it outfitted and it will be ready for the road in a couple of weeks.

Officer Holloway presented the Code Enforcement report:

Code Enforcement Activity Report August 24, 2015 – September 14, 2015

<u>Inoperable Vehicle Inspections</u>	-0
Pending	-1
Closed	-1
<u>Animal Complaints Inspections</u>	-0
Pending	-0
Closed	-0
<u>Abandoned Buildings/Houses</u>	-0
Pending	-23
Closed	-5
<u>Un-Kept Property Inspections</u>	-1
Pending	-6
Closed	-5
<u>Misc. Complaints</u>	-2
Pending	-0
Closed	-2
<u>Total New Inspections This Period</u>	-3
<u>Total Inspection Year To Date</u>	-54

Inspections This Period

Abandoned Signs From Around City Removed
Collection of Debris and Inoperable Vehicle Complaint on Crestview Dr.
Garage Sale Parking Complaint Patriot Park – Resolved Before Arrival

Inspections Pending Continued from Last Period

Un-kept property complaint on Laurel Street. Spoke with owner and he is spraying and taking care of weeds.
Overgrown lots in Heritage Trace. Contacting owner to have lots cut.
Overgrown lot at vacant house on Salem Rd overgrown. Contacting owner to have area cut.
Contacting owner of abandoned vehicle on King St to have removed.
Over Grown Yard – Parkway Cir. Letter sent to Owner.
Davilla St – mattresses and debris beside road – contacting owners to remove
Ashville Rd – overgrown yard and two inoperable vehicles noted. Letter Sent

Cases Closed this Period

Jeep On Davilla Removed
Overgrown lot on Meadow Rd at vacant house Cut by Owner.
Montevallo Building Supply – overgrown grass noted
Comanche St – Residence with appliances in back yard. Spoke to owners and appliances removed.
Shelby St – Spoke to owner about overgrown yard. Yard was cut.
Ashville Rd – Spoke to owner about overgrown yard. Yard was cut.

The structures on the abatement list are presented to the City Council tonight for a determination. A Structure behind Good Shepard Funeral Home has been torn down by the owner without a city request.

The Abatement Process was presented to the Junior City Council last Wednesday and questions related to the process were answered.

Chief Reid presented the Fire Department report. He informed the council his department responded to 109 calls last month – 230 calls in the past two months. He said that they received a letter last week regarding our ISO rating - we remained a 3. He noted that if we had 3 pumper trucks and the ladder truck we would have been rated higher and received a 2 – the only volunteer department in the state to have that rating. ISO will be back in 3 years. He said he hopes we will have our new truck by then.

With regard to the grants we've applied for, he said it appears we were not awarded either of the larger grants we requested. We did, however, receive the grant for the thermal imaging cameras. We are working on the bid specifications and we will open bids on the 25th. We expect this to be about a \$23,000 award.

Fire Marshall Brandon Broadhead reported they conducted 11 inspections this month, including the schools. He said they were able to close-out the inspection on Maniac Cycles. He also informed the council that they were awarded a \$1,000 stipend for sprinkler demonstrations during the Fire Prevention Parade. This required no city match. The demonstration will be held October 3rd in Orr Park, immediately following the parade. He said he hopes to have the thermal imaging camera bids out next week.

Mayor Cost reminded everyone that the Housing Abatement Hearing will be held at the beginning of the regular council meeting at 6:00 p.m.

The Director of Public Works, Kirk Hamby, reported that our new brush truck should be here in November. He let everyone know that his crews are working their shift from 6:00 a.m. to 2:30 p.m. Beginning on October 5th, they will return to their regular schedule. The electrical work at Perry Hall is nearly complete. The tree at East Boundary and Vine Street is down. He also said they plan to lay sod at the new City Hall on Wednesday.

Mr. Hamby noted that they have had a problem with drain lids being broken in several neighborhoods. He thinks this was caused by the garbage trucks and has asked Waste Pro to be more careful.

Council Member Nix asked Mr. Hamby to check on the storm drain in front of the City Shop.

Mr. Hamby said it appears to be clogged with debris from the Middle School construction project.

Mayor Cost asked Mr. Hamby to contact Mr. Hale and ask him to update the council on the Arbor Board's recommendations regarding a tree re-planting plan.

Shane Baugh informed the council that we have hosted three tournaments over the past three weekends. Travel ball was here and they loved it. We even have a wedding scheduled at the Scout Hut this week. The Scout Hut stays booked along with our other venues. Everything is going well.

The City Clerk asked our newest employee at the Golf Course, Dwight Dellenger, to report on activity at the course. Mr. Dellenger said we had 441 rounds played at the course this month – 58 on Labor Day. We had a 30 player tournament on Saturday and they seemed pleased with the course. We are talking with a 60-72 player tournament for October. We will need to rent some additional carts for that event. On October 9th, we are hosting UM's Olympic Day tournament. He said we are seeing a lot of new faces at the course.

The City Clerk discussed the request to replace two greens at the course. Council Member Nix asked how long players must stay off the new greens. If approved, Clay Arnall said the plan would be to lay the sod on Friday. They will cut in two temporary greens.

Council Member Nix asked if he thinks we will lose any players. Mr. Arnall said the temporary greens will be sufficient until the new greens are ready. That will take three to four weeks.

Allie Williams presented the library report:

PARNELL MEMORIAL LIBRARY
MONTHLY REPORT
AUGUST 2015

CIRCULATION:	3133 items charged (decreased by 27%)	
COMPUTER USE:	878 users (increased by 5%)	
STORYTIME/4:	62 children (increased by 169%)	
MOVIES/3:	122 people attended (increased by 15%)	
ADD'L KIDS' PROGRAMS:	9 (Chess Club & Lego Club)	
WEBSITE VISITS SINCE 8/24/15:	2477	
DEPOSITS:		
	8/7/15	\$161.55
	8/14/15	\$273.80
	8/26/15	\$213.55
	8/28/15	\$201.80
	TOTAL	\$850.70

Mayor Cost reported on behalf of the Sister City Commission reminding everyone that we will host a delegation from Japan, including the Mayor of Echizen, who will be here to celebrate the dedication of our new City Hall on October 9th at 4:00 p.m. This is the same day as the Mayor's Hometown Heroes Breakfast. She also reminded everyone that UM's Founder's Day is October 8th.

Debby Raymond reminded city officials that September is the last month in our fiscal year and encouraged everyone to get their expenses in as soon as possible so that they can be accounted for in this budget year.

The City Clerk quickly reviewed the remaining agenda items with the council.

Mayor Cost informed everyone that J.A. Brown had passed away. She said that Mr. Brown was an incredible man and that he and his family have been very good to Montevallo over the years. She said we will miss him.

The Mayor reminded everyone that the official meeting and Public Hearing starts at 6:00 and closed the Work Session at 5:52 p.m.

Montevallo City Council Meeting
September 14, 2015
6:00 p.m. at City Hall

Mayor Hollie Cost, Council Member Sharon Gilbert, Council Member Jason Peterson and Council Member Rusty Nix were in attendance. Council Members Dee Woodham and Willie Goldsmith were absent.

Pledge of Allegiance

PUBLIC HEARING: Recommendation of Abatement Board regarding 171 Commerce St; 320 Selma Rd; and 613 Shelby St.

Mayor Cost opened the Public Hearing at 6:00 p.m. She then asked our Code Enforcement Officer, Officer Holloway, to present the Housing Abatement Board's findings and recommendations.

Officer Holloway said that the owners of the three properties under consideration received a 60 day notice in June, giving them time to address the issues identified in that letter. These letters were sent based on recommendations from the City's Housing Abatement Board, which is made up of ordinary citizens – not city officials.

The Abatement Board originally sent notices to five property owners. Two of those owners have addressed the Board's concerns. Only three remain. Officer Holloway then delivered a PowerPoint presentation with photos of each of the subject properties detailing their condition as evidence of the Board's determination that they pose a significant health and safety hazard to our community.

171 Commerce St – Among other things, Officer Holloway noted that all utilities to the property have been removed. The lot is completely overgrown. The rear door is open and the floor inside is rotten. The property was inspected on Saturday by our building inspector. No improvements were apparent since the 60 day notice was given. The property is continuing to deteriorate and is infested with mosquitoes.

Mayor Cost asked if we have heard anything back from the owners. Officer Holloway said we have not. Notices were sent and received but no other contact. The Mayor then asked if there was anyone in the audience who wished to speak on behalf of this property. No one responded.

Greg Reece, a member of the Abatement Board, stressed that this property was also inspected by our Building Inspector. Officer Holloway said that the inspector noted the disrepair, overgrown vegetation, open walls, etc. as significant hazards.

Mayor Cost asked if the recommendation of the Abatement Board was for this structure to be demolished. Officer Holloway said it was.

320 Selma Rd – Officer Holloway said this home was irreparably damaged by fire. Renters were living in the home at the time of the last fire. The burned out home is completely open and everything remaining inside is severely damaged.

Fire Marshall Brandon Broadhead added that the fire occurred in March and no efforts have been made to secure or improve the structure since that time.

Officer Holloway pointed out in his presentation evidence of holes in the roof and sides of the home. He said that on Saturday it was re-inspected and that the Building Inspector noted additional foundation damage, the front porch separating from the main house, the lot being overgrown, and chimneys leaning. No improvements had been made. The house is a major hazard.

Mayor Cost noted that the recommendation of the Housing Abatement Board is that this structure be demolished, as well. No one was in the audience to speak on behalf of this property either.

613 Shelby St –

Officer Holloway pointed out that our Code Enforcement officers have been trying to work with the owner of this property since 2008 to address a number of serious concerns. The property was re-inspected last Saturday by our Building Inspector. He noted foundation issues, visible termite damage, tarps on the roof, etc. Officer Holloway said the owner has attempted to make some progress since the latest notice – clearing the sidewalks of overgrowth, repairing the rear fence. However, there is evidence of additional deterioration. For example, the shed roof has collapsed and a bunch of feral cats are living in it. As evidenced by the photos taken by Officer Holloway, the inspector also noted openings in the exterior walls, deteriorated floor joists on the rear porch, an open basement area filled with debris, roof deterioration, open windows, etc.

Mayor Cost said the recommendation of the Housing Abatement Board is that this structure be demolished, as well.

Greg Reece said that, speaking as a citizen of Montevallo and not as representative of the Abatement Board, his foremost concern when considering the properties brought before the Board was safety. He narrowed the original list of properties down to the top five that, in his opinion, represented the greatest safety hazard to the public. Public Safety was his overriding concern. He said this is a difficult decision, especially since we live in a small town and are friends with many of the people affected by these decisions. However, he said that the good of the public has to outweigh friendships. As such, these properties were brought before the council because they were deemed unsafe. He encouraged the council to make the tough decisions and do what is right for the public as a whole.

Mayor Cost asked if anyone else would like to speak about this property.

Charles Thompson, the owner of the property, noted that he has worked to address several of the concerns noted by the Board. He also pointed out that the Housing Abatement Board had originally told him the date of the hearing would be September 17th and that his attorney was not available to come to this meeting. He asked the council to consider holding off on making a decision regarding his property until the next meeting so that his attorney could attend.

Mr. Reece informed the council that the board did tell him the wrong date that night. However, he said went to Mr. Thompson shortly afterward and informed him of the error and told him the correct date.

Mr. Thompson said that was correct but that two weeks' notice was not enough time for his attorney to make the meeting.

Mr. Thompson informed the council that his plan is to address the roof, which he said seemed to be the most critical issue. Mayor Cost asked him what his timeline was for those repairs. He said that depends on the roofer's schedule.

Mayor Cost asked about his timeline on the other necessary repairs. Mr. Thompson said he has a repairman coming the following day to look at the back porch to see if it can be saved.

Mr. Thompson said that he is currently living in the house. He said the power is on, but the water is not because there is a leak in the line coming into the house. He said he is working on the house. The sidewalks along Island Street are cleared and the toys have been cleaned up from the yard. He admitted the items under the house have not been cleared yet, but that he is working to address that, as well.

Treasure Ingalls, Mr. Thompson's ex-wife, said that no one sent her a letter about this until recently. She said we should have known that she had an interest in the home since last Spring Mayor Cost approached her with an offer to have volunteers with the Big Event help to repair their roof. She also stressed the historic significance of the home, noting that the room on the right side of the home was built by the Wilson family – early founders of Montevallo. She said the house was built by the Latham brothers. She also noted that the shed out back was part of the old mill that was on the creek.

Mitchell Spears suggested that since this was the only occupied dwelling of the three properties under consideration that the council give them more time. He asked if the Code Enforcement Officer had noticed any efforts on the part of the homeowner to make improvements to the property.

Officer Holloway said there had been some improvement to the property, as noted during his presentation.

Mr. Spears suggested that since they have made some progress they be given more time to work on the house.

Greg Reece reminded the council that the issue considered by the Board was that of public safety. The history of the home is not an issue.

Celeste Dalia noted that Mr. Thompson is doing a lot of work on the property and suggested the council give him more time.

Janice Seaman said she lives across the street from this property and that Mr. Thompson has been working very hard to clean up his property over the past few months. As Chairman of the Montevallo Historic Commission, she said she felt it would be worth working with him as long as he continues to demonstrate progress.

Michael Patton, a local resident and business owner, said he supports Dr. Reece's contention that safety is paramount. He pointed out that Mr. Thompson had a long time to address these issues. The Abatement Board has made a hard decision by making this recommendation and he urged the City Council to do the same.

Treasure Ingalls said the photos presented by Officer Holloway were repetitive. She acknowledge that exterior siding is missing but that it is not structurally dangerous. The items under the house were remnants of materials used to help make improvements to the city's walking trail. The main concern is the roof. The structural issues have not been proven. That house will be of significant value to the town and Mr. Thompson is working on it.

Noting that no one else wished to comment, Mayor Cost thanked the Housing Abatement Board and Officer Holloway for their efforts. The hearing was closed at 6:52 p.m.

Meeting Call to Order – The council moved on to the regular order of business.

Approval and/or corrections of the minutes – 8/24/15 Council Member Nix made a motion to approve the Minutes from August 24, 2015 as corrected. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

Student Recognitions / Awards: NONE

Opportunities for citizens to speak to the Council:

Mike Jones addressed the council regarding his prior ban from playing golf at the Montevallo Golf Course. He apologized for his previous behavior at the course and asked to have his privileges reinstated. The Mayor said they would look into the issue and get back to him.

Mitchell Spears asked if there were any updates on the Main Street project. The City Clerk said we have not heard anything new from ALDOT. Mayor Cost pointed out that on

October 19th we have a meeting set with local merchants to discuss the upcoming Main Street and Middle Street projects. She said we are trying to keep everyone as updated and informed as possible.

Thomas Lilly, Jr. said that as far as the Selma Road property is concerned, it needs to come down.

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) – Discussed earlier.

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

Finance, Economic Development & Tourism (Finance, MDCD, IDB, Chamber) – Discussed earlier.

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

Consent Agenda: NONE

New Business

Recommendation of Abatement Board –

As recommended by the Montevallo Housing Abatement Board, Council Member Nix made a motion to proceed with the demolition of 171 Commerce St. Council Member Gilbert Seconded. ALL AYES . . . MOTION APPROVED.

As recommended by the Montevallo Housing Abatement Board, Council Member Peterson made a motion to proceed with the demolition of 320 Selma Rd. Council Member Nix Seconded. ALL AYES . . . MOTION APPROVED.

As recommended by the Montevallo Housing Abatement Board, Council Member Nix made a motion to proceed with the demolition of 613 Shelby St. Council Member Gilbert Seconded.

Council Member Peterson said he was not comfortable taking down a man's home. Mayor Cost said that was distasteful to her, as well. However, this issue has gone on since 2008.

Council Member Nix, Council Member Gilbert and Mayor Cost voted AYE. Council Member Peterson voted NAY. The MOTION WAS APPROVED.

Mayor Cost informed the council we will move forward to get bids for the demolition of these properties.

Authorize transfer of \$30,000 in General Fund for Housing Abatement to City Capital Reserve Fund –

Council Member Nix made a motion Authorize the transfer of \$30,000 in General Fund for Housing Abatement to City Capital Reserve Fund. Council Member Gilbert seconded. Council Member Nix, Council Member Gilbert and Mayor Cost voted AYE. Council Member Peterson voted NAY. The MOTION WAS APPROVED.

Replacement of #8 & #12 Greens at Golf Course using Unallocated Reserve Funds from City Capital Reserve Account - Sur-line Turf at \$16,387.50 – Council Member Nix made a motion to approve the replacement of the greens by Sur-line as requested. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

Resolution Creating Bank Account for Shoal Creek Park – Deposit Insurance Check - Council Member Peterson made a motion to approve the creation of the checking account at Trustmark as requested. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

Constitution Week Proclamation - Council Member Gilbert made a motion to support the proclamation. Council Member Nix seconded. ALL AYES . . . MOTION APPROVED.



Constitution Week 2015

Whereas, September 17, 2015 marks the two hundred and twenty-eighth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, Hollie C. Cost, Mayor of the City of Montevallo, Alabama do hereby proclaim September 17 through 23, 2015 to be

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

IN WITNESS WHEREOF, I have heretunto set my hand and caused to be affixed the Great Seal of the City of Montevallo on this 14th day of September the year of our Lord two thousand fifteen.

Hollie C. Cost, Mayor

Title VI Plan Resolution – The council said they were confident this item had been approved at a previous meeting. The City Clerk said he would make certain. If not, Council Member Nix made a motion to re-approve the resolution. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

(The Resolution was located as previously approved by the council.)

Resolution 04272015-208

RESOLUTION ADOPTING A TITLE VI PLAN

WHEREAS, the Grady Parker Senior Center/City of Montevallo is a recipient of federal financial assistance from the Alabama Department of Transportation in support of transit services which imposes certain obligations upon the recipient, including complying with the Title VI federal requirements; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

WHEREAS, the Grady Parker Senior Center/City of Montevallo commits to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity regardless of the funding source;

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Montevallo as follows:

The Mayor and City Council of the City of Montevallo approves the proposed Title VI Program in order to comply with the Title VI federal requirements.

The Assistant City Clerk in her capacity will serve as the Title VI Officer and is authorized to revise and update the plan as necessary.

Adopted this 27th day of April, 2015.

Signature: _____

Attest: _____

Typed Name: Hollie C. Cost

Typed Name: Herman Lehman

Title: Mayor

Title: City Clerk & Treasurer

ABC License Transfer –

Council Member Nix made a motion to approve the transfer of a 050- Retail Beer (Off Premises Only) & 070- Retail Table Wine (Off Premises Only) License to Rushan, Inc. (d/b/a AK Foodmart) located at 300 Hwy 10, Montevallo, AL 35115. Council Member Gilbert seconded. ALL AYES . . . MOTION APPROVED.

Old Business: NONE

Board Appointments: NONE

Other Business: NONE

Citizen Participation:

Treasure Ingalls said she would like to know the legal recourse the property owners have regarding the planned demolition of their home.

Mayor Cost encouraged them to talk to their attorney.

Ms. Ingalls said she felt this action was in retaliation for their opposition to the proposed adoption of the International Property Maintenance Code.

Janice Seaman informed everyone that David Schnieder will be presenting his report on Perry Hall to the Historic Commission on the 1st Tuesday of October at 6:30 p.m.

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

Submitted by:

Herman Lehman
City Clerk