

MINUTES

**Montevallo City Council Work Session
September 24, 2018
5:30 p.m. at City Hall**

Mayor Hollie Cost, Council Member Rusty Nix, Council Member Peterson, Council Member Willie Goldsmith, and Council Member Tiffany Bunt were in attendance. Council Member Matt Walker was absent.

Mayor Cost called the Work Session to order at 5:30 p.m.

Mayor Cost welcomed everyone and then asked our city auditor, Wayne Barber, to report on the audit for the fiscal year ending September 30, 2017.

Chief Littleton presented the Police Department report:



**Montevallo Police Department
City Council Report**

Date:
09/24/2018

Patrol Report:

Total Calls:
NA

Burglaries:
1

Zone Checks:
NA

Total Cases:
97

Auto Burglaries:
1

School Patrols:
NA

Traffic Accidents:
10

Domestics:
6

Traffic Stops:

Assaults:
0

Traffic Citations:
110

Fraud/Forgery:
1

Total Arrests:
52

Thefts/Attempts:
8

Investigations (New Cases):

Felony Cases Pending:
NA

Misdemeanor Cases Pending:
NA

Felony Cases Closed:
NA

Misdemeanor Cases Closed:
NA

School Resource Report:

Offense Reports:

Traffic Accident Reports:

Cases Pending:

Incident Reports:

Arrest Reports:

Cases Closed:

Additional Comments:
National Night Out October 02, 2018 5:00pm to 8pm Orr Park

Montevallo Police Department Stats

	January-18	February-18	March-18	April-18	May-18	June-18	July-18	August-18	September-18	October-18	November-18	December-18	Total
Total Reports	110	101	128	96	117	109	91	97					848
Criminal Cases	78	36	70	63	72	60	52	58					489
Non-Criminal	8	15	30	16	9	20	7	13					49
Traffic Accidents	14	11	15	20	18	15	12	10					39
Traffic Citations	120	134	117	86	197	153	154	110					1071
DUI Arrests	3	3	3	5	6	1	2	4					27
Public Intox. Arr	2	2	2	3	1	6	1	0					17
Alias Arrests	24	16	18	7	15	16	10	18					124
Juvenile Arrests	1	0	1	2	1	1	0	1					7
Misd Arrests	12	12	9	11	4	3	4	3					58
Felony Arrests	3	1	7	1	1	2	1	13					29
Drug Related	4	3	9	4	7	9	9	13					58
Total Arrest	50	37	49	33	37	38	27	52					323
Auto Thefts	1	2	0	1	0	0	0	0					4
Burglaries	4	0	2	2	4	3	3	1					19
Auto Recoveries	0	0	0	0	0	0	0	0					0
Auto Burglaries	1	2	1	0	0	0	0	1					5
Criminal Mischief	5	3	0	3	2	2	4	6					25
DV. Related	15	13	11	11	15	10	10	6					91
Assaults	0	2	1	0	2	2	1	0					8
Fraud/Forgery	9	2	2	1	4	1	0	1					20
Harass / Reck	5	9	5	0	7	5	6	2					39
Misc. Offenses	18	18	25	18	16	21	21	15					152
Robberies	0	0	2	0	0	0	0	0					2
Thefts / Attempts	14	16	10	6	5	4	7	8					70
Suicide Attempts	1	0	1	0	0	0	0	1					3
Suicides	0	0	0	0	0	0	0	0					0
Deaths	1	1	2	0	1	3	2	1					11

Karen Kiker
3:47 PM
8/26/2018



Montevallo Police Department Code Enforcement Activity Report

Date:
09/24/2018

Inspection Period
09/10/2018

Inspection Period
09/24/2018

Inoperable Vehicle Inspections:

Inspected:

Pending:

Closed:

Animal Complaint Inspections:

Inspected:

Pending:

Closed:

Abandoned Building Inspections:

Inspected:
5

Pending:
5

Closed:

Property Inspections:

Inspected:
27

Pending:
21

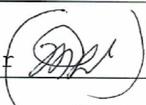
Closed:
6

Miscellaneous Complaints:

Inspected:
1

Pending:

Closed:
1

Inspected:
by: M. Wilder 

Total Inspections this Period:
33

Total Inspections Year to Date:
90



Montevallo Police Department Code Enforcement Activity Report

Inspections this Period:

33 Inspections:

5 Building Inspections

Most of them were grass and debris Inspections

Inspections Pending Continued from Last Period:

7 Pending:

6 Unsafe buildings

5 of the unsafe buildings are now to be set for a condemnation hearing.

Cases Closed this Period:

7 Cases closed (yards cleaned and cut)

Other Comments:

Chief Bill Reid reported that there have been no significant issues lately at the Fire Department. They remain busy, as usual. They responded to a structure fire in Dry Valley last week – it was a total loss. They have started their final block of training.

Council Member Goldsmith asked if the Chief was satisfied with the proposed budget for next year. The Chief said he was.

In response to a question from Council Member Nix, the Chief noted that the improvements to Fire Station #1 are mostly completed and that they are in good shape.

Mr. Hamby said he had nothing new to report regarding Public Works.

Council Member Peterson noted there were 16 people at ValloCycle's most recent Glo-Ride. He said it went very well.

Shane Baugh, Direct of Parks & Recreation, noted we hosted a large travel ball tournament last weekend. He said the football team is doing well and more games are scheduled in town. He noted we still haven't received a single complaint regarding the restrooms at Stephens Park – which means our recent improvements worked and were worth the investment.

Council Member Nix said that was great news because the restrooms at Stephens Park have been an issue for the past 20 years.

Mr. Baugh informed the Council that work is underway at Shoal Creek Park on the new pavilion and trail.

Council Member Nix reminded everyone that Critters by the Creek will be held at Orr Park on October 28th from 1-3:00 p.m.

Library Director Lauren Bartell requested the following:

Grant Permission Request for Library

September 24, 2018

SAIL Grant

The Parnell Memorial Library requests permission to join in a joint grant application with the University of Montevallo and the Montevallo Boys and Girls Club for the Summer Adventures in Learning (SAIL) grant through the Community Foundation of Greater Birmingham. This grant will provide funding for academic and enrichment activities for first and second graders. The University of Montevallo will act as the principal organization on the grant with the library and Boys and Girls Club providing support.

The library would use some of its summer activities funding to provide complimentary enrichment activities for the SAIL program. These enrichment activities would also be open to the general public as part of our regular summer library program.

The SAIL program regularly sees 2 to 3 months of academic skill growth among participants in a 5 to 8 week program. This is in comparison to a typical 2 to 3 month skill loss over the summer months. The cooperative group is proposing a 5 week pilot program for 1st and 2nd graders providing service for 40 children.

Swim to the Top—Community Health Innovation Awards

Lauren Bartell requests permission to participate in the Community Health Innovation Awards in Birmingham on Saturday September 29th for a chance to earn up to \$25,000 towards Montevallo's Swim to the Top project. This project, being headed up by Dr. Jermaine Mitchell, will teach children at the Montevallo Boys and Girls Club how to swim and provide other health education. Mayor Cost asked me to serve as the city's representative on this project.

Alabama regularly ranks among the top five states for drownings. Rural and impoverished communities are particularly hard hit by a lack of public pool access and swimming education. This public health initiative would improve water safety and health knowledge among children in our community. This program has a successful track record in Tuscaloosa where it has improved swimming skills and health knowledge among participants.

No match is required for this funding opportunity.

Council Member Peterson asked if there is a match from the SAIL grant. Ms. Bartell explained that the match for that grant will be satisfied with in-kind resources only – no cash. .

Junior City Council Mayor Abigail Heuton presented the MJCC report. She noted they attended a recent Park & Recreation Board meeting and will be assisting with Critters by the Creek this year. They are still working toward the ability to hold movies in the park. In addition, the MJCC has been nominated for a national award and several members of the group will be headed to Washington, D.C. to attend the awards ceremony.

Council Member Bunt presented her report:

MES

Spirit Night at McDonald's, Thursday Oct. 11

Fall Festival, Thursday, Oct. 18

MMS

Homecoming Pep Rally Thursday, Oct. 4 @ 2 p.m. and game @ 6 p.m.

MHS

Homecoming Parade and Community Pep Rally, Thursday, Oct. 11 @ 6 p.m.

UM

Founders' Day, Oct. 11

Life Raft Debate, Oct. 11 at 7 p.m.

Artwalk

Oct. 27 from 1-6 p.m.

Mayor Cost informed the Council that Council Member Walker is on his way back to Montevallo from an out-of-town meeting and may not be back in time for the Council Meeting.

Chief Littleton explained his request to purchase new Tasers for the Police Department. He said their current units are 1-11 years old and outside of their warranty period. As a result, they actually represent a potential liability to the city. The Chief said he has enough leeway in his budget to cover the cost of the new Tasers from Gulf States at a cost of \$7,689. This includes 6 new Tasers, 15 holsters, batteries and chargers.

The Mayor asked if anyone had a question regarding the Audit which was presented at the last meeting. There were no questions.

With regard to the Food Truck ordinance, Mayor Cost said he talked to several of our current food truck vendors and they did not express any concerns with the proposal.

Council Member Nix noted that food trucks are supposed to be mobile. If they want a permanent location, they need to purchase a building.

Since there will be a meeting of the full Council Thursday night to approve the budget, there is no need to hold a Finance Committee meeting the night before. Therefore, that meeting will be cancelled.

Council Member Nix informed everyone that the Water & Sewer Board passed their budget two weeks ago and that their rates will not increase this year. He noted that Michael Harmon, the utility's General Manager, does a very good job at holding down costs.

**Montevillo City Council Meeting
September 24, 2018
6:00 p.m. at City Hall**

Mayor Hollie Cost, Council Member Rusty Nix, Council Member Peterson, Council Member Willie Goldsmith, and Council Member Tiffany Bunt were in attendance. Council Member Matt Walker was absent.

Pledge of Allegiance

PUBLIC HEARING: Proposed 2018-2019 Financial Budgets

9/24/18
SICW SW

Bill Glosson
J. Fu H...
Elaine Stephen
H. H. Mc...
Andrea Eckelman
JK W.../...

At 6:00 p.m., the Mayor invited anyone with questions or comments regarding the proposed budget as introduced at the last Council meeting to address the Council.

Bill Glosson asked if the employee salary increases, which were part of the justification for last year's sales tax increase, were included in the budget. Mayor Cost said they were, for those employees who are eligible. Council Member Nix noted that the step increase is 3%. The budget also includes the city absorbing an estimated 6% increase in health insurance costs this coming year.

Hearing no other questions or comments, the Mayor closed the hearing at 6:09 p.m.

Meeting Call to Order

Mayor Cost called the regular meeting to order at 6:09 p.m.

Approval and/or corrections of the minutes – 9/10/18; 9/17/18 Budget Work Session

Council Member Nix made a motion to approve the Minutes from the September 10, 2018 meeting as presented. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

Council Member Nix made a motion to approve the Minutes from the September 17, 2018 special budget work session as presented. Council Member Goldsmith seconded. ALL AYES . . . MOTION APPROVED.

Recognitions / Awards

Assistant to the Mayor Katie Howard informed the Council that Dr. Campbell and Ms. Lewis suggested recognizing students on a quarterly basis. This new schedule of recognitions will begin at the second meeting in October.

Council Member Nix suggested the Council recognize Kory Cunningham, the only former MHS football player to make it in the profession leagues. Mayor Cost said that was a good idea and that she had actually invited him to the Mayor's Breakfast, but that his schedule is very limited this time of year.

Opportunities for citizens to speak to the Council

A representative from Chi Omega sorority at UM addressed the Council to request a waiver of all licenses and fees for a Color Run they have planned at Orr Park on October 27th from 10:00 a.m. -2:00 p.m. There will be Food Trucks and games during the festivities. It is open to everyone and the proceeds go to support Make a Wish Foundation.

Mayor Cost noted that our MJCC has been very interested in a Color Run and suggested they talk together.

Council Member Bunt noted there will only be a one hour overlap between that event and ArtWalk, and that the two events could complement one another.

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, Planning & Zoning, Annexations,) – Discussed earlier.

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

Finance, Economic Development & Tourism (Finance, MDCD, IDB, Chamber, Historical Commission, Main Street) – Discussed earlier.

Council Member Peterson updated the Council on the downtown Wi-Fi system. He said everything has been completed and that we now have free public Wi-Fi along Main Street. It is named Vallofree and does not require a password.

Mayor Cost noted that this has been a wonderful example of the collaboration efforts between UM and the City. She also pointed out that the system would not be in place if not for the efforts of Council Member Peterson.

Council Member Peterson said this system is already serving as a model for other communities. We've already had representatives from other cities come look at what we've put together.

Mayor Cost noted that Council Member Peterson's suggestion that we do this as part of our Streetscape Project saved us a lot of money in the long-run.

Council Member Bunt made a motion to approve the request from the Library to apply for both the SAIL and SWIM grants as described earlier. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

Mayor Cost pointed out that Dee Woodham, Chairperson for the MDCD, put together a wonderful description of everything the MDCD has done to benefit our community since its inception. She asked that this be entered into the record as follows:

Montevallo Development Cooperative District (MDCD)

September 2018

Montevallo Development Cooperative District (MDCD) is a unique partnership between the City of Montevallo, Shelby County and University of Montevallo. Montevallo's MDCD was created in 2012 under the Capital Improvement Cooperative Districts Section of the Alabama Code 11-99B and under the leadership of Mayor Ben McCrory, University of Montevallo President John Stewart and Shelby County Manager Alex Dudchock. The purpose of the District is to promote economic development, tourism, education, recreation, the arts, historic preservation, livability and healthy and active lifestyles in Montevallo. The district is to facilitate capital improvements by acquisition, construction, and installation throughout the City. Montevallo and the MDCD are touted as the model for such districts by Main Street Alabama, Alabama Communities of Excellence, and other economic development organizations. These entities promote and help establish similar programs for other communities throughout the state, and the MDCD serves as an example of how to get things done effectively and efficiently.

A three-member board governs the MDCD with each board member serving a four-year term and each board member able to serve multiple terms if reappointed by their respective entities. Dee Woodham, Chair, has represented the City of Montevallo since the MDCD inception. Reed Prince currently represents Shelby County and has done so since inception. Mary Ellen Heuton represents the University of Montevallo and replaced DeAnna Smith, who served as board member from 2012 to 2018. Mrs. Smith made outstanding contributions to the MDCD, for which our community is extremely grateful.

The MDCD is funded in a variety of ways. Each entity- the City of Montevallo, University of Montevallo, and Shelby County- can provide funding on an individual project basis. The MDCD's only continual source of funding comes from an appropriation of 90% of the City of Montevallo's 2011 1% sales tax. The MDCD has completed a number of critically important projects, each with differing levels of financial commitment from the three entities. The first project was the North Boundary Street Promenade, a storm-water management and sidewalk improvement project that links the University to Main Street to Orr Park. MDCD later purchased the old Alabama Power building on Main Street to bring the University and Main Street together in the center of our community. This project, known as "UMOM" (University of Montevallo on Main) shows the power and flexibility of the MDCD: the City, County and University own the building equally, but Shelby County and the University of Montevallo bore 100% of the renovation costs. UMOM was renovated for classrooms and office space, bringing university students downtown and encouraging them to spend money in local businesses. This project later added a public green space, Owl's Cove Park, for the entire community to enjoy. Other projects include the construction of a NCAA regulation softball stadium, a NCAA regulation track, field and lacrosse facility, and a vibrant restaurant on the promenade within a building owned by the MDCD. The MDCD additionally funded the City of Montevallo's portion of the current Main Street streetscape project, which allowed receipt of a federal grant through the Alabama Department of Transportation

that improved traffic flow, pedestrian traffic, parking, and aesthetics of traffic control features in downtown Montevallo. The largest expenditures from MDCD, in order of cost have been: paving throughout the City, City Hall and the North Boundary Street Promenade improvements. Further information and details are available on the City of Montevallo's website under the Departments tab and the Montevallo Development Cooperative District.

There has been over \$10 million invested to date in the City of Montevallo since the creation of the MDCD, with over half coming from the City. If the district is ever terminated or if any property owned by the MDCD were sold, all entities would receive a share of the proceeds based upon the contribution values of each entity.

Future potential projects include: Highway 25 crosswalk at Main Street and Lucky's, street paving phase II, Highway 10 crosswalk improvements (in conjunction with improvements on University land near Shelby St. and Middle St.), Center for the Performing Arts at the University in conjunction with a job certification program, wayfinding signage, Shoal Creek Park pedestrian bridge, and many other improvements to the assets and infrastructure in the City.

The MDCD meets on the fourth Monday of each month at 4:00 at the Parnell Memorial Library in the Parnell boardroom. All minutes are posted on the City's website. Our community is always welcome at our meetings and we are always looking for more volunteers to contribute to the improvement of and future investment in our City!

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

Consent Agenda: NONE

New Business:

Authorize Purchase of Tasers for Police Department from Gulf States - \$7,689

Council Member Goldsmith made a motion to approve the purchase of Tasers for the Police Department from Gulf States for \$7,689. Council Member Bunt seconded. ALL AYES . . . MOTION APPROVED.

Old Business:

Acceptance of the Financial Audit -

Council Member Nix made a motion to accept the Audit as presented at the previous regular meeting. Council Member Peterson seconded. ALL AYES . . . MOTION APPROVED.

Food Truck Ordinance -

Council Member Bunt said she still questioned the need for the three day rule and asked why it couldn't be four. Council Member Nix said that should not be a problem. The Mayor noted the intent is to make sure they leave at some point so they are not set-up permanently and they can go somewhere to perform a detailed cleaning of the unit. Given that, the Council agreed to amend the ordinance to allow for four days instead of three as follows:

Ordinance No. 09242018-300

City of Montevallo "Food Trucks Ordinance"

Mobile Food Vendors.

Section 1. Definitions

Definition: Mobile food unit- a self-contained vehicle, trailer or pushcart that serves prepared foods or prepares and serves food in various locations of the city.

Mobile Food Unit Park- more than one mobile food unit (a.k.a. food truck park) located on a site larger than ¼ acre.

Section 2. Guidelines

1. Mobile food vendors (a mobile food dispensing vehicle that sells prepared food products) and mobile units that sell agricultural produce may be permitted, subject to the approval of a mobile food vendor permit by the city clerk and the presentation of written permission from the property owner on whose property the mobile food vendor is to be located. All mobile food vending businesses shall be subject to the following criteria:
 - a. A mobile food vending business shall be treated and permitted as a Peddler Local and subject to the regulations thereof.
 - b. All mobile food units shall be self-contained.
 - c. All required Alabama Department of Public Health permits must be obtained and copies provided.
 - d. No mobile food vendor shall be allowed to operate in excess of four consecutive days in any one location, unless they have the Mayor or City Clerk's written approval to operate at one location for an extended period of time related to a

special event lasting more than four days. During days of non-operation, the mobile food vendor and all associated vehicles, etc. must be removed from the premises.

- e. **Only one mobile food unit shall be permitted on a site smaller than ¼ acre. A maximum of five mobile food units shall be permitted within a "mobile food unit park" – a.k.a. "food truck park" site larger than ¼ acre but smaller than a ½ acre, unless approved otherwise in writing by the Mayor for a special event, community event or festival.**
 - f. Mobile food vendors shall only be located and operated in areas or districts zoned non-residential unless they are temporarily operated for specific events held at an institution (i.e church, school, etc.) that is located on a parcel zoned for residential.
 - g. No more than one mobile food vendor shall operate on the same site per day unless they have the Mayor's written approval related to a special event or the site is permitted as a "mobile food unit park" – a.k.a. "food truck park."
 - h. Signage will be limited to signage located on the mobile food unit. No portable signage is allowed, with the exception of a sandwich board style sign.
 - i. Property owners renting space to one or more mobile food units (constituting a "mobile food unit park" – a.k.a. "food truck park") shall be considered lessors and shall be required to pay the same annual business license rate per rental space as required of other landlords.
2. A minimum of four parking spaces per site shall be required for the use of the mobile vendor patrons. Mobile food vendors may not occupy parking spaces required to fulfill the minimum requirements of the principal use, unless they have written approval of the Mayor or City Clerk.
 3. No mobile vendor shall operate in the following areas:
 - a. Within ten feet from the right-of-way of any public street or roadway.
 - b. Within a required landscape buffer or improvement setback.
 - c. Within ten feet of any street intersection or cross walk.
 - d. Within ten feet of any driveway or other curb cut access, loading zone or bus stop.
 - e. In any area within 15 feet of a building entrance.
 - f. On the median strip of a divided roadway.
 - g. In front of display windows of a fixed location business.
 - h. Within ten feet of a fire hydrant or fire escape.
 - i. Within ten feet of any parking space or access ramp designated for persons with disabilities.
 4. No vending cart or stand, or any other item related to the operation of a mobile vendor use, shall be located on any city sidewalk or other public way during non-vending hours. Nor shall any vehicle be parked, stored or left overnight on any city sidewalk or other public way.
 5. Vendors shall keep the sidewalks, roadways and other spaces adjacent to their vending sites or locations clean and free of paper, peelings, and refuse of any kind generated

from their business. All trash or debris accumulating within 25 feet of any vending stand shall be collected by the vendor and deposited in a trash container provided by the vendor. The trash container shall be emptied regularly and marked as being for litter.

6. Mobile vendors may not do any of the following:
 - a. Obstruct pedestrian or motor vehicle traffic flow.
 - b. Obstruct traffic signals or regulatory signs.
 - c. Obstruct adequate access to emergency and sanitation vehicles.
 - d. Interfere with access to abutting properties.
 - e. Sound any device that produces a loud noise or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention.

Section 3. Penalties

Any person violating any provision of this article may be issued a citation by the Montevallo Police Department or at the request of the Revenue Officer or his/her designee be issued a summons and shall be required to appear in the Montevallo Municipal Court. Upon conviction, any person shall be subject to any fines and other applicable court costs which may be assessed by the Montevallo Municipal Court.

Section 4. Exceptions

The Mayor or City Clerk may provide written approval, related to a special event, of the following exceptions: duration, location and hours of operation. Special events include Annual festivals such as the ArtWalk, Arts Fest, and other communitywide functions.

Section 5. Severability

If any part, section or subdivision of this resolution shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this resolution, which shall continue in full force and effect

notwithstanding such holding.

Section 6. Effective Date

This Ordinance Number 09242018-300 shall become effective October 1, 2018 following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 24th day of September, 2018.

Hollie C. Cost, Mayor

ATTEST:

Herman Lehman, City Clerk

Council Member Nix made a motion to approve the Ordinance as amended. Council Member Peterson seconded. Mayor Cost, Council Member Nix, Council Member Peterson, Council Member Goldsmith, and Council Member Bunt voted AYE . . . MOTION APPROVED.

White Goods – No Update

Reminder - Special Council Meeting to Approve the Budget, 6:00 PM, Thursday, September 27th

Board Appointments: NONE

Other Business:

Color Run - Council Member Nix made a motion to waive all business licenses and vendor fees as requested for the Color Run in Orr Park. Council Member Bunt seconded. ALL AYES . . . MOTION APPROVED.

Citizen Participation:

Steve Gilbert, Director of the Montevallo Chamber of Commerce, noted that the article Ms. Woodham wrote about the MDCD will appear in the upcoming Chamber Chatter, which will be available this Friday. He said this will be the largest issue ever at 28 pages.

There being no further business before the Council, Council Member Nix made a motion to adjourn. Council Member Peterson seconded. ALL AYES . . . MEETING ADJOURNED at 6:35 p.m.

Submitted by:

Herman Lehman
City Clerk