

MINUTES

Montevallo City Council Work Session

May 28, 2024

5:30 p.m. at City Hall

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

Mayor Nix called for Discussion of New Business Items on Agenda:

- Discussion to accept the proposal for Motor Vehicle Records Report from Quality Counts, Inc. of Tuscaloosa. Service to provide reports to City regarding employee Driving Records and to provide potential Employee Background Checks upon request.
- Discussion of the Adoption of ORDINANCE NO. 05282024-829 AN ORDINANCE OF THE CITY OF MONTEVALLO, ALABAMA, to exempt certain items from the Municipal Sales and Use Tax during the 3rd full weekend of July 19, 2024 as authorized by Act 2017-120 of the Alabama Legislature, (The State Sales Tax Holiday)
- Discussion to accept the bid of Marco Casillas for painting Interior Library Rotunda, Hallways, Meeting Room and Exterior Window Lintels, Exterior Doorways, Patio Handrails. Total Cost \$5,440.00 Funds Capital Improvements

Mayor Nix Called for Committee Reports:

Council Member King called on Chief Littleton. Chief Littleton read the report for the Police Department; there were 87 Total Reports for the Month of May. See Appendix 1.

Council Member King called on Chief Davis for the Fire Department Report. Chief Davis reported there were 74 Calls for the first half of May. See Appendix 2.

Council Member David King reported Planning & Zoning recommendations to come to Council on June 10th. APO Notices have been mailed for Public Hearings.

Mayor Nix called on Council Member Dukes for the Sustainability Report. Council Member Dukes called on Kirk Hamby, Head of Public Works. Kirk reported storm damage clean-up is underway; the water leak at Orr Park has been repaired.

Mayor Nix called on Council Member Eisenberg for Recreation, Preservation and Community Development Reports. Council Member Eisenberg called on Shane Baugh, Parks and Recreation Director. Shane reported registration underway for Football, Cheer, and Soccer. Tennis Court renovations to begin late June due to weather delays.

Mayor Nix called on Council Member Mitchell for the Education, Arts and Outreach Committee Reports.

Council Member Mitchell called on Marissa Wilson, Parnell Memorial Library. Marissa reported the Library will kick-off its Summer Reading Program on June 7th and there is a request in Other Business to

close Island Street and waive vendor fees for the event; the library programs and numbers are on report in Council packets. See Appendix 3.

Council Member Mitchell called on Sarah Hogan, Impact Montevallo. Sarah Hogan gave the report for Impact Montevallo. She reported they were part of the Leaders of Tomorrow Recognition Dinner; attended Middle and High School Awards Day recognizing 16 students at the events; Impact and the Montevallo PD SROs will be attending the Safe Schools Conference next week. See Appendix 4.

Council Member Mitchell called for the MJCC report. Sarah Hogan introduced Mary Elizabeth House as the newly elected Junior Mayor of the Montevallo Junior City Council (MJCC). Mary reported on the MJCC activities.

Council Member Mitchell reported the Boys and Girls Club will begin Summer Programs beginning June 7th and to call the Club for more information.

Mayor Nix called on Council Member Swords for Finance, Economic Development & Tourism. Council Member Swords called on Adele Nelson, Montevallo Chamber of Commerce for the Chamber report. Adele reported the May Chamber luncheon featuring FUNNIES FOR FURBABIES raised more than \$500 for the Alabama Pet Pantry; Montevallo had 11 nominees for the 2024 Small Business Awards; June Chamber Chatter will be delivered on Friday; Montevallo Farmers' Market will kick-off on Monday, June 3rd. See Appendix 5.

Council Member Swords called on Courtney Bennett, Executive Director, Montevallo Main Street. Courtney reported Friday Nights at the Cove will be this Friday; she invited everyone to come early for an aerial drone capture of people in a figure eight symbolizing Main Street's 8th year being designated as a Main Street Community; there is one position open on the Board of Directors for those that may be interested in serving. See Appendix 6.

Montevallo City Council Meeting

May 28, 2024

6:00 p.m. at City Hall

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

Pledge of Allegiance

Council Meeting called to order at 6 p.m. by Mayor Rusty Nix.

Approval and or corrections of the Minutes 05.13.24 – Motion by Council Member Mitchell, seconded by Council Member Eisenberg, All Ayes, Motion passed.

Recognitions / Awards: Mayor Nix recognized Kobe Cottingham for his achievements in Cheer performances. See Appendix 7. Mayor Nix recognized Kial Cottingham for his achievements in football.

See Appendix 8. Mayor Nix read a Proclamation in honor of Corey “Big Country” Kattrell Cunningham and proclaimed May 17th as a Day for Corey Cunningham. See Appendix 9.

Opportunities for Citizens to speak to the Council: C.P Pierson 1131 Oak Street Asked what the qualifications are for becoming a police officer. Chief Littleton spoke on those qualifications and advised there is an application online for interested candidates to complete.

Public Health & Safety (Police, Fire, Code Enforcement, Housing Abatement, Planning and Zoning) – Reported during City Council Work Session.

Sustainability (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives, and Historical Commission) – Reported during City Council Work Session.

Recreation, Preservation and Community Development (Parks & Recreation, Youth Athletics, Trails, Annexations) – Reported during City Council Work Session.

Education, Arts & Outreach (Schools, Library, UM, Boys & Girls Club, American Village, Sister City Commission, Artwalk, IMPACT) – Reported during City Council Work Session.

Finance, Economic Development & Tourism (Finance, MDCD, IDB, Chamber, Main Street) – Reported during City Council Work Session.

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

New Business:

- Request to accept the proposal for Motor Vehicle Records Report from Quality Counts, Inc. of Tuscaloosa. Service to provide reports to City regarding employee Driving Records and to provide potential Employee Background Checks upon request. Motion to accept made by Council Member King, seconded by Council Member Dukes, All Ayes, Motion passed. See Appendix 10.
- Adoption of ORDINANCE NO. 05282024-829 AN ORDINANCE OF THE CITY OF MONTEVALLO, ALABAMA, to exempt certain items from the Municipal Sales and Use Tax during the 3rd full weekend of July 19, 2024 as authorized by Act 2017-120 of the Alabama Legislature, (The State Sales Tax Holiday). Motion made by Council Member King, seconded by Council Member Mitchell, All Ayes, Motion passed. See Appendix 11.
- Recommendation to accept the bid of Marco Casillas for painting Interior Library Rotunda, Hallways, Meeting Room and Exterior Window Lintels, Exterior Doorways, Patio Handrails. Total Cost \$5,440.00 Funds Capital Improvements. Motion to accept made by Council Member Mitchell, seconded by Council Member King, All Ayes, Motion passed. See Appendix 12.

Old Business: None

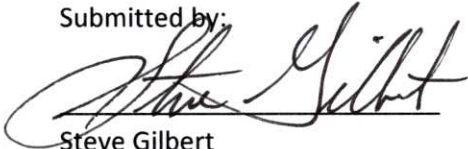
Board Appointments: None

Other Business: Request by Parnell Memorial Library to close Island Street on June 7th, 11am until 2pm and to waive vendor fees for its Summer Reading Kick-off event. Motion made by Council Member King, seconded by Council Member Mitchell, All Ayes.

Citizen Participation: None

Adjourn: Mayor Nix called for a Motion to adjourn the meeting. Motion made by Council Member King, Seconded by Council Member Dukes, All Ayes. Meeting adjourned at 6:12 p.m.

Submitted by:

A handwritten signature in black ink, appearing to read "Steve Gilbert", written over a horizontal line.

Steve Gilbert
City Clerk / Treasurer

APPENDIX 2

Fire Department Report 5.28.2024

May 1st - May 15th 2024

EMS- 42

Lift assist- 14

Structure Fire- 2

Brush Fire- 1

Dumpster Fire- 0

Electrical Fire - 3

Vehicle Fire- 2

Appliance Fire- 0

Fire Alarm - 5

MVC- 4

Fuel Spill/ gas leak- 1

Assist other agency- 0

Assist Public- 0

Assist Law Enforcement- 0

Total Calls for the first half of April - 74

Brad Davis

Fire Chief

City of Montevallo

Montevallo Fire & Rescue Service

541 Main Street

Montevallo, AL 35115

Office- 205-666-2555. Ext. 705

PARNELL MEMORIAL LIBRARY

MAY 28, 2024

- Our summer reading program calendar for June and July are posted on our Facebook page and will be on our website this week.
- Some programs are now requiring registration, but free to attend, just so we can plan ahead.
- June 4th is our family fun night, and we will be making glow in the dark adventure automobiles.
- June 7th is our SUMMER READING KICKOFF! from 11-2 in the Pecan Grove outside or the Library. Thank you to all of our sponsors. There will be food trucks, inflatables, community vendors to share their resources over the summer, free sno cones and free hotdogs.
- June 8th, is World Doll Day, and the Birmingham Doll club will be at the library to talk about dolls and the history of dolls. They have curated a new program for libraries, that associates dolls with books.
- June 10th, patrons can come make their own travel box, and make their own passport. This program is vital to get a passport, to participate in the Montevallo Main Street district scavenger hunt. Once the passport has all of the stamps, their name will go into a drawing for the end of summer reading prize drawing.
- Mr. Glenn, with Forgotten Alabama will be at the library on June 10th, at 2 to talk about places that may have been "forgotten" in Alabama.
- Patrons can now sign up to our new Reader Zone app. This app is what will log mins to participate with the end of summer reading prizes. With this app, you have to have a code. It is posted on our calendars inside the library and on our FB page.

City Council Meeting: May 28, 2024

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

- ✦ **Leaders of Tomorrow:** Impact was happy to be a part of the Leaders of Tomorrow Recognition Dinner a couple of weeks ago. We had the opportunity to help recognize 23 amazing Middle School students and their parents. We provided posters for all attendees with leadership quotes to continue to inspire them to do great things for themselves and their peers.
- ✦ **Middle & High School Awards Day:** Impact was able to attend the awards day ceremonies at the Middle & High Schools to publicly recognize our Junior City Council members for their efforts and achievement to improve youth civic engagement and quality of life in Montevallo. We recognized 16 students during these events. Thank you to Councilman Dukes for assisting with the presentation at the High School.
- ✦ **Middle School Spring Fling:** Impact was proud to provide the inflatables at the Middle School End of the Year Spring Fling last week. We also had a booth passing out information and items to engage with the students.
- ✦ **Safe Schools Conference:** Impact is happy to provide the funding for our two SROs and myself to attend the Safe Schools Conference next week. This annual event hosted by the The School Resource Officers Association of Alabama is always full of great information, and we look forward to bringing that information back to prepare for the upcoming school year.
- ✦ **KASH Market:** The youth entrepreneurial program, the KASH Market, will host our youth on June 13 to help them create marketing signage in preparation for their sale on June 24 during the Montevallo Farmers' Market.
- ✦ **Momentum Award:** Thank you to Adele for inviting Impact to be a part of the community awards on June 20th. We look forward to presenting our Momentum Award in recognition of outstanding contributions and commitment to support initiatives and strategies to increase positive behaviors and lifelong success of Montevallo youth.
- ✦ **Camp Journey:** Impact will be hosting our annual Camp Journey on June 24 – 26 at the Middle School. This camp is for rising 6th graders and is a fun learning experience to enhance the transition to Middle School. We currently have 21 students registered. If you know of anyone that may be interested, please send them my way.
- ✦ **MJCC:** It is my pleasure to introduce our newly elected Junior Mayor, Ms. Mary Elizabeth House. Mary is a Junior at MHS, served on the Council the last 3 years and as secretary the last 2 years.

Chamber Council Report 5.28.2024

1) **May Chamber Luncheon and FUNNIES FOR FURBABIES** raised over \$500.00 for the Alabama Pet Pantry in donations.

2) Montevallo Chamber was honored to attend the **MMS LOT End of the Year Reception** and has plans to partner for another excursion in the Fall.

3) Montevallo had eleven nominees for the **2024 Shelby County Small Business Awards !**

4) **June Chamber Chatter** will be disturbed Friday May 31st.

5) **Montevallo Community Awards / Thursday June 20 / 5:30-7:30pm / American Village / Tickets \$25.00 each / Tickets are available from Regions, Trustmark or Chamber -- featuring Live Music by The Swing Kings**

6) The **14th Annual Montevallo Farmers' Market**, *winner of the Shelby Living Best of the Best Farmers' Market*, will start Monday June 3th 3-6pm at 660 Main St. behind MFBC.



Adele Nelson

Executive Director

Montevallo Chamber of Commerce

P.O. Box 270 Montevallo, AL 35115

205.665.1519 office

www.montevallocc.com



Report to City Council

May 28, 2024

Updates

- Please make plans to join us this upcoming Friday, May 31, as Friday Nights at the Cove season continues! Join us in beautiful downtown Montevallo for an evening of live entertainment. Each event will feature a different musician at Owl's Cove Park (737 Main Street). This family-friendly, free admission event is the perfect way to kick off your weekend. Bring a chair or picnic blanket, grab dinner to-go from your favorite downtown restaurant, and make yourself at home on Main Street! Live music starts at 6:30 PM. Common Ground combines smooth three-part harmony with upbeat energy. With a set list of over 300+ songs, we bet they'll play one of your favorites! Sponsored by Alabama Custom Trailer and RV.
 - At 6 PM prior to the music starting, we will be assembling into a "figure 8" to take a drone photo in celebration of 8 years as a Designated Main Street community!
- A warm "Main Street" congratulations to our friends at Alabama Custom Trailer & RV for being awarded Shelby County Small Business of the Year in Category Two (6-10 employees)! They were recognized at the awards luncheon last week. Beth & Sean Hilty are graduates of our first cohort of CO.STARTERS, and Sean now serves on our board of directors. Their business is currently located in Pelham.
- We currently have one position open on our Board of Directors. Any interested parties are welcome to contact me for more information.

Courtney Bennett, Executive Director

CERTIFICATE OF RECOGNITION

THE FOLLOWING AWARD IS GIVEN TO

KOBE COTTINGHAM

for his excellence in Cheer performances, achieving superior accolades,
proudly representing his home city of Montevallo, Alabama across the country.

Presented this day, Tuesday, May 28, 2024.



A handwritten signature in black ink, appearing to read 'Rusty Nix'.

RUSTY NIX

MAYOR
CITY OF MONTEVALLO

CERTIFICATE OF RECOGNITION

THE FOLLOWING AWARD IS GIVEN TO

KIAL COTTINGHAM

for his outstanding athletic performance in football,
proudly representing his home city of Montevallo, Alabama across the country.

Presented this day, Tuesday, May 28, 2024.

RUSTY NIX

MAYOR

CITY OF MONTEVALLO





**In Honor and Memory of
Korey "Big Country" Kattrell Cunningham**

By the Honorable Mayor Rusty Nix and Montevallo City Council

A PROCLAMATION

WHEREAS, Korey Cunningham was born on May 17, 1995, to Kelvin and Lula Kathryn Cunningham; and

WHEREAS, He was educated in the Shelby County School System and graduated from Montevallo High School in 2013; and

WHEREAS, Upon graduating, Korey attended the University of Cincinnati where he played football as an offensive tackle; and

WHEREAS, In 2017 he obtained a Bachelor's Degree in Health Education with a Concentration in Exercise Fitness; and

WHEREAS, Korey was awarded the Bearcats' Jim Kelly Spirit Award and the Iron Bearcat Award as a senior post-season while at the University of Cincinnati; and

WHEREAS, In 2018 he was drafted to the NFL by the Arizona Cardinals where he played for one season; and

WHEREAS, Korey joined the New England Patriots in 2019 and later joined the New York Giants playing through the 2022 Season; and

WHEREAS, He earned the nickname "Big Country" because he was an avid hunter, fisherman and lover of the great outdoors; and

NOW, THEREFORE, in honor and memory of Korey Cunningham, I, Mayor Rusty Nix, do hereby proclaim May 17th as a Day for Korey "Big Country" Kattrell Cunningham.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal to be affixed this 28th day of May 2024.



Rusty Nix, Mayor
City of Montevallo

Executive Summary

At Quality Counts, we recognize that hiring and onboarding new employees is one of the most impactful events for your business. Hiring the right employee can immediately pay off, with higher productivity, profitability, and employee engagement and retention. However, hiring the wrong employee can pose risks to productivity, workplace safety, and company liability.

Through decades of industry experience, our team has developed a proven process for background screening and drug testing to enable informed decision making during the hiring process. Our approach is designed to simplify your screening process and reduce risk. Our commitment is to deliver superior quality results with dedicated, personalized customer service.

In head-to-head comparisons with large providers, we have found that our nationwide average pre-employment turnaround time has been up to 23% quicker, reducing time-to-hire by up to 10 hours. We heavily leverage technology to streamline our processes; however, our process from start to finish is governed by our commitment to a thorough, compliant background check.

As a mid-sized provider, Quality Counts is able to leverage expertise, technology, and superior partner support to build customized, need-driven screening solutions for each of our clients. Our process is consultative – we seek to define your priorities, understand your workflow, and identify solutions to streamline your process.

We sincerely appreciate your consideration of Quality Counts as your preferred solution for employee screening. Please do not hesitate to contact us to learn more.

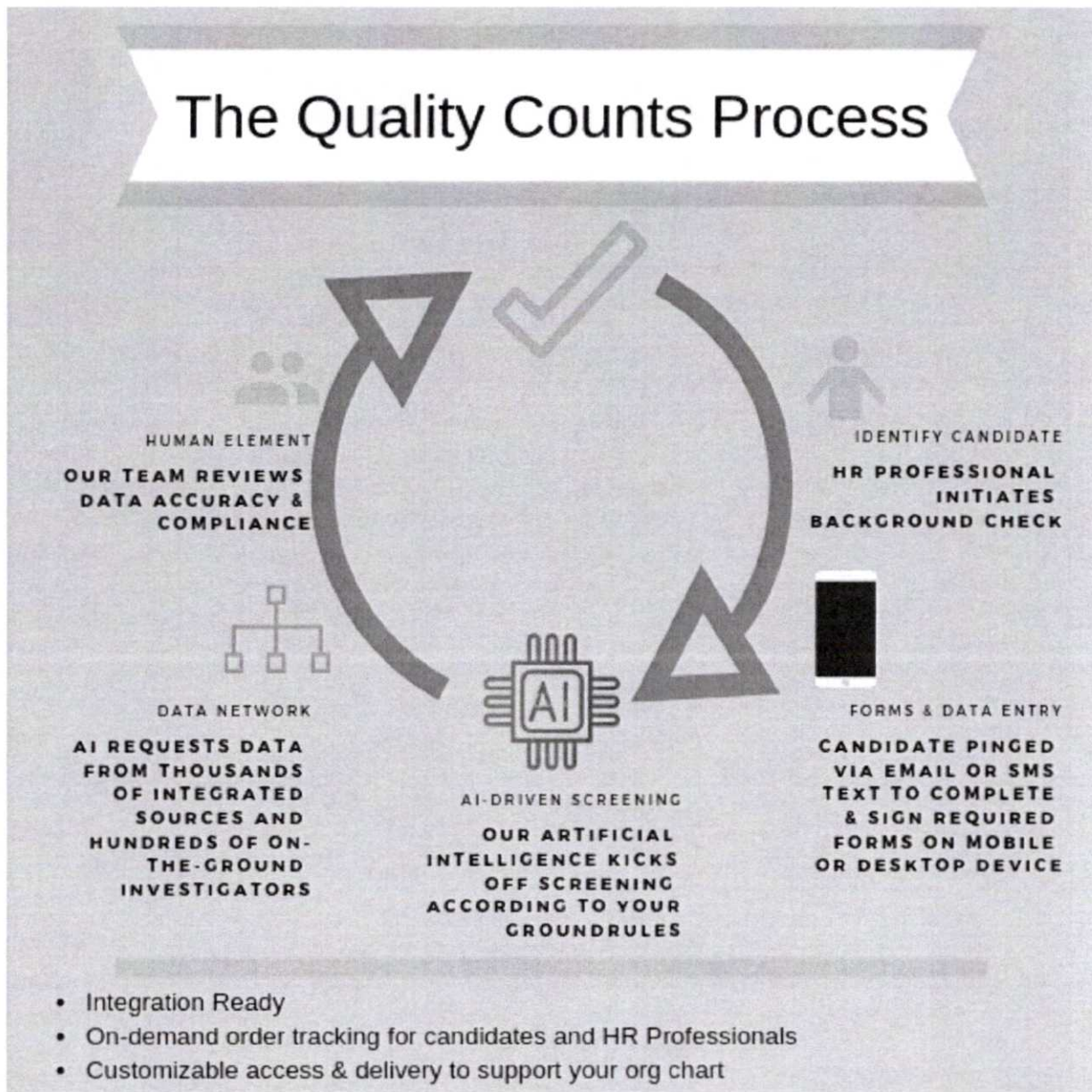
Why Quality Counts

Quality Counts, located in Tuscaloosa, Alabama, is uniquely suited to meet your employee screening needs. We are small enough to deliver personalized service and true partnership with our clients, where you know our names and we work together as a team to support your business operations. However, Quality Counts has the industry experience and technological capability to scale to meet the needs of the largest enterprises. Our client portfolio includes employers with less than 10 employees and multi-billion dollar enterprises.

Through our 18+ years of operation, we have been defined by three core commitments:

1. **Provide access to quality background check information.** We are not a cut-rate background check provider. We believe in quality, accurate information that is vetted by our experienced investigators so that you can be confident the data you receive is accurate, legally compliant, and actionable.
2. **Deliver personalized service.** When you call us, you will not be routed through a call center. Instead, you'll hear the friendly voice of one of our experienced researchers. Our key account managers have unparalleled experience, with an average length of service of six years with Quality Counts. When you email us, you will receive a response within two business hours. We are unwavering in our commitment to client support.
3. **Leverage experience and technology to deliver simpler, more efficient solutions to our client partners.** We are small enough to be nimble, creating customized processes and technological interfaces to meet our client partners' unique business requirements. We recognize that every business is unique and, unlike other providers in the employment screening industry, we recognize that one size does not fit all. Therefore, we will harness our team's combined decades of experience in the industry to maximize your client experience.

Our Process



Products and Services

Our Services



Criminal

Multi-Jurisdictional Scan / County, Statewide & Federal Criminal / Sex Offender Registry / Terrorist Watchlist / Criminal Monitoring



Identity

SSN Trace / e-Verify / CBSV Verification



Specialized

Social Media Report / Executive Profile Report / Civil Record Search / Federal Civil Record Search / Credit Reports



Verifications

Employment / Education / Professional License / Personal Reference / Military Service



Transportation

Motor Vehicle Reports (MVRs) / Annual MVR Management / MVR Monitoring / DOT 40.25 Verifications / PSP Crash Reports / CDLIS Reports



Healthcare

OIG Exclusions / GSA Search / LEIE / NAPPES / SAM / FACIS I,II,III /

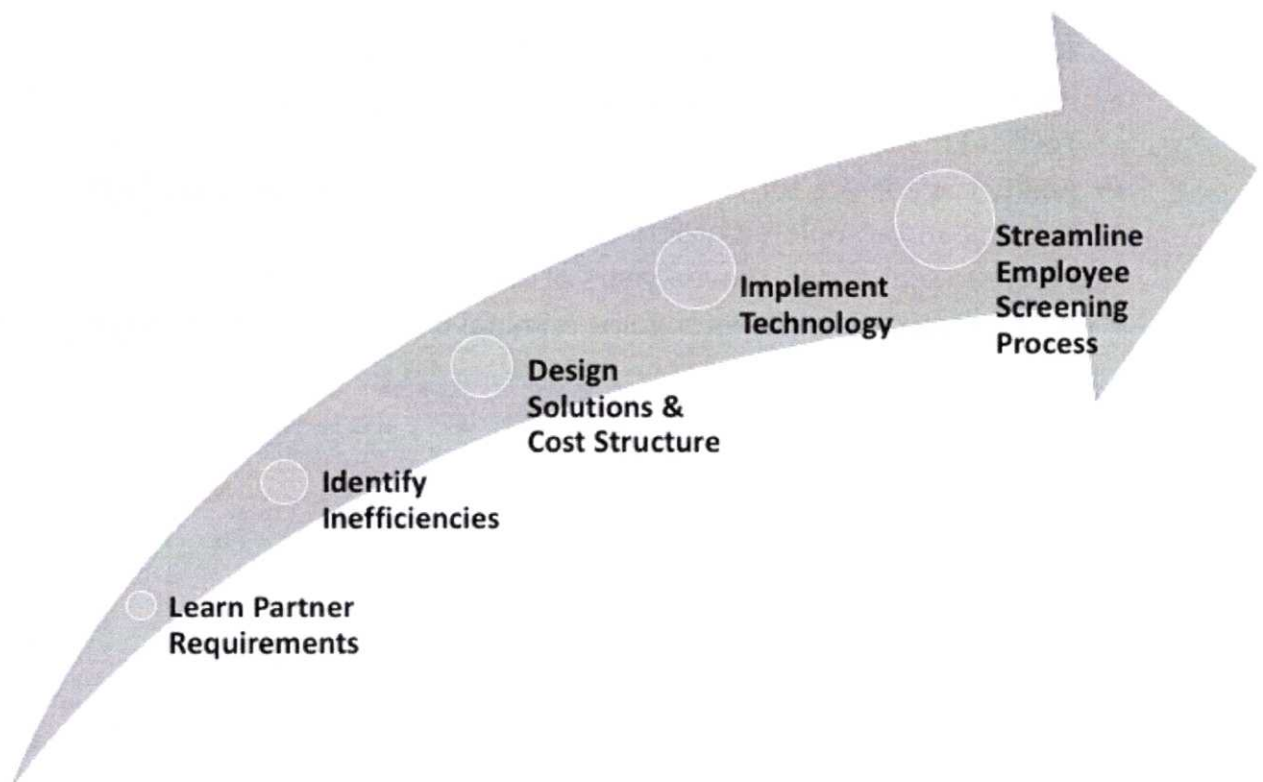


Occupational Health

DOT Drug & Alcohol Testing / Urine / Hair / Oral Fluids / Breath Alcohol / Physical & Occupational Health / Randoms / MRO & TPA Services / Policy Development

Our Consultative Approach

At Quality Counts, we believe in nimble solutions that minimize time-to-hire and maximize cost efficiency for each of our partners. Therefore, we do not steer partners to an “off-the-shelf” solution; rather, we take time to learn about a potential partner’s needs and design a solution to deliver a streamlined process.



Our Platform and Reporting Features

- Manage background screening, drug testing, and occupational health services from one single platform
- 100% mobile friendly for company and candidates
- Submit orders online, via email, fax, or integration
- 100% open API for quick and easy integrations with HRIS platforms, ATSs, and proprietary software
- Cloud-based access with customizable permission levels and reporting
- Order by package or choose a la carte products
- Adjudication of results based on client-specific hiring standards
- Adverse Action Management
- Turnaround Time & Cost estimates at time of order
- Ability to invite applicants to complete data entry and release forms by SMS Text or Email
- Ability to generate turnaround time reports, hit rates, and view both pending and completed orders on-demand
- Ability to search up to seven years of archival order data
- Auto-enroll candidates in ongoing criminal background monitoring program

Industry Experience



Customer Service

Quality Counts' hours of operation are Monday through Friday from 8:00 am to 5:00 pm CT with answering services available after hours and for emergencies. Mobile numbers are provided to clients in order to contact the senior management, including executive management outside of normal business hours, including holidays and weekends. Each client will be assigned an Account Manager who will be available during business hours to respond to any questions or issues that may arise concerning the client's account.

Our goal is 100% first-call resolution for our client partners, as well as maximum email response time of two (2) business hours. We commit to full transparency and provide quarterly account reviews to our client partners.

In addition to quality customer service, Quality Counts ensures timely results at a competitive price.

In head-to-head match ups with the industry's largest providers, we have found that our average turnaround times regularly meet or exceed their stated benchmarks, offering some clients a 23% reduction in time-to-hire versus some other providers.

Our online platform includes a turnaround time estimator, which provides users with our anticipated turnaround time for each order as it's submitted, and updated automatically through integrations with our researchers in the field. .

Diversity Commitment

As a 100% minority-owned business and a Certified Women's Business Enterprise, Quality Counts is committed to fostering an environment of diversity and inclusion in its workforce. We are committed to a team mentality in which we value each other and create a safe and tolerant place to work and grow as professionals.



Contact

Jennifer Deerman

President

205-561-2340

jennifer@qualitycounts1.com

Derrick Magnotta

Vice President of Operations

205-451-4222

derrick@qualitycounts1.com

Cost Proposal

Quality Counts can create an unlimited number of packages and combinations of products to meet the needs of your specific positions. We have listed our most popular base packages below.

National Database Search - \$3.95

- SSN Trace
- Patriot Act / Terrorist Watchlist
- Multi-Jurisdictional Criminal Database Scan
- National Sex Offender Registry
- Subject Adjudication

7-Year Address Search - \$13.95

- SSN Trace
- Patriot Act / Terrorist Watchlist
- Multi-Jurisdictional Criminal Database Scan
- National Sex Offender Registry
- County or Statewide Criminal Searches (7 year address history, 7 year reporting window)*
- Subject Adjudication

10-Year Address Search - \$16.50

- SSN Trace
- Patriot Act / Terrorist Watchlist
- Multi-Jurisdictional Criminal Database Scan
- National Sex Offender Registry
- County or Statewide Criminal Searches (10 year address history, 10 year reporting window where allowable)*

A la carte and Add-Ons

<u>Component</u>	<u>Unit</u>	<u>Fee</u>
Education Verification*	Per Institution	8
Employment Verification*	Per Employer	8
Nationwide Federal Search	Per Name	4.00
Motor Vehicle Record*	Per Search	3.50
Social Media Scan	Per Candidate	50

Notes:

- If the multi-jurisdictional database search reveals possible hits in jurisdictions outside a package's search scope, Quality Counts may add additional county or statewide criminal reverification to order. If reverification is required, an additional fee of \$5.00 per jurisdiction, plus additional state, county, or third-party data access fees, may apply.
- Adverse action processed via email is included at no additional cost, triggered by client request in-platform. If an adverse action letter is required to be sent via U.S. Mail, additional fee of \$2.50 postage per letter will apply.
- Additional products and services available upon request for additional fee(s).
- Packages include single name search. Additional fees apply for AKAs.

*Some states, court jurisdictions, and third parties charge data access fees. In the event that a background package requires Quality Counts to conduct searches in jurisdiction(s) where a court fee is assessed to retrieve criminal record data, the court fee will be passed-through with no additional mark-up.

ORDINANCE NO. 05282024-829

AN ORDINANCE OF THE CITY OF MONTEVALLO, ALABAMA, TO EXEMPT CERTAIN "COVERED ITEMS" FROM THE MUNICIPAL SALES AND USE TAX DURING THE THIRD FULL WEEKEND OF JULY 19, 2024, AS AUTHORIZED BY ACT 2017-120, GENERALLY REFERRED TO AS THE STATE SALES TAX HOLIDAY LEGISLATION.

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

Section 1. In conformity with the provisions Act 2017-120 enacted by the Alabama Legislature during the 2017 Regular Session, providing for a State Sales Tax Holiday, the City of MONTEVALLO, Alabama, exempts "covered items" (see attached Exhibit A) from municipal sales and use tax during the same period, beginning at 12:01 a.m. on the third Friday in July (July 19, 2024) and ending at twelve midnight the following Sunday (July 21, 2024).

Section 2. This ordinance shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2017-120.

Section 3. The City Clerk is hereby authorized and directed to certify a copy of this ordinance under the seal of the City of MONTEVALLO, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4. This ordinance shall become effective upon publication.

ADOPTED AND APPROVED THIS 28th DAY OF May, 2024.

Rusty Nix, Mayor

ATTEST:

Steve Gilbert, City Clerk

(EXHIBIT A)

ALABAMA DEPARTMENT OF REVENUE

SALES, USE & BUSINESS TAX DIVISION

SALES & USE TAX RULE

810-6-3-.65. Sales Tax Holiday.

(1) Beginning at 12:01 a.m. on Friday July 16, 2021, and ending at twelve midnight on Sunday July 18, 2021, a sales tax holiday is enacted pursuant to Act No. 2017-120, whereby no state sales or use tax is due on "covered items" as defined herein. For each year thereafter, the sales tax holiday begins at 12:01 a.m. on the third Friday in July and ends at twelve midnight the following Sunday.

(2) Pursuant to Act No. 2017-120, any county or municipality may, by resolution or ordinance adopted at least 30 days prior to the third full weekend of July, provide for the exemption of "covered items" from county or municipal sales or use taxes during the same time period, under the same terms, conditions, and definitions as provided in this rule for the state sales tax holiday. A county or municipality is prohibited from providing for a sales and use tax exemption during any period other than the third full weekend in July. A participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the sales tax holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue at least 30 days prior to the effective date of the resolution or ordinance. The Department will compile this information into a list of all counties and municipalities participating in the sales tax holiday and issue a current publication of the list on its website.

(3) Covered items" means: Articles of clothing with a sales price of one hundred dollars (\$100), or less, per article of clothing. The exemption applies regardless of how many items are sold on the same invoice to a customer. "Clothing" means all human wearing apparel suitable for general use including sandals, shoes and sneakers. Clothing shall not include the following listed items which are excluded from the exemption:

(a) Belt buckles sold separately;

(b) Costume masks sold separately;

(c) Patches and emblems sold separately;

(d) Sewing equipment and supplies including, but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles;

(e) Sewing materials that become part of "clothing" including, but not limited to, buttons, fabric, lace, thread, yarn, and zippers;

(f) In addition to (a) through (e) above, clothing shall not include clothing accessories or equipment, protective equipment, or sport or recreational equipment, as defined in 1., 2., and 3. below, and which are therefore taxable:

1. "Clothing accessories or equipment" means incidental items worn on the person or in conjunction with "clothing." The following list includes examples of "clothing accessories or equipment" and is not intended to be an all-inclusive list:

- (i) briefcases;
- (ii) cosmetics;
- (iii) hair notions, including, but not limited to, barrettes, hair bows, and hair nets;
- (iv) handbags;
- (v) handkerchiefs;
- (vi) jewelry;
- (vii) sun glasses, non-prescription;
- (viii) umbrellas;
- (ix) wallets;
- (x) watches; and
- (xi) wigs and hair pieces.

2. "Protective equipment" means items for human wear and designed as protection of the wearer against injury or disease or as protections against damage or injury of other persons or property but not suitable for general use. The following list includes examples of "protective equipment" and is not intended to be an all-inclusive list:

- (i) breathing masks;
- (ii) clean room apparel and equipment;
- (iii) ear and hearing protectors;
- (iv) face shields;
- (v) hard hats;
- (vi) helmets;
- (vii) paint or dust respirators;
- (viii) protective gloves;
- (ix) safety glasses and goggles;
- (x) safety belts;
- (xi) tool belts; and

(xii) welders gloves and masks.

3. "Sport or recreational equipment" means items designed for human use and worn in conjunction with an athletic or recreational activity that are not suitable for general use. The following list includes examples of "sport or recreational equipment" and is not intended to be an all-inclusive list:

(i) ballet and tap shoes;

(ii) cleated or spiked athletic shoes;

(iii) gloves, including, but not limited to, baseball, bowling, boxing, hockey, and golf; goggles;

(iv) hand and elbow guards;

(v) life preservers and vests;

(vi) mouth guards;

(vii) roller and ice skates;

(viii) shin guards;

(ix) shoulder pads;

(x) ski boots;

(xi) waders; and

(xii) wetsuits and fins.

(4) "Covered items" means: A single purchase, with a sales price of seven hundred fifty dollars (\$750), or less, of computers, computer software, and school computer supplies. "Computer," "computer software," and "school computer supplies" shall not include furniture and any systems, devices, software, peripherals designed or intended primarily for recreational use, or video games of a non-educational nature. These items are defined as follows:

(a) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions, also known as a central processing unit (CPU). For purposes of the exemption during the sales tax holiday, a computer may include a laptop, desktop, or tower computer system which consists of a CPU, display monitor, keyboard, mouse, and speakers sold as a computer package. The computer package will qualify for the exemption if the dollar amount of the sale is at or below seven hundred fifty dollars (\$750). However, display monitors, keyboards, mouse devices, speakers and other computer parts or devices designed for use in conjunction with a personal computer not sold as part of a package will not qualify for the exemption.

(b) "Computer software" means a set of coded instructions designed to cause a "computer" or automatic data processing equipment to perform a task.

(c) "School computer supply" means an item commonly used by a student in a course of study in which a computer is used. The following is an all-inclusive list of school computer supplies:

1. Computer storage media; diskettes, compact disks;

2. Handheld electronic schedulers, except devices that are cellular phones;

3. Personal digital assistants, except devices that are cellular phones;
4. Computer printers; and
5. Printer supplies for computers; printer paper, printer ink.

(5) "Covered items" means: Noncommercial purchases of school supplies, school art supplies, and school instructional material, up to a sales price of fifty dollars (\$50) per item. These items are defined as follows:

(a) "School supply" is an item commonly used by a student in a course of study. The following is an all-inclusive list:

1. Binders;
2. Book bags;
3. Calculators;
4. Cellophane tape;
5. Blackboard chalk;
6. Compasses;
7. Composition books;
8. Crayons;
9. Erasers;
10. Folders, expandable, pocket, plastic, and manila;
11. Glue, paste, and paste sticks;
12. Highlighters;
13. Index cards;
14. Index card boxes;
15. Legal pads;
16. Lunch boxes;
17. Markers;
18. Notebooks;
19. Paper, loose leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper;
20. Pencil boxes and other school supply boxes;
21. Pencil sharpeners;
22. Pencils;

23. Pens;

24. Protractors;

25. Rulers;

26. Scissors; and

27. Writing tablets.

(b) "School art supply" is an item commonly used by a student in a course of study for artwork. The following is an all-inclusive list:

1. Clay and glazes;
2. Paints, acrylic, tempera, and oil;
3. Paintbrushes for artwork;
4. Sketch and drawing pads; and
5. Watercolors.

(c) "School instructional material" is written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The following is an all-inclusive list:

1. Reference maps and globes;
2. Required textbooks on an official school book list with a sales price of more than thirty dollars (\$30) and less than fifty dollars (\$50).

(6) "Covered items" means: Noncommercial purchases of books with a sales price of not more than thirty dollars (\$30) per book. The term book shall mean a set of printed sheets bound together and published in a volume with an ISBN number, but does not include magazines, newspapers, periodicals, or any other document printed or offered for sale in a non-bound form.

(7) Covered items are exempt only if the individual item is priced at or below the established threshold for the exemption. Exemption for only a portion of an individual item is not allowed. The following example illustrates the application of the rule to the exemption:

(a) ;A customer purchases a pair of pants costing \$120.00. Tax is due on the entire \$120.00. The exemption does not apply to the first \$100.00 of the price of an item of clothing selling for more than \$100.00.

(8) Splitting of items normally sold together. To qualify for the exemption, items normally sold in pairs shall not be separated, and articles that are normally sold as a single unit must continue to be sold in that manner. The following examples illustrate the application of the rule to the exemption:

(a) A pair of shoes sells for \$200.00. The pair of shoes cannot be split in order to sell each shoe for \$100.00 to qualify for the exemption.

(b) A suit is normally priced at \$300.00. The suit cannot be split into a coat and slacks so that one of the articles may be sold for \$100.00 or less to qualify for the exemption. However, articles that are normally sold as separate articles, such as a sport coat and slacks, may continue to be sold as separate articles and qualify for the exemption.

(c) A packaged gift set consisting of a wallet (ineligible item) and tie (eligible item) would not qualify for the exemption.

(9) "Buy one, get one free" and other similar offers. If a dealer offers "buy one, get one free" or "two for the price of one" on covered items, the purchase shall qualify for the exemption when all other conditions of the exemption are met. However, if a dealer offers a "buy one, get one for a reduced price" the two prices cannot be averaged to qualify both items for the exemption. The following examples illustrate the application of the rule to the exemption:

(a) A dealer offers "buy one, get one free" on a pair of shoes. The first pair of shoes has a sale price of \$99.00 and the second pair is free. Both pairs of shoes will qualify for the exemption because the first pair of shoes does not exceed the \$100.00 exemption limitation.

(b) A coat is purchased for \$120.00 and a second coat is purchased for half price (\$60.00) at the time the first coat is purchased. The second coat will qualify for the exemption, but the tax will be due on the first coat. In this example, the sales price of the items may not be averaged in order to qualify for the exemption.

(10) Discounts, coupons, and rebates. A discount by the seller reduces the sales price of the item and the discounted sales price determines whether the sales price is within the sales tax holiday price threshold. A coupon that reduces the sales price is treated as a discount if the seller is not reimbursed for the coupon amount by a third-party. If a discount applies to the total amount paid by a purchaser rather than to the sales price of a particular item and the purchaser has purchased both eligible property and taxable property, the seller should allocate the discount based on the total sales prices of the taxable property compared to the total sales prices of all property sold in that same transaction. The application of the exemption to discounts, coupons and rebates extended on a covered item during the exemption period is illustrated by the following examples:

(a) If a dealer sells a pair of jeans with a sales price of \$110.00 and offers to discount the item 10 percent at the time of sale, the exemption would apply because the actual sales price of the jeans is \$99.00.

(b) If a customer buys a \$400.00 suit and a \$55.00 shirt, and the retailer is offering a 10 percent discount, after applying the 10 percent discount, the final sales price of the suit is \$360.00, and the sales price of the shirt is \$49.50. The suit is taxable (its price is over \$100.00) and the shirt is exempt (its price is less than \$100.00).

(c) If a dealer offers a reduction in sales price of \$100.00 through a store coupon for a computer with a sales price of \$850.00, the exemption would apply to the purchase because the dealer's actual sales price to the customer is \$750.00.

(d) If a customer gives to a dealer a manufacturer's coupon for \$100.00 for a computer with a sales price of \$850.00, the exemption would not apply.

(e) Rebates generally occur after the sale, thus the amount of the rebate does not affect the sales price of the purchased item. For example, if a pair of jeans was purchased for \$110.00 with a manufacturer's rebate for \$10.00, the exemption would not apply because the sales price is in excess of \$100.00.

(11) Exchanges. The application of the exemption to an exchange of a covered item purchased during the exemption period is illustrated by the following examples:

(a) A customer purchases a covered item during the exemption period, but later exchanges the item for a different size, color, or other feature, and the original sale is not cancelled. No additional tax is due even though the exchange is made after the exemption period.

(b) A customer purchases a covered item during the exemption period. After the exemption period has ended, the customer returns the item and receives credit on the purchase of a different item and the original sale is cancelled. Sales tax is due on the total sales price of the newly purchased item.

(c) A customer purchases a covered item before the exemption period. During the exemption period the customer returns the item and receives credit on the purchase of a different covered item and the original sale is cancelled. Sales tax is not due on the sale of the new item if the new item is purchased during the exemption period.

(12) Layaway sales. A layaway sale is a transaction in which articles are set aside for future delivery to a purchaser who makes a deposit, agrees to pay the balance of the sales price over a period of time, and, at the end of the payment period, receives the merchandise. A sale of a covered item under a layaway sale will qualify for the exemption when final payment on the layaway order is made by, and the item is given to, the purchaser during the exemption period; or when title to the covered item transfers to the purchaser and delivery is made to the purchaser during the exemption period. A sale made by completion of transfer of title after the exemption period shall not qualify for the exemption.

(13) Rain checks. A rain check allows a customer to purchase an item at a certain price at a later time because the particular item was out of stock. Covered items purchased during the exemption period with the use of a rain check will qualify for the exemption regardless of when the rain check was issued. Issuance of a rain check during the exemption period will not qualify a covered item for the exemption if the item is actually purchased after the exemption period.

(14) Mail, telephone, e-mail, and Internet sales. The sale of a covered item qualifies for exemption when sold through the mail, telephone, e-mail or Internet when the item is paid for and delivered to the customer during the exemption period; or when title to the covered item transfers to the purchaser and delivery is made to the purchaser during the exemption period. Pursuant to Section 40-23-1(a)(5), the sale of an item is not closed or completed until the time and place where delivery occurs to the purchaser after the act of transportation ends and the item comes to rest in this state for use or consumption. Covered items that are pre-ordered and delivered to the customer during the exemption period qualify for the exemption.

(15) Gift certificates and gift cards. Covered items purchased during the exemption period using a gift certificate or gift card will qualify for the exemption, regardless of when the gift certificate or gift card was purchased. Covered items purchased after the exemption period using a gift certificate or gift card are taxable even if the gift certificate or gift card was purchased during the exemption period. A gift certificate or gift card cannot be used to reduce the selling price of a covered item in order for the item to qualify for the exemption.

(16) Returns. For a 60 day period immediately after the sales tax holiday exemption period, when a customer returns an item that would qualify for the exemption, no credit for or refund of sales tax shall be given unless the customer provides a receipt or invoice that shows tax was paid, or the seller has sufficient documentation to show that tax was paid on the specific item. This 60 day period is set solely for the purpose of designating a time period during which the customer must provide documentation that shows that sales tax was paid on returned merchandise. The 60 day period is not intended to change a seller's policy on the time period during which the seller will accept returns.

(17) Different time zones. The time zone of the purchaser's location determines the authorized time period for a sales tax holiday when the purchaser is located in one time zone and a seller is located in another.

(18) Records. The retailer is not required to obtain an exemption certificate on sales of covered items during the exemption period. However, the retailer's records should clearly identify the type of item sold, the date on which the item was sold, the sales price of all items and, if applicable, any tax charged.

(19) Reporting Exempt Sales. No special reporting procedures are necessary to report exempt sales on covered items made during the exemption period. Exempt sales are to be included in the Gross Sales Amount and in the Deductions amount reported on the

state and local returns. Taxable sales and exempt transactions should be reported as currently required by law.

(20) Transportation Charges.

(a) Where delivery is made by common carrier or the U.S. Postal Service, the transportation charge if billed as a separate item and paid directly or indirectly by the purchaser, is excluded from the sales price of the covered item. Transportation charges made by any other means are included as part of the sales price of the covered item, whether or not separately stated. Transportation charges are not separately stated if included with other charges and billed as "shipping and handling" or "postage and handling."

(b) "Shipping and handling" or "postage and handling" charges are included as part of the sales price of the covered item, whether or not separately stated. If multiple items are shipped on a single invoice, to determine if any covered items qualify for the exemption for purposes of determining a sales tax holiday price threshold, the shipping and handling charge or postage and handling charge must be proportionately allocated to each item ordered, and separately identified on the invoice.

12
Painting LIBRARY

Steve Gilbert

From: Marcocasillas <marcocasillas@live.com>
Sent: Tuesday, May 14, 2024 7:26 PM
To: Steve Gilbert
Subject: Painting estimate

Here's the painting estimate for foyer tray ceilings and walls, offset walls and trim,
Meeting room walls,
(\$3,790)

Hallway walls,

Exterior metal doors, and window lintels, Handrails back of building
(\$1,650)

These estimates include all materials and labor.

Thanks, Marco.
Sent from my iPhone

JP Painting

Proposal

Date: May 21, 2024
To: City of Montevallo
Attn: Steven Gilbert
Ref: City Library Exterior Paint

Below is the scope of work and pricing requested on the above-named project.

Scope (Item 1):

Provide all material, labor, tools, and clean up for a complete finish system @ exterior door frames, doors, and lentils above all windows. Scope of work includes sanding, priming all rust and applying two topcoats of high-quality paint (Sherwin Williams Pro Industrial Water based Alkyd Urethane (Satin))

Materials, Lift and labor..... \$ **3,085.00**

Scope (Item 2)

Provide all material, labor, tools, and clean up for a complete finish system @ exterior steel hand railing. Scope Includes thorough sanding and grinding where necessary. Priming where necessary and applying two topcoats of high-quality paint (Sherwin Williams Pro Industrial Water based Alkyd Urethane (Semi Gloss))

Materials and labor..... \$ **9,040.00**

Scope (Item 3)

Provide all material, labor, tools, and clean up for a complete finish system @ interior of library. Scope includes proper preparation and finish of rotunda ceiling (lower trays), rotunda walls, hallway, and large meeting room

Materials and labor..... \$ **1,880.00**

Respectfully,
Frank Chinowski

p.o. box 312 Saginaw, AL 35137 * Phone (205) 894-1238*