



Minutes of the City of Calera Council Meeting May 5, 2025

The Council of the City of Calera met in the Council Chambers of the City Hall at 7901 Highway 31 on Monday, May 5, 2025, at 6:30 p.m. in a regular meeting. Mayor Graham presiding.

Mayor and Council Members Present:

Jon G. Graham, Mayor
Debbie Byers, Council Member
Kenny Dale Cost, Council Member
Ernest Montgomery, Mayor Pro Tem
Calvin Morgan, Council Member
Kay Snowden Turner, Council Member

Absent:

Alan Watts, Council Member

Attorney:

Brian Kilgore

Department Heads:

James Fuller, David Hyche, Sean Kendrick, Reggie Darden, Kelly Ellison, Bill Hilyer, Seth Gandy, Alison Powers, Stacy Walkup

Guests:

Richard Byers, Noah Wortham, Dennis Torrealba, Dee Starkey, Blake Atkins, Dawn Cost, Bill and Ann Davis, Drew Bradshaw, Donny Cook, Tip Edwards, Ms. Baxley, Chris Bunn, James Alexander, Brent Ellison, Myia and Eric Vines, Mrs. Drake, Jennifer Flournoy, Terry "T.C." Cobb, John Bores

Mayor Graham called the meeting to order at 6:30 p.m.

Word of Prayer and Pledge of Allegiance:

Council Member Morgan opened the meeting with prayer and the Pledge of Allegiance.

Approval of Agenda:

Council Member Cost made a motion to approve the Agenda for May 5, 2025. Council Meeting.
Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner

NAYS: None

Motion Passed

Approval of Minutes:

Council Member Byers made a motion to approve and dispense with the reading of the following minutes:

Regular Meeting – April 21, 2025
Work Session – April 21, 2025

Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner

NAYS: None

Motion Passed

Old Business:

Calvin Morgan, Council Member – Changing the Form of Government

New Business:

Proclamation – Professional Municipal Clerks Week – May 4 – May 10, 2025

Resolution No. 2025-30 Surplus Office Chairs

Council Member Byers made a motion to approve Resolution No. 2025-30. Council Member Turner seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner

NAYS: None

Motion Passed

Ordinance No. 2025-03 2025 “Back-to-School” Sales Tax Holiday – Public Hearing

Council Member Byers moved that unanimous consent of the Council be given for immediate action upon Ordinance No. 2025-03. Council Member Turner seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Ordinance.

Council Member Turner made a motion to approve Ordinance No. 2025-03. Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner

NAYS: None

Motion Passed – Adopted

Calvin Morgan, Council Member – Key to the City

Ordinance No. 2025-02 Amending Calera Entertainment District

Ordinance By Removing the Yearly Review – Public Hearing

Council Member Cost moved that unanimous consent of the Council be given for immediate action upon Ordinance No. 2025-02. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Ordinance.

Council Member Cost made a motion to approve Ordinance No. 2025-02. Council Member Turner seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner

NAYS: None

Motion Passed – Adopted

Guests:

James Alexander

Terry J. Cobb “T.C.”

Public Comments:

Jennifer Flournoy

Myia and Eric Vines

Council Member Byers made a motion to adjourn the meeting at 8:01 p.m.

Approved this 19th day of May 2025.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2025-30

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

WHEREAS, the City of Calera, Alabama has inventoried all Departments Inventory and requesting approval to Surplus the following items for the Administration Department.

WHEREAS, the City has found the following items for the City of Calera no longer needed.

Office Chairs

Council Member Byers moved that Resolution No. R-2025-30 is adopted. Council Member Turner seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Morgan, Graham, Cost, Byers, Turner

NAYS: None

Mayor Graham declared Resolution No. R-2025-30 adopted.

Adopted this 5th day of May 2025

Connie Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2025-03

Amending City Code to Exempt Certain “Covered Items” from the Municipal Sales and Use Tax during the “Back-to-School Sales Tax Holiday” as Authorized by 40-23-210 through 40-23-213, Code of Alabama 1975.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CALERA, ALABAMA, as follows:

Section 1. The Code of Ordinances of the City of Calera is amended by adding a new section, designated as Section 5-26, as follows:

Sec. 5-26. Sales tax holiday.

(a) In conformity with the provisions 40-23-210 through 40-23-213, Code of Alabama 1975, providing for a State Sales Tax Holiday, the City of Calera exempts “covered items” from municipal sales tax during the same period, beginning at 12:01 a.m. on the Friday, July 18, 2025 and ends at twelve midnight on Sunday, July 20, 2025.

(b) This section shall be subject to all terms, conditions, definitions, time periods, and rules as provided by 40-23-210 through 40-23-213, Code of Alabama 1975, except that the time period shall only be as specified in subsection (a) and not for all years thereafter.

Section 2. The Code of Ordinances of the City of Calera is amended by adding a new section, designated as Section 5-27, as follows:

Sec. 5-27. Use tax holiday.

(a) In conformity with the provisions 40-23-210 through 40-23-213, Code of Alabama 1975, providing for a State Sales Tax Holiday, the City of Calera exempts “covered items” from municipal use tax during the same period, beginning at 12:01 a.m. on the Friday, July 18, 2025 and ends at twelve midnight on Sunday, July 20, 2025.

(b) This section shall be subject to all terms, conditions, definitions, time periods, and rules as provided by 40-23-210 through 40-23-213, Code of Alabama 1975, except that the time period shall only be as specified in subsection (a) and not for all years thereafter.

Section 3. This ordinance shall become effective on July 1, 2025.

Council Member Byers moved that unanimous consent of the Council be given for immediate action upon said Ordinance. Council Member Turner seconded said motion and upon vote the results were:

AYES: Montgomery, Morgan, Graham, Cost, Byers, Turner

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member Turner moved that Ordinance No. 2025-03 be adopted, which motion was seconded by Council Member Morgan and upon vote the results were as follows:

AYES: Montgomery, Morgan, Graham, Cost, Byers, Turner

NAYS: None

Adopted this 5th day of May 2025.

Mayor Graham declared Ordinance No. 2025-03 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2025-02

Rescind

**ORDINANCE TO ESTABLISH AN ENTERTAINMENT DISTRICT IN CALERA, ALABAMA, AND TO
AMEND SECTION 10-8 OF THE CODE OF CALERA**

**Ordinance No. 2023-17
Adopted August 21, 2023**

WHEREAS, the State of Alabama has passed into law Act No. 2023-72, hereinafter referred to as "the Act," to create and establish entertainment district designations for retail alcoholic beverage licenses in the City of Calera, Alabama; and

WHEREAS, the Act allows the City Council to establish not more than two entertainment districts within the corporate limits of the City of Calera, each of which must have one or more retail Alcoholic Beverage Control Board licensees in an area that does not exceed one-half mile by one-half mile; and

WHEREAS, the Council has considered the merits of establishing such districts and believes that they will benefit the downtown area and believes that entertainment districts may benefit the City by enhancing pedestrian-oriented areas for outdoor special events that can include, but are not limited to, parades, concerts, car shows, and fundraising events for local nonprofit organizations, holiday events, and beer and wine tasting events; and

WHEREAS, the Council finds that other cities, both within and without the State of Alabama, have had success with such districts, and believes that it is in the best interest of the City to provide for the creation of such districts as provided in this ordinance; and

WHEREAS, nothing herein is intended to confer any rights or entitlement, as selling alcohol within an area designated as an entertainment district is a privilege, not a right, and is subject at all times to reasonable regulation with the Council reserving the right to modify or repeal this Ordinance, and any district designation created hereunder, at any time; and

WHEREAS, because the downtown area consists of properties devoted to business, commercial, entertainment, and residential uses, the Council finds that it is prudent to proceed deliberately and cautiously in order to determine what impact, if any, the creation and operation of these districts will have on residential and business properties; for this reason, the Council will include a sunset provision in this Ordinance in order to allow a reassessment of the merits, costs, and benefits of these entertainment districts and their impact on surrounding business and residential properties; and

WHEREAS, subject to the terms and limitations of the Act and this Ordinance, the City of Calera wishes to establish one entertainment district in the downtown area hereinafter referred to as the Downtown Entertainment District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CALERA, ALABAMA, as follows:

SECTION 1. Creation and Establishment of District. Under the authority granted in Act No. 2023-72, the City Council does hereby create and establish one entertainment district in downtown Calera known as the Downtown Entertainment District with the areas and boundaries as set forth and designated on the Map which is attached hereto as Exhibit 1 and incorporated by reference as if fully set out herein.

SECTION 2. Outside Consumption of Alcoholic Beverages Permitted; Conditions. Any on-premises retail alcohol beverage licensee who receives an entertainment district designation from the Alabama Alcoholic Beverage Control Board shall comply with all laws, rules, and regulations which govern its license type, except that a patron, guest or member of that licensee may exit the licensed premises between the hours of 12:00 p.m. and 12:00 a.m. with no more than one open container of alcoholic beverage and consume said alcoholic beverage anywhere within the confines of the entertainment district in which the alcoholic beverage was obtained, subject to the following regulations:

(1). A person may not enter another licensed premises with an open container or closed container of alcoholic beverage acquired elsewhere;

(2). A licensee who receives an entertainment district designation shall allow alcoholic beverages to be removed from the licensed premises only in a paper or plastic cup that bears the commercially printed name and/or logo of the designated licensee, or in a paper or plastic cup bearing the "Downtown Entertainment District" logo obtained from the Calera Main Street (or other qualified entity), and no such alcoholic beverages shall be removed from the licensed premises in a can, bottle, or glass container; except, that glass containers shall be allowed in a licensee's outdoor sit-down dining areas that are situated on a sidewalk or other right-of-way where the licensee has a right-of-way use agreement with the City of Calera;

(3). No licensee shall allow a patron, guest or member to exit its licensed premises with more than one open container of alcoholic beverage, and it shall be unlawful for any person to exit such licensed premises with more than one such open container.

(4). It shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, or glass container on the streets, sidewalks, rights-of-way, and parking lots located within an entertainment district, or to possess any open can, bottle, or glass container of alcoholic beverage on the streets, sidewalks, rights-of-way, and parking lots located within an entertainment district; except, that glass containers shall be allowed in a

licensee's outdoor sit down dining areas that are situated on a sidewalk or other right of-way where the licensee has a right-of-way use agreement with the City of Calera.

(5). No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed 16 fluid ounces in size.

(6). No person shall possess on the streets, sidewalks, rights-of-way, parking lots, or outdoor public areas located within the entertainment district any open alcoholic beverage container which exceeds 16 fluid ounces in size.

SECTION 3. Consumption of Alcoholic Beverages in a Motor Vehicle Prohibited. It shall be unlawful for any person to consume any alcoholic beverages while in the confines of a motor vehicle while the motor vehicle is located upon any public street, parking lot or other place to which the public has or is permitted to have access within an entertainment district.

(1) Exceptions:

(a) A passenger in a motor vehicle in which the driver is operating the vehicle pursuant to a contract to provide transportation for passengers and such driver holds a valid license for the operation of a vehicle for hire;

(b) A passenger of a bus in which the driver holds a valid operator's license; and,

(c) A passenger in a self-contained motor home which is in excess of 21 feet in length.

SECTION 4. Alcoholic Beverages Purchased Outside the Entertainment District Not Allowed in Open Containers in District. Except for special events as permitted by the Alabama Alcoholic Beverage Control Board and in compliance with all laws, rules, and regulations, no alcoholic beverages purchased outside of the entertainment district shall be allowed in open containers in the entertainment district.

SECTION 5: Drinking in Public; Section 10-8 of the City Code Amended. Section 10-8 of the Code of Calera, Alabama, is hereby amended so that it now reads in its entirety as follows: "Section 10-8. Drinking alcoholic beverages in public. Except as may be allowed in entertainment districts officially created and designated pursuant to the authority of Act No. 2023-72 of the Alabama Legislature, as it now exists or may hereafter be amended, it shall be unlawful for any person to drink any malt, vinous, spirituous, or other intoxicating liquors (A) within the confines or parking areas of any stadium, basketball court, baseball field, tennis court, public school, city park or any other place in the city in which athletic events take place, or in any of the public streets, alleys or parks or in any other public place in the city or its police jurisdiction not duly licensed for the sale of one (1) or more of such beverages or duly licensed to prepare and serve food; or (B) in any other public place, except in places where alcoholic beverages are sold at retail for consumption on the premises pursuant to a license issued by the Alabama Alcoholic Beverage Control Board."

SECTION 6. Effective Date, Sunset, and Extension. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law; provided, further,

that the requirement that all paper or plastic cups bear the logo of the designated licensee or the "Downtown Entertainment District" logo. This Ordinance will require a yearly review each August.

SECTION 7. **Additions.** The Mayor, in his or her right, shall have the privilege of designating special events (e.g. holidays and civic gatherings) and shall have the authority to order city streets and/or rights-of-way to be closed for such special events. In addition, the Mayor shall have the authority to designate certain or all closed areas of city streets and/or rights-of-way as areas in which it is permissible to carry open containers in compliance with this Ordinance during the scheduled hours of the special event.

Council Member Watts moved that Ordinance No. 2025-17 be adopted with a yearly review. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Cost, Graham, Montgomery, Watts

NAYS: Byers, Morgan, Turner,

Mayor Graham declared Ordinance No. 2023-17 adopted.

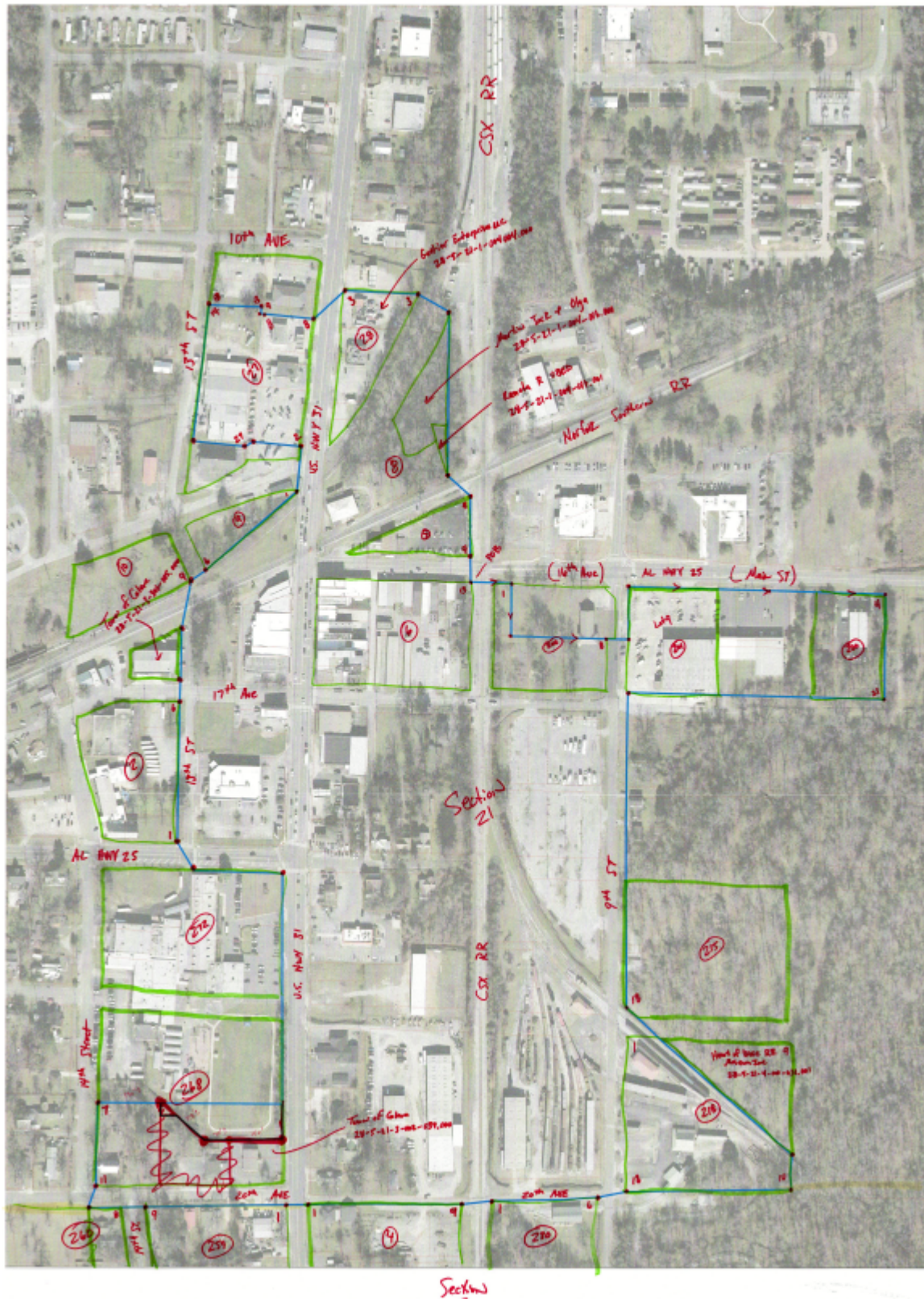
Adopted this 21st day of August 2023.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Council Members Byers, Turner, and Morgan are in support of the Downtown Entertainment District but not in support of the yearly review.

Exhibit 1



Legal Description

- (a) *Division of city.* The City of Calera, Alabama, is hereby dividing a portion of the downtown area into an entertainment district.
- (b) *District Described.* The district within the City of Calera, which is enclosed by the following described lines which, if described as being street, roadway, railroad, or alley, shall be the right-of-way of such street, roadway, railroad or alley, unless specifically noted otherwise.
- (1) *Entertainment District.* Begin at the Northeast corner of Lot 13, Block 6 of the J.H. Dunstan Map of Calera as recorded in the Office of the Judge of Probate, Shelby County Alabama. Point also being the intersection of south right-of-way of Alabama Hwy 25 and the west right-of-way of CSX Railroad. Point of Beginning being in Section 21, Township 22 South, Range 2 West, Shelby County, Alabama; thence run easterly and along the south right-of-way of said AL Hwy 25 to the northeast corner of Lot 1, Block 202 of said Dunstan map; thence southerly along east boundary of said Lot 1 to the southeast corner of said lot; thence easterly to the northeast corner of Lot 8, Block 202 of said Dunstan map, said point also being on the west right-of-way of 9th Street; thence continue easterly to a point being approximately 150 feet south of the northwest corner of Lot 9, Block 201 of said Dunstan map, said point being on the east right-of-way of said 9th Street; thence northerly the approximate distance of 150 feet to the said Northwest corner of Lot 9, said point also being on the south right-of-way of AL Hwy 25; thence easterly along the south right-of-way of said Hwy 25 to the northeast corner of Lot 4, Block 200 of said Dunstan Map; thence southerly along the east line of said Block 200 to the southeast corner of Lot 21, Block 200 of said Dunstan map, said point also being the right-of-way of 17th Avenue; thence west along the north right-of-way of said 17th Avenue to the southwest corner of Lot 9, Block 201 of said Dunstan map, said point also being the intersection of the north right-of-way of 17th Avenue and the east right-of-way of 9th Street; thence southerly along the east right-of-way of said 9th Street to the Southwestern corner of Lot 18, Block 215 of said Dunstan map, said point also being on the eastern right-of-way of CSX railroad; thence southeasterly along the CSX railroad right-of-way to a point on the east boundary line of Lot 10, Block 218 of said Dunstan map; thence southerly along said eastern boundary line to the southeast corner of said Lot 10; thence continue southerly to the centerline of a vacated portion of 20th Avenue; thence westerly along said centerline to the east right-of-way of aforementioned 9th Street; thence southwesterly to the northeast corner of Lot 6, Block 230 of said Dunstan map, said point also being on the south right-of-way of 20th Avenue; thence westerly along the south right-of-way of said 20th Avenue to the northeast corner of Lot 8, Block 260 of said Dunstan map; thence continue westerly along said right-of-way a distance of 100 feet to point on said right-of-way; thence northeasterly to the southwest corner of Lot 11, Block 268 of said Dunstan map, said point also being the intersection of the north right-of-way of 20th Avenue and the east right-of-way of 14th Street; thence northerly along said east right-of-way of 14th Street to the northwest corner of Lot 7, Block 268 of said

Dunstan map, said point also being the northwest corner of parcel 28-5-21-3-002-037.000; thence easterly along the north boundary of said parcel a approximate distance of 190 feet to a fence line of the Calera Intermediate school; thence southeasterly along said fence a approximate distance of 158 feet to a corner in the fence line; thence easterly along said fence a approximate distance of 70 feet to the northwest corner of parcel 28-5-21-3-002-039.000; thence continue easterly along the north boundary of said parcel to the west boundary line of Block 268 of said Dunstan map and the west right-of-way of U S Hwy 31; thence northerly along the west right-of-way of said Hwy 31 to the northeast corner of Block 272 of said Dunstan map and the intersection of the south right-of-way of AL Hwy 25; thence westerly along the south right-of-way of said Hwy 25 to the northwest corner of parcel 28-5-21-3-002-002.000; thence northwesterly to the southeast corner of Lot 1, Block 2 of said Dunstan map, said point also being on the west right-of-way of 13th Street; thence northerly along the west right-of-way of said 13th Street to the southern right-of-way of Norfolk Southern Railroad, said point also being the northeast corner of parcel 28-5-21-3-301-005.000; thence northeasterly to the southeast corner of Lot 9, Block 10 of said Dunstan map; thence easterly to the southwest corner of Lot 6, Block 9 of said Dunstan map; thence northeasterly to the southeast corner of Lot 1, Block 9 of said map, said point also being on the west right-of-way of U S Hwy 31; thence northerly along said U S Hwy 31 right-of-way to the southeast corner of Lot 2, Block 27 of said Dunstan map; thence westerly to the southwest corner of said Lot 2; thence southwesterly to the southeast corner of Lot 27, of said Block 27; thence westerly to the southwest corner of said Lot 27, said point also being on the east right-of-way of 13th Street; thence northerly along said right-of-way to the northwest corner of Lot 14, Block 27 of said map; thence easterly to the northeast corner of said Lot 14; thence continue easterly a distance of 10 feet to the centerline of a closed 20 foot ally in said Block 27; thence southerly along said centerline approximately 20 foot to a point; thence easterly to the northwest corner of Lot 8 of said Block; thence continue easterly to the northeast corner of said Block, said point also being on the west right-of-way of said U S Hwy 31; thence northeasterly to the northwest corner of Lot 3, Block 28 of said Dunstan map; thence easterly to the northeast corner of said Lot 3; thence southeasterly to the northeast corner of Block 8, of said Dunstan map, said point also being the northern point of parcel 28-5-21-1-004-016.000, said point being on the west right-of-way of CSX Railroad; thence southerly along said CSX right-of-way to the southeast corner of Block 8 of said Dunstan map and the intersection of the north right-of-way of Norfolk Southern Railroad; thence southeasterly to the northeast corner of Lot 4, Block 7 of said map, said point being on the west right-of-way of CSX Railroad; thence southerly along said CSX right-of-way to the southeast corner of Lot 4, Block 7 of said Dunstan map, said point also intersecting the north right-of-way of AL HWY 25; thence southerly to the Point of Beginning.

WHEREAS, THE ABOVE REFERENCED SECTION OF THE CODE OF ORDINANCES OF THE CITY OF CALERA, ALABAMA SHALL BE AMENDED TO READ AS FOLLOWS:

ORDINANCE TO ESTABLISH AN ENTERTAINMENT DISTRICT IN CALERA, ALABAMA, AND TO AMEND SECTION 10-8 OF THE CODE OF CALERA

WHEREAS, the State of Alabama has passed into law Act No. 2023-72, hereinafter referred to as "the Act," to create and establish entertainment district designations for retail alcoholic beverage licenses in the City of Calera, Alabama; and

WHEREAS, the Act allows the City Council to establish not more than two entertainment districts within the corporate limits of the City of Calera, each of which must have one or more retail Alcoholic Beverage Control Board licensees in an area that does not exceed one-half mile by one-half mile; and

WHEREAS, the Council has considered the merits of establishing such districts and believes that they will benefit the downtown area and believes that entertainment districts may benefit the City by enhancing pedestrian-oriented areas for outdoor special events that can include, but are not limited to, parades, concerts, car shows, and fundraising events for local nonprofit organizations, holiday events, and beer and wine tasting events; and

WHEREAS, the Council finds that other cities, both within and without the State of Alabama, have had success with such districts, and believes that it is in the best interest of the City to provide for the creation of such districts as provided in this ordinance; and

WHEREAS, nothing herein is intended to confer any rights or entitlement, as selling alcohol within an area designated as an entertainment district is a privilege, not a right, and is subject at all times to reasonable regulation with the Council reserving the right to modify or repeal this Ordinance, and any district designation created hereunder, at any time; and

WHEREAS, because the downtown area consists of properties devoted to business, commercial, entertainment, and residential uses, the Council finds that it is prudent to proceed deliberately and cautiously in order to determine what impact, if any, the creation and operation of these districts will have on residential and business properties; for this reason, the Council will include a sunset provision in this Ordinance in order to allow a reassessment of the merits, costs, and benefits of these entertainment districts and their impact on surrounding business and residential properties; and

WHEREAS, subject to the terms and limitations of the Act and this Ordinance, the City of Calera wishes to establish one entertainment district in the downtown area hereinafter referred to as the Downtown Entertainment District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CALERA, ALABAMA, as follows:

SECTION 1. **Creation and Establishment of District.** Under the authority granted in Act No. 2023-72, the City Council does hereby create and establish one entertainment district in downtown Calera known as the Downtown Entertainment District with the areas and boundaries as set forth and designated on the Map which is attached hereto as Exhibit 1 and incorporated by reference as if fully set out herein.

SECTION 2. **Outside Consumption of Alcoholic Beverages Permitted; Conditions.** Any on-premises retail alcohol beverage licensee who receives an entertainment district designation from the Alabama Alcoholic Beverage Control Board shall comply with all laws, rules, and regulations which govern its license type, except that a patron, guest or member of that licensee may exit the licensed premises between the hours of 12:00 p.m. and 12:00 a.m. with no more than one open container of alcoholic beverage and consume said alcoholic beverage anywhere within the confines of the entertainment district in which the alcoholic beverage was obtained, subject to the following regulations:

(1). A person may not enter another licensed premises with an open container or closed container of alcoholic beverage acquired elsewhere;

(2). A licensee who receives an entertainment district designation shall allow alcoholic beverages to be removed from the licensed premises only in a paper or plastic cup that bears the commercially printed name and/or logo of the designated licensee, or in a paper or plastic cup bearing the "Downtown Entertainment District" logo obtained from the Calera Main Street (or other qualified entity), and no such alcoholic beverages shall be removed from the licensed premises in a can, bottle, or glass container; except, that glass containers shall be allowed in a licensee's outdoor sit-down dining areas that are situated on a sidewalk or other right-of-way where the licensee has a right-of-way use agreement with the City of Calera;

(3). No licensee shall allow a patron, guest or member to exit its licensed premises with more than one open container of alcoholic beverage, and it shall be unlawful for any person to exit such licensed premises with more than one such open container.

(4). It shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, or glass container on the streets, sidewalks, rights-of-way, and parking lots located within an entertainment district, or to possess any open can, bottle, or glass container of alcoholic beverage on the streets, sidewalks, rights-of-way, and parking lots located within an entertainment district; except, that glass containers shall be allowed in a licensee's outdoor sit down dining areas that are situated on a sidewalk or other right of-way where the licensee has a right-of-way use agreement with the City of Calera.

(5). No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed 16 fluid ounces in size.

(6). No person shall possess on the streets, sidewalks, rights-of-way, parking lots, or outdoor public areas located within the entertainment district any open alcoholic beverage container which exceeds 16 fluid ounces in size.

SECTION 3. Consumption of Alcoholic Beverages in a Motor Vehicle Prohibited. It shall be unlawful for any person to consume any alcoholic beverages while in the confines of a motor vehicle while the motor vehicle is located upon any public street, parking lot or other place to which the public has or is permitted to have access within an entertainment district.

(1) Exceptions:

(a) A passenger in a motor vehicle in which the driver is operating the vehicle pursuant to a contract to provide transportation for passengers and such driver holds a valid license for the operation of a vehicle for hire;

(b) A passenger of a bus in which the driver holds a valid operator's license; and,

(c) A passenger in a self-contained motor home which is in excess of 21 feet in length.

SECTION 4. Alcoholic Beverages Purchased Outside the Entertainment District Not Allowed in Open Containers in District. Except for special events as permitted by the Alabama Alcoholic Beverage Control Board and in compliance with all laws, rules, and regulations, no alcoholic beverages purchased outside of the entertainment district shall be allowed in open containers in the entertainment district.

SECTION 5: Drinking in Public; Section 10-8 of the City Code Amended. Section 10-8 of the Code of Calera, Alabama, is hereby amended so that it now reads in its entirety as follows: "Section 10-8. Drinking alcoholic beverages in public. Except as may be allowed in entertainment districts officially created and designated pursuant to the authority of Act No. 2023-72 of the Alabama Legislature, as it now exists or may hereafter be amended, it shall be unlawful for any person to drink any malt, vinous, spirituous, or other intoxicating liquors (A) within the confines or parking areas of any stadium, basketball court, baseball field, tennis court, public school, city park or any other place in the city in which athletic events take place, or in any of the public streets, alleys or parks or in any other public place in the city or its police jurisdiction not duly licensed for the sale of one (1) or more of such beverages or duly licensed to prepare and serve food; or (B) in any other public place, except in places where alcoholic beverages are sold at retail for consumption on the premises pursuant to a license issued by the Alabama Alcoholic Beverage Control Board."

SECTION 6. Effective Date, Sunset, and Extension. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law; provided, further, that the requirement that all paper or plastic cups bear the logo of the designated licensee or the "Downtown Entertainment District" logo. This Ordinance will require a yearly review each August.

SECTION 7. Additions. The Mayor, in his or her right, shall have the privilege of designating special events (e.g. holidays and civic gatherings) and shall have the authority to

order city streets and/or rights-of-way to be closed for such special events. In addition, the Mayor shall have the authority to designate certain or all closed areas of city streets and/or rights-of-way as areas in which it is permissible to carry open containers in compliance with this Ordinance during the scheduled hours of the special event.

Council Member Cost moved that unanimous consent of the Council be given for immediate action upon said Ordinance. Council Member Montgomery seconded said motion and upon vote the results were:

AYES: Montgomery, Morgan, Graham, Cost, Byers, Turner

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member Cost moved that Ordinance No. 2025-02 be adopted, which motion was seconded by Council Member Turner and upon vote the results were as follows:

AYES: Montgomery, Morgan, Graham, Cost, Byers, Turner

NAYS: None

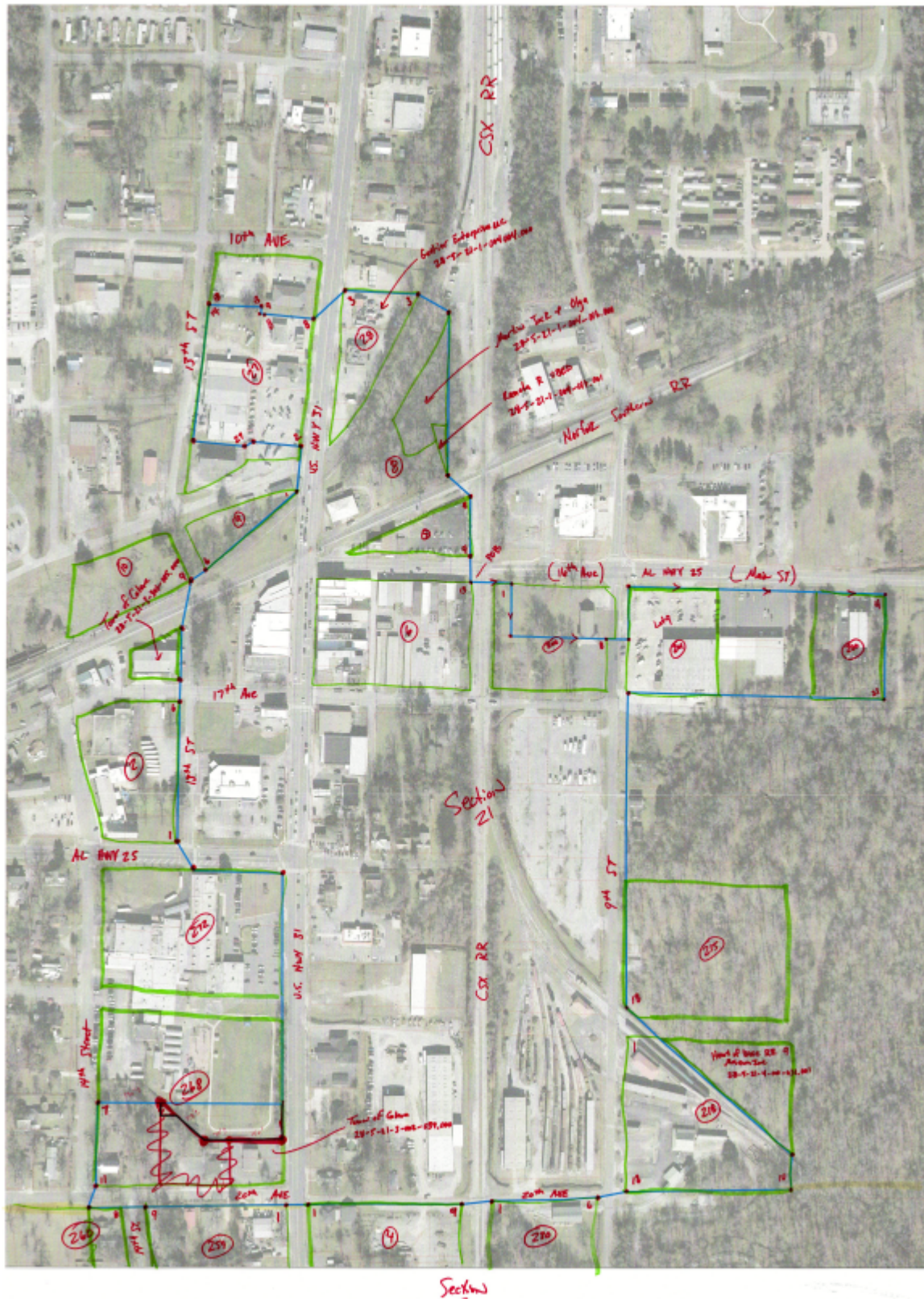
Mayor Graham declared Ordinance No. 2023-17 adopted.

Adopted this 5th day of May 2025.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Exhibit 1



Legal Description

- (c) *Division of city.* The City of Calera, Alabama, is hereby dividing a portion of the downtown area into an entertainment district.
- (d) *District Described.* The district within the City of Calera, which is enclosed by the following described lines which, if described as being street, roadway, railroad, or alley, shall be the right-of-way of such street, roadway, railroad or alley, unless specifically noted otherwise.
- (1) *Entertainment District.* Begin at the Northeast corner of Lot 13, Block 6 of the J.H. Dunstan Map of Calera as recorded in the Office of the Judge of Probate, Shelby County Alabama. Point also being the intersection of south right-of-way of Alabama Hwy 25 and the west right-of-way of CSX Railroad. Point of Beginning being in Section 21, Township 22 South, Range 2 West, Shelby County, Alabama; thence run easterly and along the south right-of-way of said AL Hwy 25 to the northeast corner of Lot 1, Block 202 of said Dunstan map; thence southerly along east boundary of said Lot 1 to the southeast corner of said lot; thence easterly to the northeast corner of Lot 8, Block 202 of said Dunstan map, said point also being on the west right-of-way of 9th Street; thence continue easterly to a point being approximately 150 feet south of the northwest corner of Lot 9, Block 201 of said Dunstan map, said point being on the east right-of-way of said 9th Street; thence northerly the approximate distance of 150 feet to the said Northwest corner of Lot 9, said point also being on the south right-of-way of AL Hwy 25; thence easterly along the south right-of-way of said Hwy 25 to the northeast corner of Lot 4, Block 200 of said Dunstan Map; thence southerly along the east line of said Block 200 to the southeast corner of Lot 21, Block 200 of said Dunstan map, said point also being the right-of-way of 17th Avenue; thence west along the north right-of-way of said 17th Avenue to the southwest corner of Lot 9, Block 201 of said Dunstan map, said point also being the intersection of the north right-of-way of 17th Avenue and the east right-of-way of 9th Street; thence southerly along the east right-of-way of said 9th Street to the Southwestern corner of Lot 18, Block 215 of said Dunstan map, said point also being on the eastern right-of-way of CSX railroad; thence southeasterly along the CSX railroad right-of-way to a point on the east boundary line of Lot 10, Block 218 of said Dunstan map; thence southerly along said eastern boundary line to the southeast corner of said Lot 10; thence continue southerly to the centerline of a vacated portion of 20th Avenue; thence westerly along said centerline to the east right-of-way of aforementioned 9th Street; thence southwesterly to the northeast corner of Lot 6, Block 230 of said Dunstan map, said point also being on the south right-of-way of 20th Avenue; thence westerly along the south right-of-way of said 20th Avenue to the northeast corner of Lot 8, Block 260 of said Dunstan map; thence continue westerly along said right-of-way a distance of 100 feet to point on said right-of-way; thence northeasterly to the southwest corner of Lot 11, Block 268 of said Dunstan map, said point also being the intersection of the north right-of-way of 20th Avenue and the east right-of-way of 14th Street; thence northerly along said east right-of-way of 14th Street to the northwest corner of Lot 7, Block 268 of said

Dunstan map, said point also being the northwest corner of parcel 28-5-21-3-002-037.000; thence easterly along the north boundary of said parcel a approximate distance of 190 feet to a fence line of the Calera Intermediate school; thence southeasterly along said fence a approximate distance of 158 feet to a corner in the fence line; thence easterly along said fence a approximate distance of 70 feet to the northwest corner of parcel 28-5-21-3-002-039.000; thence continue easterly along the north boundary of said parcel to the west boundary line of Block 268 of said Dunstan map and the west right-of-way of U S Hwy 31; thence northerly along the west right-of-way of said Hwy 31 to the northeast corner of Block 272 of said Dunstan map and the intersection of the south right-of-way of AL Hwy 25; thence westerly along the south right-of-way of said Hwy 25 to the northwest corner of parcel 28-5-21-3-002-002.000; thence northwesterly to the southeast corner of Lot 1, Block 2 of said Dunstan map, said point also being on the west right-of-way of 13th Street; thence northerly along the west right-of-way of said 13th Street to the southern right-of-way of Norfolk Southern Railroad, said point also being the northeast corner of parcel 28-5-21-3-301-005.000; thence northeasterly to the southeast corner of Lot 9, Block 10 of said Dunstan map; thence easterly to the southwest corner of Lot 6, Block 9 of said Dunstan map; thence northeasterly to the southeast corner of Lot 1, Block 9 of said map, said point also being on the west right-of-way of U S Hwy 31; thence northerly along said U S Hwy 31 right-of-way to the southeast corner of Lot 2, Block 27 of said Dunstan map; thence westerly to the southwest corner of said Lot 2; thence southwesterly to the southeast corner of Lot 27, of said Block 27; thence westerly to the southwest corner of said Lot 27, said point also being on the east right-of-way of 13th Street; thence northerly along said right-of-way to the northwest corner of Lot 14, Block 27 of said map; thence easterly to the northeast corner of said Lot 14; thence continue easterly a distance of 10 feet to the centerline of a closed 20 foot ally in said Block 27; thence southerly along said centerline approximately 20 foot to a point; thence easterly to the northwest corner of Lot 8 of said Block; thence continue easterly to the northeast corner of said Block, said point also being on the west right-of-way of said U S Hwy 31; thence northeasterly to the northwest corner of Lot 3, Block 28 of said Dunstan map; thence easterly to the northeast corner of said Lot 3; thence southeasterly to the northeast corner of Block 8, of said Dunstan map, said point also being the northern point of parcel 28-5-21-1-004-016.000, said point being on the west right-of-way of CSX Railroad; thence southerly along said CSX right-of-way to the southeast corner of Block 8 of said Dunstan map and the intersection of the north right-of-way of Norfolk Southern Railroad; thence southeasterly to the northeast corner of Lot 4, Block 7 of said map, said point being on the west right-of-way of CSX Railroad; thence southerly along said CSX right-of-way to the southeast corner of Lot 4, Block 7 of said Dunstan map, said point also intersecting the north right-of-way of AL HWY 25; thence southerly to the Point of Beginning.



City of CALERA, ALABAMA

PROCLAMATION

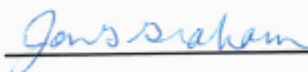
- Whereas, The Office of the Municipal Clerk, a time-honored and vital part of local government, exists throughout the world; and
- Whereas, the Municipal Clerk is the oldest among public servants; and
- Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and
- Whereas, Municipal Clerks have pledged to be mindful of their neutrality and impartiality, rendering equal service to all; and
- Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in educational programs, seminars, workshops, and the annual meetings of their state, province, county and international professional organizations; and
- Whereas, this May, Municipal Clerks Week will be celebrating its 56th anniversary; and
- Whereas, it is most appropriate that we recognize the accomplishments of Municipal Clerks.

Now, Therefore, I, Jon G. Graham, by virtue of the authority vested in me as Mayor of the City of Calera in the State of Alabama, do hereby proclaim May 4 -May 10, 2025, as

PROFESSIONAL MUNICIPAL CLERKS WEEK

To show our appreciation for City of Calera City Clerk Connie B. Payton and the vital services that she and other clerks perform and for their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Calera to be affixed this the 5th day of May 2025.



Jon G. Graham, Mayor

