



Minutes of the City of Calera Council Meeting June 6, 2022

The Council of the City of Calera met in the Council Chambers of the City Hall at 7901 Highway 31 on Monday, May 16, 2022, at 6:30 p.m., in a regular meeting. Mayor Pro Tem Montgomery residing.

Mayor and Council Members Present:

Philip Busby, Council Member
Kenny Dale Cost, Council Member
Ernest Montgomery, Council Member
Calvin Morgan, Council Member
Kay Snowden Turner, Council Member

Absent:

Jon G. Graham, Mayor
Alan Watts, Council Member

City Attorney:

Bill Justice

Guests:

Sean Kendrick, James Fuller, David Hyche, Bill Hilyer, Alison Powers, Reggie Darden, Chris Pappas, Jackie Batson, Dennis Torrealba, Markus Snowden, Bill and Ann Davis, Dawn Gragg, Seth Gandy, Kelly Ellison, Mrs. Baxley, Justin Thomas, Marvin Gentry, Timothy P. Donahue, Sr., Tip Edwards, Wayne Nunnally, Nate Nunnally, Mark Wheeler

Mayor Pro Tem Montgomery called the meeting to order at 6:30 p.m.

Word of Prayer and Pledge of Allegiance:

Calvin Morgan opened the meeting with prayer and the Pledge of Allegiance.

Approval of Minutes:

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

Regular Meeting – May 16, 2022
Work Session – May 16, 2022

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

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

Motion Passed

Old Business:

No old Business

New Business:

Resolution No. 2022-18 ACT 2022-229 Retiree One Time Lump Sum Payment

Council Member Morgan moved that Resolution No. R-2022-18 is adopted. Council Member Turner seconded said motion and upon vote, the results were as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

Motion Passed – Adopted this 6th day of June 2022

Ordinance No. 2022-16 Public Hearing – Three Cent Proposed Increase in the City’s Lodging Tax Rate

Recognition of the Calera High School Softball Team

Municipal Board Appointment - The Calera Downtown Redevelopment Authority

Approval Request to appoint the following members to The Calera Downtown Redevelopment Authority Board: Clara Faye Baxley, Jackie Lynn Batson, Karl Kemp, and Two Alternates: Ricky Walton, Taylor G. Neal

Council Member Cost moved to approve the appointments as requested to The Calera Downtown Redevelopment Authority. Council Member Turner seconded said motion and upon vote, the results were as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

Motion Passed – Adopted this 6th day of June 2022

Ordinance No. 2022-14 – Myrtice E. Welch –Rezoning Request from MR to M1 – Public Hearing

Council Member Busby moved unanimous consent of the Council is given for immediate action upon said Ordinance. Council Member Morgan second said motion and upon vote the results was as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

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

Council Member Busby moved Ordinance No. 2022-14 be adopted. Council Member Morgan seconded said motion and upon vote the results was as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

Motion Passed – Adopted this 6th day of June 2022

Ordinance No. 2022-15 – Camille Patterson Elliott, John Cecil Patterson Testamentary Trust –Rezoning Request from MR to M1 – Public Hearing

Council Member Cost moved unanimous consent of the Council is given for immediate action upon said Ordinance. Council Member Busby second said motion and upon vote the results was as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

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

Council Member Cost moved Ordinance No. 2022-15 be adopted. Council Member Turner seconded said motion and upon vote the results was as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

Motion Passed – Adopted this 6th day of June 2022

Guests:

Jackie Batson
Calera Main Street

Mr. Timothy P. Donahue, Sr. – Appointed by AMIC to represent the City of Calera
MDR Calera, LLC. dba MDR Calera Spirits, vs City of Calera
Executive Session – Legal Advice and Counsel

STATE OF ALABAMA)
CITY OF CALERA)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Calera, with a quorum being present, was conducting a regular Council Meeting on the 6th day of June 2022, the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilmember Cost for the Council to go into Executive Session for the purpose of Legal Advice and Counsel being one of the following purposes authorized by the Act:

- Reputation and Character
- Legal Advice and Counsel
- Security Plans
- State and/or Federal Law
- Law Enforcement
- Real Estate Transactions
- Trade Secrets
- Public Employee Negotiations
- Quasi-Judicial Deliberations

which motion was seconded by Councilmember Busby; and,

WHEREAS, the City Attorney advised the Council that a declaration was required by the Act for an Executive Session if it was in regard to any of the following purposes:

- Legal Advice and Counsel
- Law Enforcement
- Trade Secrets
- Employee Negotiations

WHEREAS, Mr. Bill Justice appeared before the Council and stated for the record that he is an attorney licensed to practice law in the State of Alabama and had the personal knowledge to provide the requisite declaration that the stated purpose of the Executive Session is

authorized by the Act and informed the Council that an Executive Session was necessary for the following reasons: Legal Advice and Counsel to discuss with the attorney the legal ramifications of and legal options for pending litigation.

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the “yeas” and “nays” being recorded into the minutes as follows:

	<u>Yeas</u>	<u>Nays</u>
1.	Morgan	
2.	Montgomery	
3.	Cost	
4.	Busby	
5.	Turner	
6.		

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed, and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 10 minutes.

Mayor Pro Tem Montgomery included the following individuals in the executive session: Ernest Montgomery, Calvin Morgan, Kenny Dale Cost, Philip Busby, Kay Snowden Turner, Connie Payton, Mr. Timothy P. Donahue, Sr., Mr. Bill Justice

The meeting went into executive session at 7:17 p.m.

Council Member Busby made a motion to go back into the regular scheduled council meeting at 7:35 p.m. Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

Legal Advice and Counsel Recommendation: Rescind the Denial of the 011 – Lounge Retail Liquor – Class II Package for MDR Calera Spirits, DBA MDR Calera LLC made at the April 18, 2022, council meeting and in return vote to approve the issuance of the liquor license. Once approved the City Clerk will notify the ABC Board of the approval. (Application Attached)

Council Member Cost made a motion to approve the 011 – Lounge Retail Liquor – Class II Package for MDR Calera, LLC DBA Calera Spirits. Council Member Morgan seconded said motion an upon vote, the results were as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

Council Member Busby made a motion to adjourn the meeting at 7:38 p.m.

Approved this 20th day of June 2022.

Ernest Montgomery, Mayor Pro Tem

ATTEST:

Connie B. Payton, City Clerk

To view our City Council Meeting please click the link below:

<https://www.youtube.com/watch?v=x7pG-6qTlfU>

Mayor Pro Tem Montgomery introduced the following Resolution:

RESOLUTION NO. R-2022-18
ACT – 2022-229

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

Be it resolved that the City of Calera, through its governing authority, elects to come under the provisions of Section 2 of Act 229 of the Regular Session of the 2022 Legislature.

The City of Calera agrees to provide all funds necessary to the Employees' Retirement System to cover the cost of the one-time lump sum payment as provided for by this Act for those eligible retirees and beneficiaries of deceased retirees of The City of Calera with the aforementioned lump sum payment being paid October 2022.

Council Member Morgan moved that Resolution No. R-2022-18 is adopted. Council Member Turner seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Morgan, Cost, Busby, Turner

NAYS: None

Mayor Pro Tem Montgomery declared Resolution No. R-2022-18 adopted.

Adopted this 6th day of June 2022.

Connie Payton, City Clerk

Ernest Montgomery, Mayor Pro Tem

Certification

I, Connie B. Payton, City Clerk, City of Calera, hereby certify that the foregoing is a true and correct copy of Resolution passed on this 6th day of June 2022.

Connie B. Payton

City Clerk

From 3% to 6%

Mayor Graham introduced the following Ordinance:

ORDINANCE 2022-16

An Ordinance amending Article X of the Ordinance Code of the City of Calera, Alabama, and amending City of Calera Ordinance Adopted on September 19, 1994, pertaining to the levy and collection of Lodgings Taxes:

Be it ordained by the City Council of the City of Calera, Alabama, that Ordinance adopted on September 19, 1994, pertaining to the levy and collection of Lodgings Taxes is hereby amended to read as follows:

ARTICLE X. LODGINGS TAX

Sec. 5-151. Levy of tax in city.

- (a) For the privilege of engaging or continuing within the city in the business activities hereinafter referred to there is hereby levied, in addition to all other taxes of every kind now imposed by law and shall be collected as herein provided a privilege or license tax against the person on account of the business activities and in the amounts to be determined by the application of rates against gross receipts as set out below.
- (b) There is hereby levied and imposed, in addition to all other taxes of every kind now imposed by law, a privilege or license tax upon every person, firm, or corporation engaged in the renting or furnishing rooms, lodgings, or other accommodations to transients for a period of less than 180 days of continuous occupations and applies to all charges for personal property used or furnished in such rooms or lodgings, or accommodations are regularly furnished to transients for a consideration in an amount to be determined by the application of the rate of six percent of the charge for such room, rooms, lodgings, or accommodations.
- (c) The tax shall not apply to marine slips, places or spaces of tent camping, or places or spaces provided for motor homes, travel trailers, self-propelled campers or house cars, truck campers, or similar recreational vehicles commonly known as R.V.s, which are supplied for a period of 90 continuous days or more in any place.

Sec. 5-152. - Levy of tax in police jurisdiction.

- (a) For the privilege of engaging or continuing in the business activities hereinafter referred to within the police jurisdiction of the city outside of its corporate limits there is hereby levied, in addition to all taxes or every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the persons on account of the business activities and in the amounts to be determined by the application of rates against gross receipts as set out below.

- (b) There is hereby levied and imposed, in addition to all other taxes of every kind now imposed by law, a privilege or license tax upon every person, firm, or corporation engaging in the business of renting or furnishing any room or rooms, lodgings, or accommodations to transients in any hotel, motel, inn, tourist camp, tourist cabin or any other place in which rooms, lodging, or accommodations are regularly furnished to transients for a consideration in an amount to be determined by the application of the rate of three percent of the charge for such room, rooms, lodgings, or accommodations, including the charge for use or rental of personal property and services furnished in such room. The tax shall not apply to rooms, lodgings, or accommodations supplied for a period of 180 continuous days or more in any place.
- (c) The tax shall not apply to marine slips, places or spaces of tent camping, or places or spaces provided for motor homes, travel trailers, self-propelled campers or house cars, truck campers, or similar recreational vehicles commonly known as R.V.s, which are supplied for a period of 90 continuous days or more in any place.

Sec. 5-153. - Provisions of state lodgings tax statutes applicable to this article and taxes herein levied.

This article and the taxes herein levied shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines and punishments, and deductions that are applicable to the taxes levied by the state lodgings tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the state lodgings tax statutes for enforcement and collection of taxes.

Sec. 5-154. - Adding amount of tax to price.

Any person on whom the taxes levied by this article are imposed may add the tax herein levied to the receipts from rental of rooms, lodgings, or accommodations and may collect same from the occupants of such rooms, but this section is not mandatory.

Sec. 5-155. - Article cumulative to general license code or ordinance.

This article shall not be construed to repeal any of the provisions of the general license code or ordinance of the city but shall be held to be cumulative, and the amounts of the taxes herein levied shall be in addition to the amounts of all other license taxes imposed by the city by its general license code or ordinance.

Sec. 5-156. – Severability

Each and every provision of this Ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid shall not affect any

other provision hereof, and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might have been held invalid.

Sec. 5-157 – Effective date

This Ordinance shall become effective on the first day of September 2022, and the first payment of taxes hereunder shall be due and payable on the twentieth day of October 2022. The Ordinance shall remain in full force and effect apply to each month of the year 2022 beginning with the month of September 2022 and to each month of each calendar year thereafter from year to year.

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

AYES: Montgomery, Watts, Morgan, Graham, Cost, Busby, Turner

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member _____ moved that Ordinance No. 2022-16 be adopted. Council Member _____ seconded said motion and upon vote the results were as follows:

AYES: Montgomery, Watts, Morgan, Graham, Cost, Busby, Turner

NAYS: None

Adopted this 20th day of June 2022.

Mayor Graham declared Ordinance No. 2022-16 adopted.

Jon G. Graham, Mayor

Attest:

Connie B. Payton, City Clerk

From 3% to 7%

Mayor Graham introduced the following Ordinance:

ORDINANCE 2022-16

An Ordinance amending Article X of the Ordinance Code of the City of Calera, Alabama, and amending City of Calera Ordinance Adopted on September 19, 1994, pertaining to the levy and collection of Lodgings Taxes:

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ARTICLE X. LODGINGS TAX

Sec. 5-151. Levy of tax in city.

- (a) For the privilege of engaging or continuing within the city in the business activities hereinafter referred to there is hereby levied, in addition to all other taxes of every kind now imposed by law and shall be collected as herein provided a privilege or license tax against the person on account of the business activities and in the amounts to be determined by the application of rates against gross receipts as set out below.
- (b) There is hereby levied and imposed, in addition to all other taxes of every kind now imposed by law, a privilege or license tax upon every person, firm, or corporation engaged in the renting or furnishing rooms, lodgings, or other accommodations to transients for a period of less than 180 days of continuous occupations and applies to all charges for personal property used or furnished in such rooms or lodgings, or accommodations are regularly furnished to transients for a consideration in an amount to be determined by the application of the rate of seven percent of the charge for such room, rooms, lodgings, or accommodations.
- (c) The tax shall not apply to marine slips, places or spaces of tent camping, or places or spaces provided for motor homes, travel trailers, self-propelled campers or house cars, truck campers, or similar recreational vehicles commonly known as R.V.s, which are supplied for a period of 90 continuous days or more in any place.

Sec. 5-152. - Levy of tax in police jurisdiction.

- (b) For the privilege of engaging or continuing in the business activities hereinafter referred to within the police jurisdiction of the city outside of its corporate limits there is hereby levied, in addition to all taxes or every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the persons on account of the business activities and in the amounts to be determined by the application of rates against gross receipts as set out below.

- (b) There is hereby levied and imposed, in addition to all other taxes of every kind now imposed by law, a privilege or license tax upon every person, firm, or corporation engaging in the business of renting or furnishing any room or rooms, lodgings, or accommodations to transients in any hotel, motel, inn, tourist camp, tourist cabin or any other place in which rooms, lodging, or accommodations are regularly furnished to transients for a consideration in an amount to be determined by the application of the rate of three and half percent of the charge for such room, rooms, lodgings, or accommodations, including the charge for use or rental of personal property and services furnished in such room. The tax shall not apply to rooms, lodgings, or accommodations supplied for a period of 180 continuous days or more in any place.
- (c) The tax shall not apply to marine slips, places or spaces of tent camping, or places or spaces provided for motor homes, travel trailers, self-propelled campers or house cars, truck campers, or similar recreational vehicles commonly known as R.V.s, which are supplied for a period of 90 continuous days or more in any place.

Sec. 5-153. - Provisions of state lodgings tax statutes applicable to this article and taxes herein levied.

This article and the taxes herein levied shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines and punishments, and deductions that are applicable to the taxes levied by the state lodgings tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the state lodgings tax statutes for enforcement and collection of taxes.

Sec. 5-154. - Adding amount of tax to price.

Any person on whom the taxes levied by this article are imposed may add the tax herein levied to the receipts from rental of rooms, lodgings, or accommodations and may collect same from the occupants of such rooms, but this section is not mandatory.

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Each and every provision of this Ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid shall not affect any

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

AYES: Montgomery, Watts, Morgan, Graham, Cost, Busby, Turner

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member _____ moved that Ordinance No. 2022-16 be adopted. Council Member _____ seconded said motion and upon vote the results were as follows:

AYES: Montgomery, Watts, Morgan, Graham, Cost, Busby, Turner

NAYS: None

Adopted this 20th day of June 2022.

Mayor Graham declared Ordinance No. 2022-16 adopted.

Jon G. Graham, Mayor

Attest:

Connie B. Payton, City Clerk

Mayor Pro Tem Montgomery introduced the following Ordinance:

ORDINANCE NO. 2022-14

WHEREAS, the Planning Commission of the City of Calera, Alabama conducted a public hearing on **May 3, 2022** and has recommended changes in the City of Calera zoning map, and advises that said zoning is in compliance with the City of Calera Comprehensive Plan, and

WHEREAS, the Council of the City of Calera, Alabama has conducted a public hearing after proper legal and actual notice to landowners to consider changes in the zoning map recommended by the Planning Commission.

IT IS THEREFORE ORDAINED BY THE MAYOR AND
COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

That the zoning request of property described in **Exhibit A** be rezoned as follows:

From: MR (Municipal Reserve)

To: M1 (Light Industrial)

Council Member Busby moved that unanimous consent of the Council be given for immediate action upon Ordinance No. 2022-14. Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

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

Council Member Busby moved that Ordinance No. 2022-14 be adopted. Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

Mayor Pro Tem Montgomery declared Ordinance No. 2022-14 adopted.

Adopted this 6th day of June 2022.

Connie B. Payton, City Clerk

Ernest Montgomery, Mayor Pro Tem

Rezone # 82-2022

APPLICATION FOR REZONING

FW # 19988

PLANNING COMMISSION, CITY OF CALERA, ALABAMA

1. Date Application filed: 04/05/2022 Requested Hearing Date: 05/03/2022
2. Applicant: SP US 31 Birmingham AL, LLC
Phone: (574) 370-9392
Address: 8801 River Crossing Blvd, Suite 300, Indianapolis, Indiana 46240
3. Owner: Myrtice E. Welch
Phone: _____
Address: 814 Tara Drive, Columbiana, AL 35051
4. Property Location: US Highway 31, Shelby County, AL
Tax Map Parcel Number (s): ~~22-8-33-0-000-009-000~~ 22 8 33 0 000 009.000
5. Acreage: 36.99 ac
6. Existing Zoning Classification: Agriculture Existing Land Use: Agriculture
Proposed Zoning Classification: M-1 Light Industrial Proposed Land Use: Distribution Facility
7. Check all required submissions with this application:
- | | |
|-------------------------------------|---|
| ☒ | Application Fee |
| ☒ | Reason for the Request |
| ☒ | Legal Description of the subject Property |
| ☒ | Vicinity Map |
| ☒ | Availability Of Required Utilities |
| ☒ | Public Hearing Notices |
| ☒ | Site Plan |
| ☒ | Proffer of rezoning conditions (if any) |

May 3rd Meeting

Signature of Applicant: Jacob Holdeman Jacob Holdeman - Scannell Properties

Signature of Authorization By Owner: See attached Owner authorization form

FOR CITY USE ONLY:

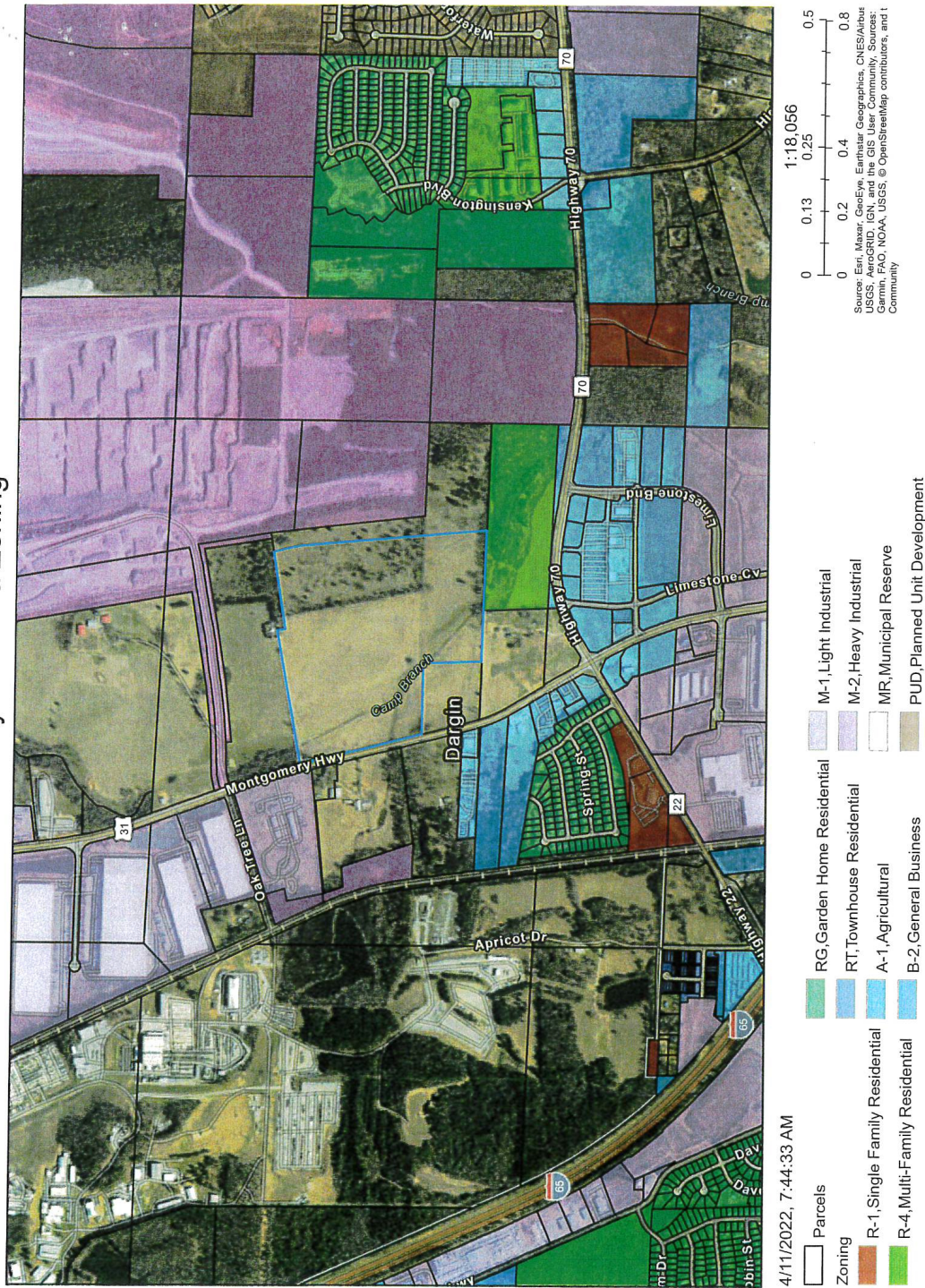
\$150.00 Administrative fee received on 5/7/2022 by receipt # 1406744

Scheduled Hearing Date: May 3rd 2022

Application Submitted by: CCF Planning & Eng on: 4/5/2022



City of Calera Zoning





Date: 05-12-2022

Shelby County, AL Property Record Information

Page: 1

PIN#: 22 8 33 0 000 009.000		Assessment Year: 2021		T21S R02W Sec33	
Owner Name WELCH MYRTICE E			Owner Name		
Address 3320 COTTRELL DR		Address		City, State Zip FLOWER MOUND, TX 75022	
Site Information					
Subdivision Name:		Primary Lot:		Secondary Lot:	
Block: 000		Map Book: 0		Map Page: 0	
Lot Dimension 1: 0		Lot Dimension 2: 0		Acres: 36.83	
Municipality: Unincorporated					
Description					
COM NE COR SE1/4 W953.08 NLY1653.54 SW50.02 TO POB SW930.06 NW58.2 SW1408.09 TO E ROW HWY 31 ALG ROW TO S ROW ACCESS RD ELY448.45 S49 ELY2012.62 S699.36 TO POB					
Remarks					
RB 016 P 599;					
Document Links					
https://probatererecords.shelbyal.com/shelby/search.do?dmy=20160219000052410=&indexName=details&templateName=Details_SN&iq=20160219000052410					
https://probatererecords.shelbyal.com/shelby/search.do?dmy=20100107000006060=&indexName=details&templateName=Details_SN&iq=20100107000006060					



Shelby County Land Information
Date Printed: 05/12/2022 (200' scale)

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Mayor Pro Tem Montgomery introduced the following Ordinance:

ORDINANCE NO. 2022-15

WHEREAS, the Planning Commission of the City of Calera, Alabama conducted a public hearing on **May 3, 2022** and has recommended changes in the City of Calera zoning map, and advises that said zoning is in compliance with the City of Calera Comprehensive Plan, and

WHEREAS, the Council of the City of Calera, Alabama has conducted a public hearing after proper legal and actual notice to landowners to consider changes in the zoning map recommended by the Planning Commission.

IT IS THEREFORE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

That the zoning request of property described in **Exhibit A** be rezoned as follows:

From: MR (Municipal Reserve)

To: M1 (Light Industrial)

Council Member Cost moved that unanimous consent of the Council be given for immediate action upon Ordinance No. 2022-15. Council Member Busby seconded said motion and upon vote, the results were as follows:

AYES: Busby, Cost, Montgomery, Morgan, Turner

NAYS: None

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

Council Member Cost moved that Ordinance No. 2022-15 be adopted. Council Member Turner seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Mayor Pro Tem Montgomery declared Ordinance No. 2022-15 adopted.

Adopted this 6th day of June 2022.

Connie B. Payton, City Clerk

Ernest Montgomery, Mayor Pro Tem

APPLICATION FOR REZONING
PLANNING COMMISSION, CITY OF CALERA, ALABAMA

1. Date Application filed: 04/05/2022 Requested Hearing Date: 05/03/2022
2. Applicant: SP US 31 Birmingham AL, LLC
 Phone: (574) 370-9392
 Address: 8801 River Crossing Blvd, Suite 300, Indianapolis, Indiana 46240
Camille Patterson Elliot, John Cecil Patterson Testamentary Trust,
 3. Owner: (Parcel II) (Parcel I)
 Phone: (205) 893-0570 (205) 893-0570
 Address: 3324 Burning Tree Dr. 3324 Burning Tree Drive
Hoover, AL 35226 Hoover, AL 35226
4. Property Location: US Highway 31, Shelby County, AL
 Tax Map Parcel Number (s): Two (2) Parcels: 22 8 33 0 000 009.000 22 8 33 0 000 009.001
(Parcel II) (Parcel I)
 5. Acreage: 9.98 ac 90.38 ac (TOTAL 100.36 ac)
(Parcel II) (Parcel I)
6. Existing Zoning Classification: Agriculture MR Existing Land Use: Agriculture
 Proposed Zoning Classification: M-1 Light Industrial Proposed Land Use: Distribution Facility
7. Check all required submissions with this application:

<u>X</u>	Application Fee
<u>X</u>	Reason for the Request
<u>X</u>	Legal Description of the subject Property
<u>X</u>	Vicinity Map
<u>X</u>	Availability Of Required Utilities
<u>X</u>	Public Hearing Notices
<u>X</u>	Site Plan
<u>X</u>	Proffer of rezoning conditions (if any)

Signature of Applicant: Jacob Holdeman Jacob Holdeman - Scannell Properties

Signature of Authorization By Owner: See attached Owner authorization forms

FOR CITY USE ONLY:

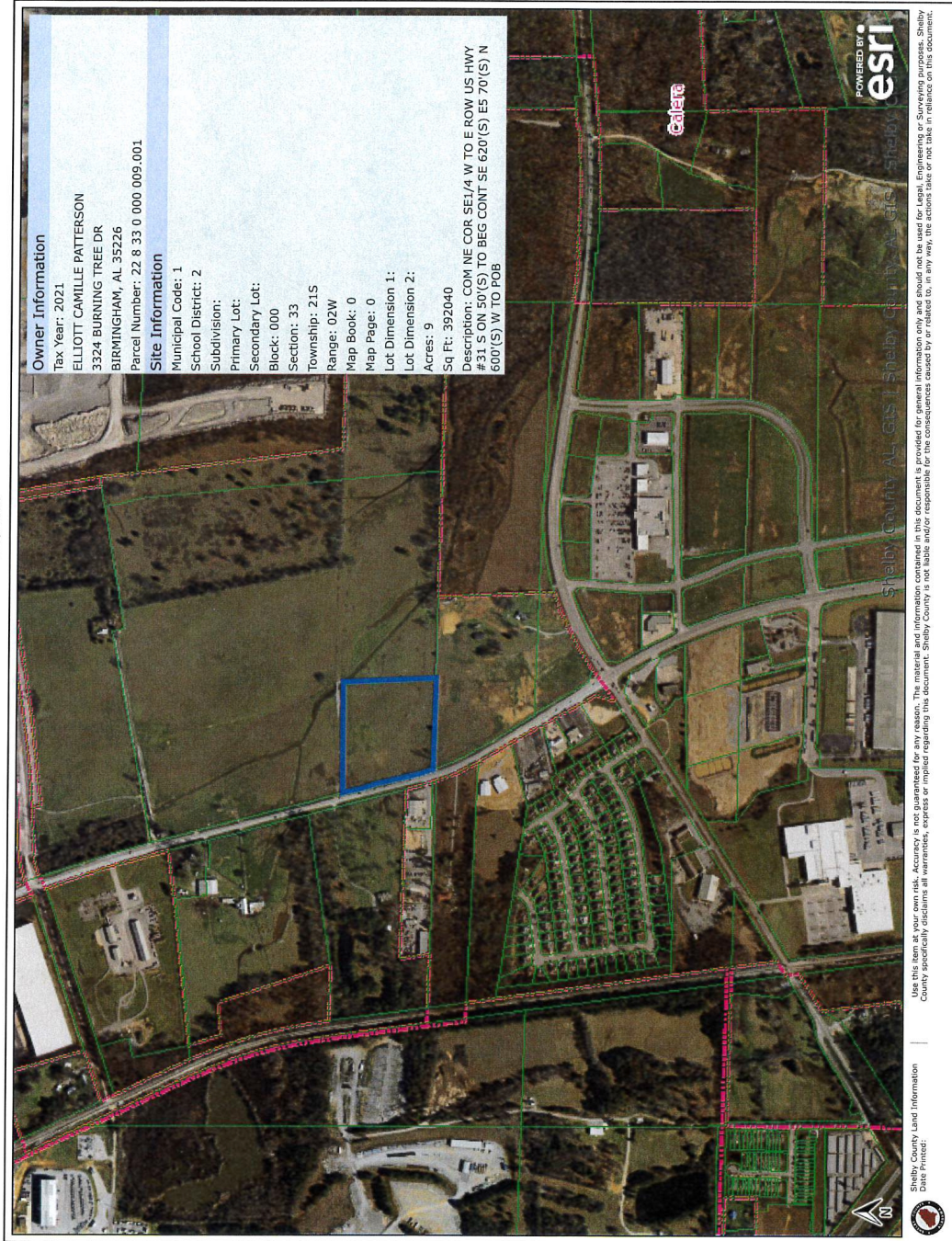
\$150.00 Administrative fee received on 5/7/2022 **by receipt #** 1406744

Scheduled Hearing Date: May 3rd 2022

Application Submitted by: CCI Planning Eng on: 4/5/2022

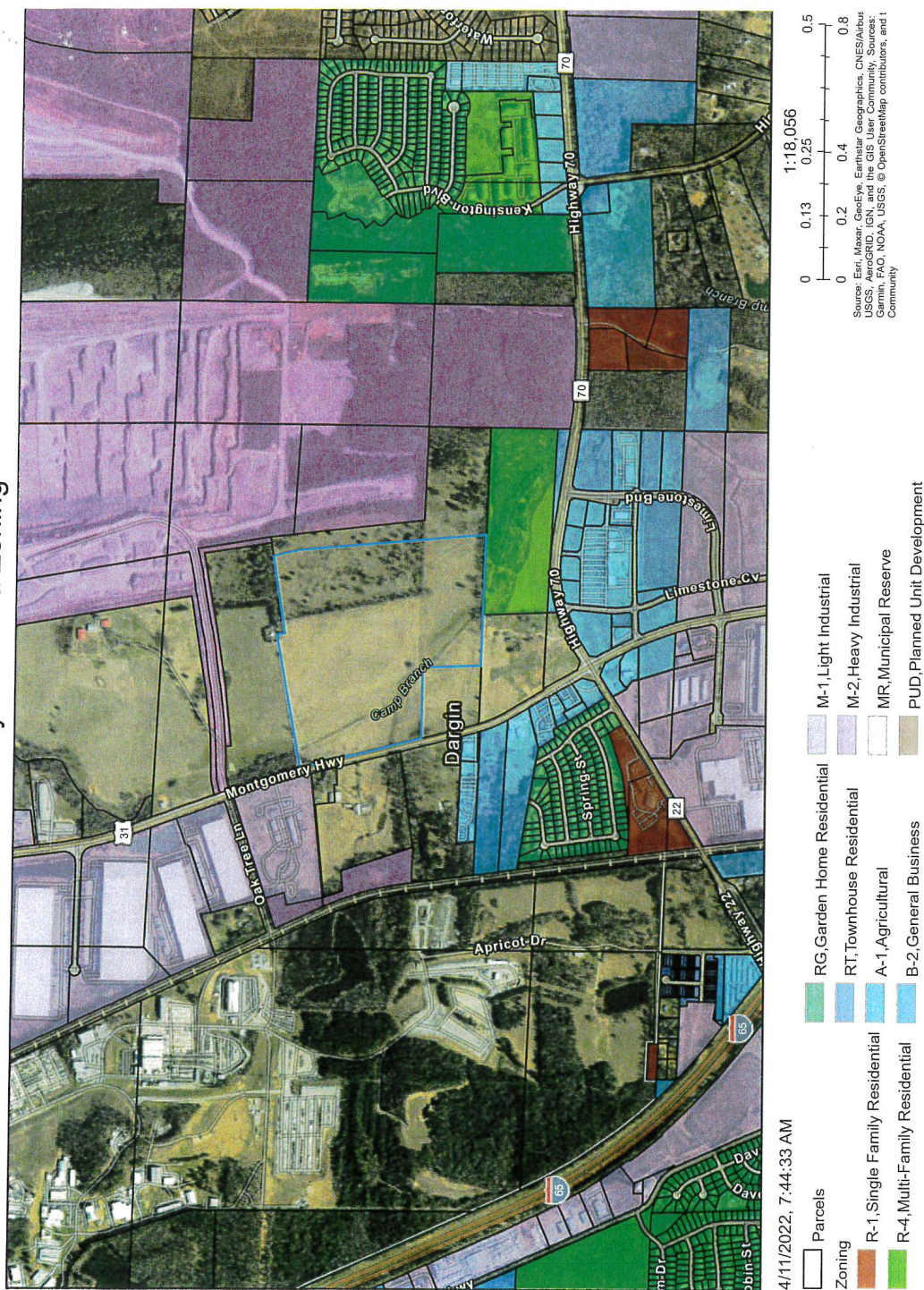
4/7/22, 7:10 AM

Map Print



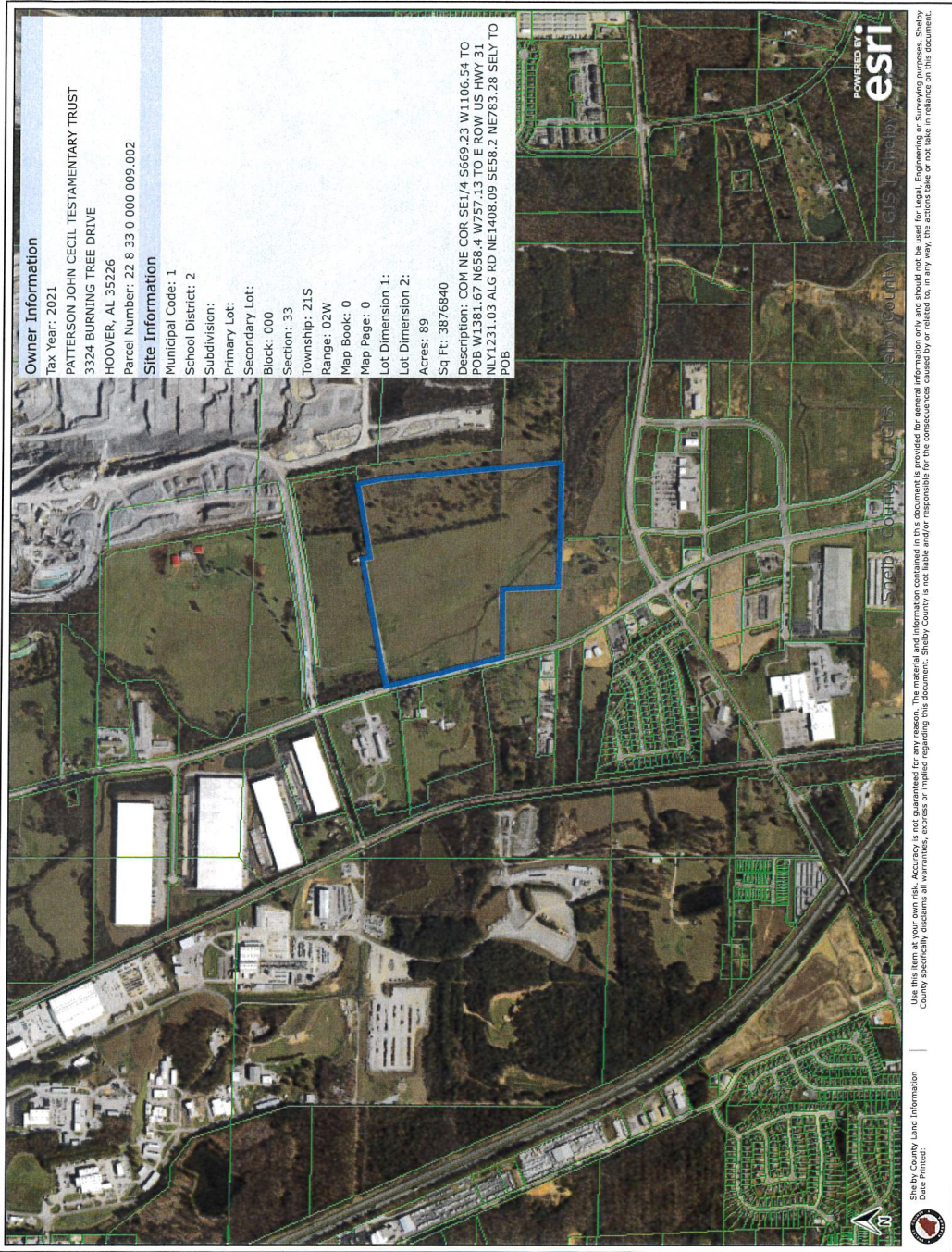
maps.shelbyal.com/himi5/print/?extent=2193836,1143675433,1148017,3683643779,2201836,1143675433,1151754,8683643779&spatialreference=102630&layers=1,0,0,1,0,0,0,1&pin=22 8 33 0 000 0 ... 1/1

City of Calera Zoning



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Map Print





Shelby County Land Information
Date Printed: 05/12/2022 (200' scale)

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Date: 05-12-2022

Shelby County, AL Property Record Information

Page: 1

PIN#: 22 8 33 0 000 009.001		Assessment Year: 2021	T21S R02W Sec33
Owner Name		Owner Name	
ELLIOTT CAMILLE PATTERSON			
Address	Address	City, State Zip	
3324 BURNING TREE DR		BIRMINGHAM, AL 35226	
Site Information			
Subdivision Name:	Primary Lot:	Secondary Lot:	
Block: 000	Map Book: 0	Map Page: 0	
Lot Dimension 1: 0	Lot Dimension 2: 0	Acres: 9	
Municipality: Unincorporated			
Description			
COM NE COR SE 1/4 W TO E ROW US HWY #31 S ON 50'(S) TO BEG CONT SE 620'(S) E 570'(S) N 600'(S) W TO POB			
Remarks			
DB 326 PG 966;			
Document Links			
https://probatererecords.shelbyal.com/shelby/search.do?dmy=20161019000384400=&indexName=details&templateName=Details_SN&lq=20161019000384400			
https://probatererecords.shelbyal.com/shelby/search.do?dmy=19970113000012491=&indexName=details&templateName=Details_SN&lq=19970113000012491			



Shelby County Land Information
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Date: 05-12-2022

Shelby County, AL Property Record Information

Page: 1

PIN#: 22 8 33 0 000 009.002		Assessment Year: 2021	T21S R02W Sec33
Owner Name PATTERSON JOHN CECIL TESTAMENTARY TRUST		Owner Name	
Address 3324 BURNING TREE DRIVE	Address	City, State Zip HOOVER, AL 35226	
Site Information			
Subdivision Name:	Primary Lot:	Secondary Lot:	
Block: 000	Map Book: 0	Map Page: 0	
Lot Dimension 1: 0	Lot Dimension 2: 0	Acres: 59	
Municipality: Unincorporated			
Description COM NE COR SE1/4 S669.23 W1106.54 TO POB W1381.67 N658.4 W757.13 TO E ROW US HWY 31 NLY1231.03 ALG RD NE1408.09 SE58.2 NE783.28 SELY TO POB			
Remarks RB 212 PG 29;			
Document Links https://probate.records.shelbyal.com/shelby/search.do?dmy=20161019000384430=&indexName=details&templateName=Details_SN&fq=20161019000384430			



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220317150554945

Type License: 011 - LOUNGE RETAIL LIQUOR - CLASS II (PACKAGE) **State:** \$300.00 **County:** \$600.00

Type License: **State:** **County:**

Trade Name: MDR CALERA SPIRITS **Filing Fee:** \$50.00

Applicant: MDR CALERA LLC **Transfer Fee:**

Location Address: 5842 SMOKEY RD STE B CALERA, AL 35040

Mailing Address: 1275 LEGACY DR HOOVER, AL 35242

County: SHELBY **Tobacco sales:** YES **Tobacco Vending Machines:** 0

Product Type: 03 **Type Ownership:**

Book, Page, or Document info: 832 506

Do you sell Draft Beer?:

Date Incorporated: 01/29/2021 **State incorporated:** AL **County Incorporated:** SHELBY

Date of Authority: 01/29/2021

Federal Tax ID: 861767016

Alabama State Sales Tax ID: R011298508

Name:	Title:	Date and Place of Birth:	Residence Address:
TEK SINGH RANDHAWA 202603402 - NY	MEMBER	09/09/1985 KOLKATA INDIA	1275 LEGACY DR HOOVER, AL 35042
KASHMIR SINGH MALHI 5908453 - AL	MEMBER	04/25/1969 PUNJAB INDIA	1375 LEGACY DR HOOVER, AL 35242
HARMEET SINGH DHALIWAL 557360679 - NY	MEMBER	03/08/1962 PUNJAB INDIA	5601 HAVENHILL RD BIRMINGHAM, AL 35210

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? **YES**

Does ABC have any actions pending against the current licensee? **NO**

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? **NO**

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? **NO**

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? **YES**

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? **NO**

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? **NO**

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? **NO**

Contact Person: TEK SINGH RANDHAWA

Business Phone: 917-575-8885

Fax:

Home Phone: 917-575-8885

Cell Phone: 917-575-8885

E-mail: TEK.RANDHAWA@GMAIL.COM

PREVIOUS LICENSE INFORMATION:

Trade Name:

Applicant:

Previous License Number(s)

License 1:

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220317150554945

If applicant is leasing the property, is a copy of the lease agreement attached?

Name of Property owner/lessor and phone number: **MDR CALERA LLC 917-575-8885**

What is lessors primary business? **CONVENIENCE STORE OWNER**

Is lessor involved in any way with the alcoholic beverage business? **N/A**

Is there any further interest, or connection with, the licensee's business by the lessor? **N/A**

Does the premise have a fully equipped kitchen? **NO**

Is the business used to habitually and principally provide food to the public? **NO**

Does the establishment have restroom facilities? **YES**

Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **NO**

Will the business be operated primarily as a package store? **YES**

Building Dimensions Square Footage: **1000** Display Square Footage: **300**

Building seating capacity: **0** Does Licensed premises include a patio area? **NO**

License Structure: **SINGLE STRUCTURE** License covers: **ENTIRE STRUCTURE**

Number of licenses in the vicinity: **0** Nearest: **0**

Nearest school: Nearest church: Nearest residence: **0 miles**

Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name: Violation & Date: Arresting Agency: Disposition:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20220317150554945



Initial each

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Signature page

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): KASHMIR MALI

Signature of Applicant: Kashmir Mali

Notary Name (print): Mariesha Brown Morrow

Notary Signature: Mariesha Brown Morrow

Commission expires: 6-15



Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:

Receipt Confirmation Page

Receipt Confirmation Number: **20220317143611871**

Application Payment Confirmation Number: **82367312**

Payment Summary	
Payment Item	Fee
Application Fee for License 050 and License 070	\$100.00
Total Amount to be Charged	\$100.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
050 - RETAIL BEER (OFF PREMISES ONLY)	\$75.00	\$150.00	\$225.00
070 - RETAIL TABLE WINE (OFF PREMISES ONLY)	\$75.00	\$150.00	\$225.00
Total Amount to be Charged	\$150.00	\$300.00	\$450.00

Application Type

Application Type: **APPLICATION**

Applicant Information

License Type 1: **050 - RETAIL BEER (OFF PREMISES ONLY)**

License Type 2: **070 - RETAIL TABLE WINE (OFF PREMISES ONLY)**

License County: **SHELBY**

Business Type:

Trade Name: **MDR CALERA C STORE**

Applicant Name: **MDR CALERA LLC**

Location Address: **5842 SMOKEY RD STE A
CALERA, AL 35040**

Mailing Address: **1275 LEGACY DR
HOOVER, AL 35242**

Contact Person: **TEK SINGH RANDHAWA**

Contact Home Phone: **917-575-8885**

Contact Business Phone: **917-575-8885**

Contact Fax:

Contact Cell Phone: **917-575-8885**

Contact Email Address:

Contact Web Address: