



Minutes of the City of Calera Council Meeting – November 16, 2020

The Council of the City of Calera met in the Council Chambers of the City Hall at 7901 Highway 31 on Monday, November 16, 2020 at 6:30 p.m., in a regular meeting. Mayor Graham presiding.

Mayor and Council Members Present:

Jon G. Graham, Mayor
Philip Busby, Council Member
Kenny Dale Cost, Council Member
Ernest Montgomery, Council Member
Calvin Morgan, Council Member
Kay Snowden Turner, Council Member
Alan Watts, Council Member

Guests:

Kelly Ellison, Dennis Torrealba, David Hyche, Jackie Batson, Sean Kendrick, Bill Hilyer, Stephanie Busby, Chris Pappas, Reggie Darden, Bill Davis, Tip Edwards, Seth Gandy, Greg Gray, Marvin Gentry, Adam Lawson, Bryon Devinner, Calera High School Varsity Basketball Team, Debbie and Richard Byers, Pete Scholl, Chris Nelson, Wayne Nunnally, Tommie Lynn Morrison

Mayor Graham 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 Watts made a motion to approve and dispense with the reading of the following minutes:

Regular Meeting – November 2, 2020

Work Session – November 2, 2020

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

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

NAYS: None

Motion Passed

New Business:

Alcoholic Beverage Control Board Applications presented for Mama Coco Cantina LLC

Trade Name: Mama Coco Cantina LLC

Applicant: Mama Coco Cantina LLC

Location: 8176 Highway 31, Calera, AL 35040

Type License : 020 – Restaurant Retail Liquor

Council Member Turner made a motion to approve the Alcoholic Beverage License Application for Mama Coco Cantina LLC. Council Member Morgan seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Motion Passed

Alcoholic Beverage Control Board Applications presented for Cozy Corner

Trade Name: Cozy Corner

Applicant: MKZ 786 LLC

Location: 10491 Highway 31, Calera, AL 35040

Type License: 011 – Lounge Retail Liquor – Class II (Package)

Council Member Morgan made a motion to approve the Alcoholic Beverage License Application for Cozy Corner. Council Member Cost seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Motion Passed

Municipal Board Appointments

Planning Commission:

Council Member Busby made a motion to appoint Brianne Gilliland and Vivian White to the Planning Commission. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Motion Passed

Brianne Gilliland replacing Juanita Bailey – Term Expires August 2026

Vivian White will serve as an alternate member – Term Expires November 2026

Zoning Board of Adjustments:

Council Member Cost made a motion to appoint Russell Davis to the Zoning Board of Adjustments. Council Member Morgan seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Motion Passed

Russell Davis replacing Shane Schroeder – Term Expires October 2022

Council Member Turner made a motion to appoint Drew Bradshaw and Howard Kaplan as alternate members to the Zoning Board of Adjustments. Council Member Busby seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Motion Passed

Drew Bradshaw will serve as an alternate member – Term Expires November 2023

Howard Kaplan will serve as an alternate member – Term Expires November 2023

Guests:

Pete Scholl addressed the Mayor and Council Members about concerns in the Enclave Subdivision (See attached handout)

Chris Nelson addressed the Mayor and Council Members on behalf of the Block the Brierfield Prison Group. (See attached handout)

Bryon Devinner presented a donation to the Calera High School Basketball Team on behalf of 77 Kids Foundation.

Joseph Viverios was not in attendance. Tips Edwards addressed the Mayor and Council Members on behalf of Joseph Viverios about concerns in the Shiloh Creek Subdivision.

Wayne Nunnally addressed the Mayor and Council Members about the following issues: Firearm Ordinance for Agriculture, Storage of Vehicles, Soil Erosion, Water runoff and Noise Ordinance. (See attached handout)

Council Member Cost made a motion to adjourn the meeting at 8:02 p.m.

Approved this 7th day of December 2020.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20201109154123594



Type License: 020 - RESTAURANT RETAIL LIQUOR State: \$300.00 County: \$600.00
Type License: State: County:
Trade Name: MAMA COCO CANTINA LLC Filing Fee: \$50.00
Applicant: MAMA COCO CANTINA LLC Transfer Fee:
Location Address: 8176 HWY 31 CALERA, AL 35040
Mailing Address: PO BOX 86 CALERA, AL 35040
County: SHELBY Tobacco sales: NO Tobacco Vending Machines:
Product Type: Type Ownership: LLC
Book, Page, or Document info: 20201013000464250
Do you sell Draft Beer?:
Date Incorporated: 10/13/2020 State incorporated: AL County Incorporated: SHELBY
Date of Authority: 10/13/2020
Federal Tax ID: 853369259 Alabama State Sales Tax ID: R010853614

Name:	Title:	Date and Place of Birth:	Residence Address:
JULIO CESAR LAZARO PERALTA 8960233 - AL	OWNER	06/12/1981 MEXICO	1853 ARBORETUM CIR APT C VESTAVIA HILLS, AL 35216

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: JULIO CESAR LAZARO PERALTA Home Phone: 205-613-3386
Business Phone: 205-690-8994 Cell Phone: 205-613-3386
Fax: E-mail: JULIUSLP81@HOTMAIL.COM

PREVIOUS LICENSE INFORMATION: Previous License Number(s)
Trade Name: TEQUILAS MEXICAN GRILL License 1: 011346158
Applicant: OAXACA MEXICAN GRILL LLC License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20201109154123594



If applicant is leasing the property, is a copy of the lease agreement attached? YES
Name of Property owner/lessor and phone number: THOMAS INVESTMENT COMPANY INC 205-668-4546
What is lessors primary business? ATTORNEY
Is lessor involved in any way with the alcoholic beverage business? NO
Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? YES
Is the business used to habitually and principally provide food to the public? YES
Does the establishment have restroom facilities? YES
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO
Building Dimensions Square Footage: 1800 Display Square Footage:
Building seating capacity: 105 Does Licensed premises include a patio area? NO
License Structure: SHOPPING CENTER License covers: PORTION OF
Number of licenses in the vicinity: 0 Nearest: 0
Nearest school: 0 miles Nearest church: 0 miles 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:
JULIO CESAR LAZARO PERALTA	DUI, LIQUOR POSSESS - ILLEGAL POSSESSION, TRESSPASSING IMPROPER LIGHTS 4/4/2009	CULLMAN COUNTY SHERIFFS OFFICE	PAID FINES



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20201109154123594



Initial each

☐ JL

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

☐ JL

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

☒ X

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.

☒ X

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.

☒ X

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

☐ JL

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

☐ JL

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.

☐ JL

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): Julio Cesar Lazaro Peralta

Signature of Applicant: [Signature]

Notary Name (print): Colby Key

Notary Signature: [Signature]

Commission expires: 7/13/21



Application Taken: _____ App. Inv. Completed: _____
Submitted to Local Government: _____
Received in District Office: _____ Reviewed by Supervisor: _____

Forwarded to District Office: _____
Received from Local Government: _____
Forwarded to Central Office: _____

Receipt Confirmation Page

Receipt Confirmation Number: **20201109154123594**
Application Payment Confirmation Number: 69350728

Payment Summary	
Payment Item	Fee
Application Fee for License 020	\$50.00
Total Amount to be Charged	\$50.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
020 - RESTAURANT RETAIL LIQUOR	\$600.00	\$300.00	\$900.00
Total Amount to be Charged	\$600.00	\$300.00	\$900.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR
License Type 2:
License County: SHELBY
Business Type: LLC
Trade Name: **MAMA COCO CANTINA LLC**
Applicant Name: **MAMA COCO CANTINA LLC**
Location Address: 8176 HWY 31
CALERA, AL 35040
Mailing Address: PO BOX 86
CALERA, AL 35040
Contact Person: JULIO CESAR LAZARO PERALTA
Contact Home Phone: 205-613-3386
Contact Business Phone: 205-690-8994
Contact Fax:
Contact Cell Phone: 205-613-3386
Contact Email Address:
Contact Web Address:

APPROVED

By WENDY ABBOTT at 2:27 pm, Sep 18, 2020



TRANSFER EFFECTIVE AFTER 10/1/2020

STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20200917102856407

Type License: 011 - LOUNGE RETAIL LIQUOR - CLASS II (PACKAGE) State: County:

Type License: State: County:

Trade Name: **COZY CORNER** Filing Fee:

Applicant: **MKZ 786 LLC** Transfer Fee: \$50.00

Location Address: 10491 HIGHWAY 31 CALERA, AL 35040

Mailing Address: 10491 HIGHWAY 31 CALERA, AL 35040

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

Product Type: 03 Type Ownership: LLC

Book, Page, or Document info: 20190528000182100

Do you sell Draft Beer?:

Date Incorporated: 05/28/2019 State incorporated: AL County Incorporated: SHELBY

Date of Authority: 05/28/2019

Federal Tax ID: 852151802 Alabama State Sales Tax ID: R010802430

Name:	Title:	Date and Place of Birth:	Residence Address:
SEHRISH GUL 8806458 - AL	OWNER	06/27/1987 PAKISTAN	429 CROWNE WOODS DRIVE HOOVER, AL 35244

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: SEHRISH GUL

Business Phone: 205-566-3510

Fax:

Home Phone: 205-566-3510

Cell Phone: 205-566-3510

E-mail: MKZ.COZYCORNER@GMAIL.COM

PREVIOUS LICENSE INFORMATION:

Trade Name: KOZY CORNER PACKAGE STORE Previous License Number(s)

Applicant: EZNZ LLC License 1: 011329958

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20200917102856407



If applicant is leasing the property, is a copy of the lease agreement attached? YES
Name of Property owner/lessor and phone number: RAJPARI INC 999-999-9999
What is lessors primary business? PROPERTY MANAGEMENT
Is lessor involved in any way with the alcoholic beverage business? NO
Is there any further interest, or connection with, the licensee's business by the lessor? NO

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? NO
Building Dimensions Square Footage: 652 Display Square Footage:
Building seating capacity: 0 Does Licensed premises include a patio area? NO
License Structure: SHOPPING CENTER License covers: PORTION OF
Number of licenses in the vicinity: 0 Nearest: 0
Nearest school: 0 miles Nearest church: 0 miles 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: 20200917102856407



Initial each

☐ SW

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

☐ SW

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

☒ X

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.

☒ X

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.

☒ X

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

☐ SW

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

☐ SW

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.

☐ SW

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.

☐ SW

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): **SEHRISH GUL**

Signature of Applicant: *Sehrish Gul*

Notary Name (print): **JAVIER VALENCIA**

Notary Signature: *Javier Valencia*

Commission expires: **11-12-2023**

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: **20200917102856407**

Application Payment Confirmation Number: 66666338

Payment Summary	
Payment Item	Fee
Transfer Fee for License 011	\$50.00
Total Amount to be Charged	\$50.00

Application Type

Application Type: TRANSFER

Applicant Information

License Type 1: 011 - LOUNGE RETAIL LIQUOR - CLASS II (PACKAGE)

License Type 2:

License County: SHELBY

Business Type: LLC

Trade Name: **COZY CORNER**

Applicant Name: **MKZ 786 LLC**

Location Address: 10491 HIGHWAY 31
CALERA, AL 35040

Mailing Address: 10491 HIGHWAY 31
CALERA, AL 35040

Contact Person: SEHRISH GUL

Contact Home Phone: 205-566-3510

Contact Business Phone: 205-566-3510

Contact Fax:

Contact Cell Phone: 205-566-3510

Contact Email Address:

Contact Web Address:

Monday, November 16, 2020

CALERA CITY COUNCIL MEETING

NEW BUSINESS

**PETER M SCHOLL
205.999.9201
512 ENCLAVE COURT
CALERA, AL 35040**

I moved into the Enclave in December 2010. Signature Homes was the builder. They tend to have very nice homes, but it is obvious they scraped the bottom of the barrel and with lowest contractor bids without considering quality of contractors. Less than a month before we moved into our home, our neighbors moved into their new home and they had a plumbing fixture pull off from a fitting flooding their newly built home. Signature Took care of the repairs and put them up for the time to do the repairs. They even sent the plumbers out to check all of the other homes and they ended up finding most of our plumbing fittings to be loose and ready to pop. Those were only exposed fittings. I have had to replace fittings inside the wall since then. Fast forward to Snowmagedon... One of our HVAC units stops heating. Warranty division sent an HVAC contractor out to check it and found out that they installed the small heat pump into where the large one would go and vice versa. 3 years later I had to replace the entire unit which was out of warranty by then. Back in June 2020, I had some shingles blow off of my roof. The roofing company came out to replace them and noticed that the original contractor did not install the shingles correctly. Evidently, the nails are to be hammered through that tar strip running down the middle of the shingles. They are not, and the roofer mentioned that there are many other homes in the Enclave with roofs installed this way. I called Signature Homes, but they said my roof was out of warranty. I tried to explain that it wasn't installed correctly. They didn't care. I have endured more roof damage from Hurricane Zeta of shingles blowing off that were improperly installed. I have an insurance adjuster coming out to my house on Tuesday, November 17, 2020. Last thing, the streets are horrible. Signature refuses to repave them like the realtors who were hanging out in the model home said they would. Signature says the City made that agreement with original builder (NSH) who went belly up. Also, mostly all of our stop signs have faded to either barely being able to read "STOP" or faded to completely blank white.

It has been over 7 years since the last house was built and it is my understanding that other phases of The Enclave will not be developed. It is long overdue for our roads to be repaved. I am tired of having to prematurely replace tires on my car because of the poor roads.

On a personal note, there is a city ordinance that does not allow for on street parking if driveways are available. From the time I moved into my home through May of 2018, I was guilty of parking a vehicle on the street in front of my house from time to time. One night in early May 2018, I received a parking ticket for violating this ordinance. I do not know if the police officer who ticketed me had a personal vendetta against me, because cars are still always parked on the streets and I do not ever see tickets on them. I called Councilman Bunn to find out why after all these years I received a ticket and to find out the name of the officer when I gave him the badge number on the ticket. He told me that the city was beginning to crack down on that violation, which is fine, but obviously, it must have been for that night only and given to me.

Excerpts from "Brierfield residents oppose Alabama prison plan that caught them by surprise" - Al.com (October 9th, 2020) - Mike Cason

On Sept. 3, Gov. Kay Ivey revealed that confidential negotiations are in the works with private developers to build a 3,100-inmate prison in Brierfield. It's one of three large prisons the Ivey administration plans to develop to replace most of the state's aging, overcrowded prisons. The others are slated for Elmore and Escambia counties.

[In Brierfield,] [a]bout 150 people showed up for a Sunday afternoon meeting on Sept. 13. A Facebook group called Block the Brierfield Prison came to life. An online petition has collected more than 2,000 signatures.

Ivey's predecessor, Gov. Robert Bentley, proposed building four new prisons with an \$800 million bond issue, but the Legislature did not approve the plan.

Ivey is trying a different approach, hiring private developers to finance, build, and maintain the prisons and lease them to the state, a plan that does not require legislative approval. The use of private developers and confidential negotiations has limited public access to information about the projects.

Residents in Brierfield said they had no warning about what Ivey announced on Sept. 3

Sen. Cam Ward, R-Alabaster, whose district includes Brierfield and Ashby, said he's heard from residents and believes their concerns about the lack of notice and how a prison could change their community are justified.

"I think there should have been some public engagement," Ward said. "I actually put in a formal request with the governor and her staff and have talked to them about them coming there and having a public information meeting with those folks."

"Because the facilities will be built and owned by private companies, holding a public hearing was not a part of the process," Samantha Rose, public information specialist for the Department of Corrections said. "This is not unusual. Moreover, to protect the integrity of the procurement process, the ADOC was not at liberty to discuss the contents of the proposal, including any information about any of the sites or developer teams until the proposals had been vetted and determinations had been made."

Al.com sent questions to Ivey's office and the ADOC about the concerns of Brierfield residents, including how the prison could be built and operated without disrupting the rural environment [...]

"The construction of the prison will be similar to any other construction project of comparable size and scope," Rose said in an email. "The increase in economic activity, during construction and after occupancy, will benefit the surrounding communities. Once in operation, these modern, state-of-the-art facilities should have minimal impacts on the surrounding areas. This is true even of our existing facilities, which are dilapidated and structurally failing."

Excerpts from "As Alabama moves to build new prisons, opposition mounts in communities getting them" - Montgomery Advertiser (October 9th, 2020) - Brian Lyman

The Alabama Legislature in 2016 and 2017 rejected proposals to issue bonds for new prisons, citing the cost of the project and the potential to close existing prisons in communities that rely on them for jobs or infrastructure. In response, Ivey has bypassed the Legislature and negotiated directly with developers. The state is opting for a "build/lease" model, in which private companies will build the new prisons, while the state staffs them and pays rent for their use.

The project is expected to cost at least \$2 billion, though the governor's office says the state will not pay more than \$88 million a year for annual lease payments.

The process has been opaque. Both the governor's office and the Department of Corrections have rejected open records requests seeking information on bidders and proposals. The governor's office is finalizing agreements with CoreCivic, based out of Nashville, Tennessee, and Alabama Prison Transformation Partners, a conglomerate that includes Birmingham-based BL Harbert International, to build the prisons. The developers chose the sites for the prisons, following criteria set out by the state.

A spokeswoman for CoreCivic, which will build prisons in Elmore and Escambia counties, directed questions to the Department of Corrections. (A spokeswoman for Montgomery-based Caddell Construction Co., which is working with CoreCivic on the project, directed questions to CoreCivic.) Representatives of BL Harbert and Star America, a New York-based company that is part of Alabama Prison Transformation Partners — which will build the Brierfield facility — did not respond to emailed questions.

Gina Maiola, a spokeswoman for Ivey, directed questions to the Department of Corrections.

But it's hard to see how they can come to an accommodation. Rose wrote that DOC "has no plans to change the announced sites for the prisons." Legislators like Ward and Barfoot won't return to work until February, and with Ivey in direct negotiations with the developers, they have limited leverage.

"When the administration decided to do this without us, we've been kind of in the dark on it," Ward said. "If you don't have a vote on it, the power of the legislature gets decreased."

What can the Calera City Council do?

1. Gov. Ivey has proposed a 3,100-inmate state prison west of Calera, in Bibb County, the construction which will likely affect the nature of traffic flow and density through the city, via Highways 25 and 31. Accordingly, any traffic studies, environmental impact statements, public safety concerns, and comments from landowners / residents should be made generally available. These documents should be in the public record, regardless if they are held by the Governor's Office, any affiliated engineering firms or consulting agencies, or the Alabama Department of Corrections;
2. Appoint a representative to coordinate with interested parties for (Gov. Ivey's Office, Alabama Prison Transformation Partners) and against (Alabama Appleseed Center for Law and Justice, Southern Poverty Law Center, ACLU of Alabama, and environmental groups) the project, to keep the commission informed on both sides of this important issue;
3. Work with city/town council and county commission members from each affected county, to consolidate and address citizen concerns in an open and transparent way, with meetings and documents available to the public;
4. Empower this group to solicit the opinions of experts on the issues surrounding for-profit incarceration, environmental and social impacts of rural prisons, the validity of claimed economic benefit, and other related concerns;
5. Request that the state delay any movement on contracts or land purchases until this group is able to compile a public report and submit it for comment

BLOCK THE BRIERFIELD PRISON NO PRISON IN OUR BACKYARD

Gov. Ivey wants to sign a 30 year lease on the building of a new 3,100 inmate prison 5 miles away.

Say NO! Make your voices heard!

Governor Kay Ivey
600 Dexter Avenue
Montgomery, AL 36130
PH: 334.242.7100
FX: 334.353.0004

Cam Ward
AL State Senate - 14
P.O. Box 1749
Alabaster, AL 35007
PH: 205.620.6610
CL: 205.566.6746

Matt Fridy
AL Rep. - Dist. 73
Suite 403-A
11 S. Union St.
Montgomery, AL 36130
PH: 334.261.0468

BLOCKBRIERFIELDPRISON.COM

Paid for by Block the Brierfield Prison P.O. Box 49 Brierfield, AL 35035

"The Voice for Business & Community"

Montevallo Chamber Chatter | November Issue | Page 13

Community meeting takes place about prison

By Lisa Lightsey, Reporter :: lisa@lightsey.com :: Published in the Centreville Press (Wed, Sept 16th, 2020)
Reprinted with permission by Block the Brierfield Prison :: PO Box 49 Brierfield, AL 35035 :: www.blockbrierfieldprison.com

The Block Brierfield Prison group held a meeting Sunday afternoon, September 13, 2020 to put out information already gathered, and get further input and information from citizens.

The Block Brierfield Prison group is comprised of local citizens, including leader Jackson McNeely, who are concerned about the legal and constitutional aspects of Governor Kay Ivey's decision to locate a prison within the Brierfield community; and about the potential negative impacts said prison may have on the community services if the mega prison is actually constructed in the proposed location.

The meeting focused on the impact the prison may have on such services as medical care, EMS, fire departments, law enforcement, utilities, roads, and bridges. Also mentioned was what will be done with the garbage, etc., that will be generated as the current landfill is little more than a transfer station that will likely not be able to handle the additional waste. One concerned citizen also noted that the prison site, which has not yet been pinpointed but has only been generalized, is near a railroad on which chlorine is transported. He said it has not been too far in the past that a railway car has overturned causing the need for evacuation of residents. He asked how the 3,000 - 4,000 inmates to be housed at the mega prison will be evacuated should such an action be needed.

Concerns included not only the strain on the current public services, but on where water will come from for the prison, how much will be needed, how sewage will be handled, and how the watershed will be impacted.

The impact on the safety of schools was also mentioned, as five schools (Randolph Elementary, Montevallo Elementary, Montevallo Middle, Montevallo High School, and University of Montevallo) are located within a few miles the proposed site of the mega prison.

Several speakers were present from organizations whose members have already been successful in stopping the construction of prisons in rural areas throughout America and other countries, and who have thrown their hats in the ring to work toward stopping this one, as well. In addition to these organizations, McNeely reported that the American Civil Liberties Union (ACLU) and the Southern Poverty Law Center (SPLC) are also on board. State Auditor Jim Zeigler has also been deemed an ally in the effort.

There is also an anonymous donor who is currently seeking an attorney for the effort, particularly for the obtaining of Environmental Impact Statements and GEO reports, and for help with the permitting process involving ADEM.

So, far, Block the Brierfield Prison has requested state oversight on decision-making because the process has been so secretive with no opportunity for citizens, stakeholders, or lawmakers to express concerns or provide input or gain information. In addition to having contacted the Governor's office, the group has also reached out to State Senator Cam Ward and to other local politicians.

Discussion also took place Sunday afternoon about what to do should the group's efforts fail and the prison is constructed. Concessions, such as requesting

that buyouts of property take place at 120% of fair market value; improvement to EMT support; building and supporting a Bibb County Trauma Center that will allow the Bibb Medical Center to better handle any mass issues that may occur in a prison of the size proposed; improved infrastructure for the community; and installation of underground electric and broadband services.

These concessions were discussed in brief, as the citizens and volunteers present were more focused on blocking the prison. They discussed the negatives of prisons, such as decreased property values, concerns of personal and home safety, and the perceived overall devaluing of the lives they have chosen and constructed for themselves and their families. They also discussed how the terms of the contract that have been allowed the public will cause citizens to leave a legacy of high payments without material gain.

Very little information has been provided from either the Governor or the ADOC, but what has been said is that there will be a 30-year lease agreement, with annual renewals. The press release Governor Ivey sent out last week stated that the developers are well aware of the \$88 million affordability limit for the annual lease payments, and that the State does not intend to increase that limit year-over-year.

The citizens at the meeting understand the \$88 million annual lease payments, which covers all three of the new proposed mega prisons, but question where the funding will come from to actually run the prison, including payment of

utilities and staff, especially since the ADOC already admits understaffing and a tight budget.

A member of one of the volunteer groups stated that she understood that in order to turn a profit, an ADOC representative had stated that the prisons would need to have 120% occupancy. The volunteer stated that the only place to get those prisoners would be to take people off the street who have committed minor offenses and imprison them as if they have committed major ones. Experiences were shared that illustrated that has already taken place on some level.

Discussion further centered around the developers who will construct and maintain the buildings. McNeely stated that everyone needs to follow the money, and that research has revealed that Governor Kay Ivey, Lt. Governor Will Ainsworth, and 26 legislators, including Senator Cam War, received donations from the firms that the Governor has hired to build the \$900 million prison in Alabama, including the one in Bibb County. Donations were revealed to have equalled \$67,000.

The Alabama Prison Transformation Partners (APTP), which is comprised of Star America; BL Harbert International; Butler-Cohen; Arrington Watkins Architects; and Johnson Controls, Inc., is the Governor's choice for the prison in Brierfield. There is very little information available about the APTP, which has been called labeled by some media sources as the 'mystery company' due to its lack of online presence.

- continued on reverse -

The developer team of the proposed mega prisons in both Elmore and Escambia counties is CoreCivic, which is comprised of CoreCivic; Caddell Construction; DLR Group; and R&N Systems Design.

Group volunteers Sunday urged concerned citizens to research the developers of the three new mega prisons, as information already found has not only revealed political contributions to the current government leaders, but also lawsuits that have been filed against one or more of the companies in relation to conditions and unsafe aspects at other prisons and detention centers they have developed.

Several citizens have requested that a public information meeting with the ADOC be scheduled as a means of allowing the citizens to have input, but, despite Senator Ward's having left a request to the that effect, it seems that the ADOC has no such meeting in the works.

The Block the Brierfield Prison group, as well as all volunteers, encouraged those present Sunday and all who hear about the prison project to contact the Governor's office, the ADOC, and their local representatives in an effort to put a stop to the development of the mega prison. Addresses may be located on the Block the Brierfield Prison Facebook page.

While there have been many negatives brought forth concerning the proposed prison in Brierfield, there have also been some reports of benefits. The current prison, Bibb Correctional Facility, is located on 250 acres in Brent. It was built with a 900 inmate capacity, but currently houses approximately double that amount, which, strangely, comes as a positive for Brent.

Brent City Clerk Rosalyn Adams

provided information that states that the prison's population is included in the City of Brent's census count, which means that the City of Brent will feel that loss of revenue once the prison is closed, and, in no uncertain terms, it will be closed, according to Senator Ward.

This loss of revenue, according to Adams, will be especially impactful when future projects and grants are considered.

Also, the Brent Utility Board will have a lot less water consumption, which will be a loss of considerable revenue, as it will reduce by at least 250,000 gallons a day that the prison currently uses. This reduced revenue will mean less sewer treatment to be done, as well as differences in the repair and maintenance costs, which may mean a loss of employees within the Utility Board.

Further, the prison uses a lot of electricity, which will leave Brent with an even further reduction in annual revenue because of a loss of business license fee from Alabama Power, which, apparently, because the company's revenue is figured into the cost of the business licensing fee.

The loss of the prison will also cost Brent the sales and gas tax paid by employees who shop in Brent, and from those purchases made locally by the prison itself.

Initially, the City of Brent and the Utility Board invested a great deal in to the prison before it was opened in 1997. The City of Brent took out a loan, put in the water and sewer system, and helped to add a tank for the prison's use. The City of Brent also built the road to the prison.

Bibb County also bought the property on which the current facility sits and gave it to the State to build the prison.

"Closing this prison will take a lot of traffic out of downtown Brent," said former Mayor of Brent Jerry Pow. "A lot of the employees stopped at different stores, and that will be missed. The prison, itself, also traded with several businesses. That, too, will be missed. When we worked to get the prison, we looked at it as an industry to create jobs in our county, and we have some of our people working there, not as many as we should have, but that's due to our people, not the prison. We, in Bibb County have an investment in the prison and I will be working to get the State to return that property to Bibb County and we can use it as an industrial site. Even with the grants we received for water, sewer, and the prison road, Bibb County and the cities have a larger investment in the site."

Senator Ward said the current prison must be closed due to its deterioration, primarily due to the prison's having been build on a swamp and moisture seepage having negative impacted the structure.

Pow sees it differently.

"The land is not the problem," said Pow. "Most of Brent is built on a swamp! The problem is more in the construction of the buildings."

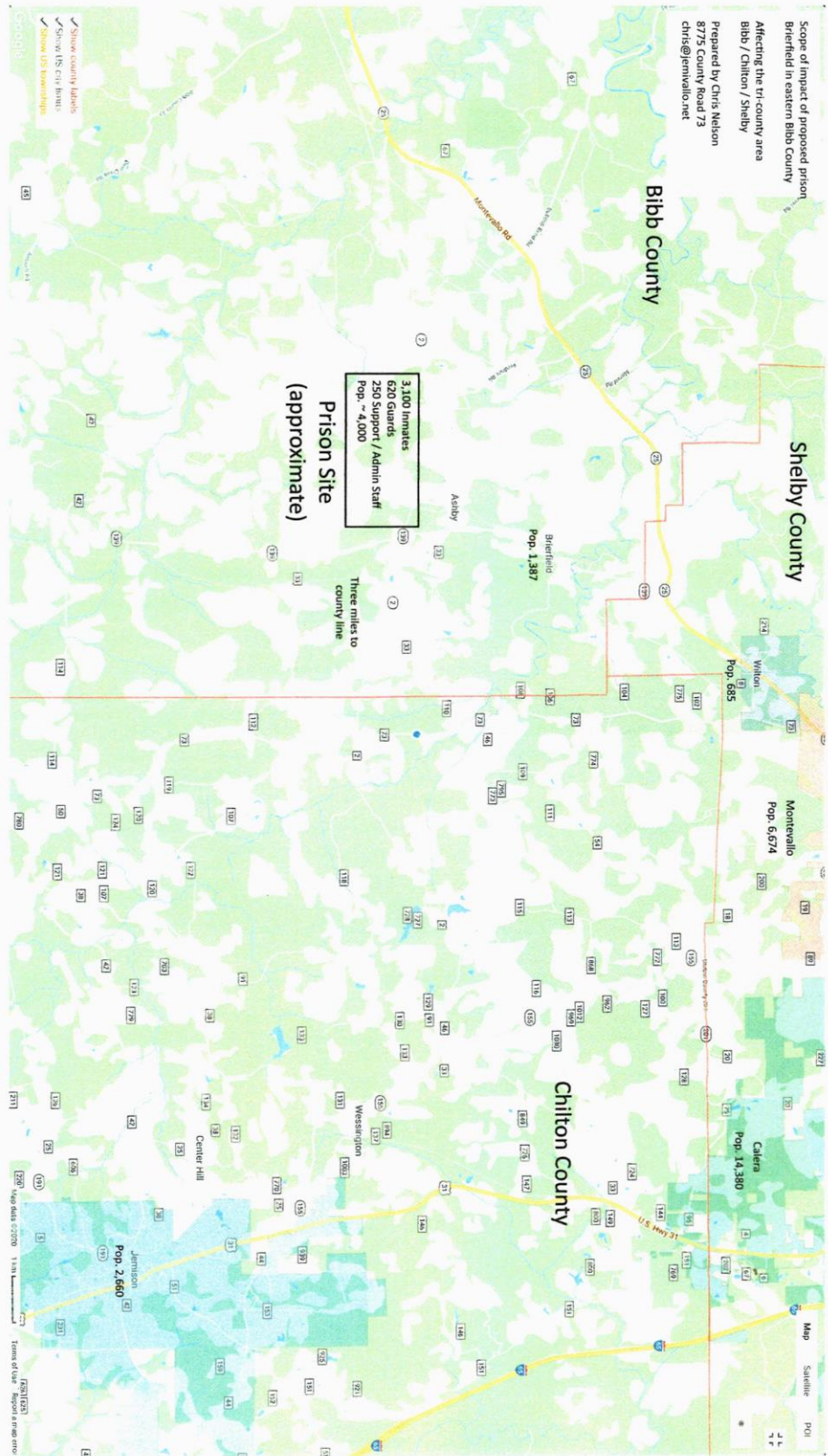
While he doesn't come out and say he would like to see the prison remain in Brent, Pow said something does need to be on that site.

Sarah Stephens, who reports for the Elmore/Autauga News, said the proposed mega prison in Elmore County seems to be quite welcome by those who live there.

"It is very favorable here so far, at least for people who have lived here a while," said Sarah. "The most probable location here is going to be on property already owned by DOC, and there are

Elmore County is presently home to Elmore Correctional Center (with an operational capacity of 1176 inmates), Staton Correctional Facility (with a capacity of 1,376), and Draper Correctional Center (with a capacity of 1,232).

Attempts failed to contact reporters about the proposed prison in Escambia County. Escambia County is presently home to Holman Correctional Facility (capacity 1010), and Fountain Correctional Facility (capacity 1613).



Mayor Graham,

I am requesting to appear before the council to speak on these issues:

Firearm Ordinance for Agriculture - Can the ordinance be changed to 10 acres or a certain number of feet from property line

Jose Cordova - JC Motors

Storage of Vehicles/parts of Vehicles that may provide breeding for mosquitoes or rodents

Soil Erosion - up to 6 inches of sediment caught against our chain link fence which has put pressure on the poles and t-post and fence. Several places are bent and pushed out

Water runoff - Pappas has asked Jose to provide filter socks. I don't see them as of 10/8. Barn 100 ft from property line (foundation damage), bonfire area 150 ft from property line and fresh water lake 300 ft from property line

New building 2 ft from our property line. Was a permit required or obtained? Puts additional pressure on the issue above. Lights shining onto our side from the building that is 2 ft from our property line. Can it be turned into a security light (sensor) or turned off at night? If not, can the lights be directed to shine only on their property.

Noise Ordinance - Can we change/add a line for agriculture. Instead of 10-7 can we say listed business hours.

Thank you

Wayne Nunnally