

February 17, 2015

The Mayor and Council of the City of Calera met on February 17, 2015 at 6:30 p.m. at Calera City Hall with the following present:

Mayor: Jon G. Graham

Council Members: Ernest Montgomery, Alan Watts, David Bradshaw, Chris Bunn, Philip Busby, Bobby Joe Phillips

Department Heads: Sean Lemley, Police Chief
Reggie Darden, Building Official
Chris Pappas, City Engineer
Sean Kendrick, Fire Chief
Janet Greathouse, Library Director
David Jones, Public Works Director

Guests: Harold Cole, Fred Hoskins and Blair Perry

Fred Hoskins called the meeting to order and opened with a Word of Prayer and the Pledge of Allegiance.

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

Regular Meeting – February 2, 2015
Work Session – February 2, 2015

Council Member Bunn seconded said motion which was carried unanimously.

REPORTS OF DEPARTMENT HEADS:

Janet Greathouse, Library Director reminded everyone about the Fairy Tale Ball on Saturday, February 21, 2015.

Chris Pappas, City Engineer requested approval for the Supplemental Fee Request for ALDOT Project No. HPP-A152. (See Attached Document)

Council Member Phillips made a motion to approve the Supplemental Fee Request for ALDOT Project No. HPP-A152. Council Member Bunn seconded said motion which was carried unanimously.

COUNCIL MEMBER REPORTS:

Council Member Phillips requested David Jones, Public Works Director review the timing of the traffic light at the intersection of Cowarts Drug Store and Highway 31.

MAYOR REPORT:

No report given

OLD BUSINESS:

No old business

NEW BUSINESS:

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2015-02

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

THAT, Calera Police Department Directives Manual amending the policy by adding section D-1.4:

D-1.4 Video Recorders (In-Car & Body-Cameras)

Date: February 16, 2015

Purpose: To establish policy and procedure for the use of video and audio recorders. Video recorders are issued for the purpose of capturing officer and suspect actions during encounters with the public.

- A. Employees are prohibited from secretly recording other employees of the city of Calera, unless approved by the Chief of Police, or his designee.
- B. Photographs, Video and audio recordings obtained by employees while working for the Calera Police Department, belongs to the Calera Police Department and shall not be released, or made available to anyone outside of the department. Photographs, video and audio recordings may be copied and released to the courts, city prosecutor, District Attorney's Office or by subpoena. Video obtained by the recording officer can be used within the department for the purpose of self-critiquing or training, but shall not be made available to the public, unless approved by the Chief of Police, or his designee. The Calera Police Department will maintain the original recordings.

- C. Officers must complete a work order and submit it through their chain-of-command, if their recording devices do not operate as indicated in this policy.

Section 1. In-Car Video Recorder

- D. All patrol vehicles are equipped with in-car video recorders. The in-car video recorders are programmed to automatically power-on when the vehicles are started. The unit is programmed to power-off after a set time when the vehicle is turned off.
- E. Only at the end of shift, or when a vehicle will be left parked for more than 30-minutes, should an officer manually turn off an in-car camera.
- F. At the beginning of each shift, or each time an officer uses a patrol vehicle, the officer will:
 - 1) Ensure the camera automatically powers-on. If the unit does not automatically power-on, the officer will manually power the camera on.
 - 2) Ensure the in-car camera is operating properly.
 - 3) Ensure the in-car camera has sufficient storage space available on the DVD, or removable storage device (as equipped).
 - 4) Ensure the wireless “mic pack” is charged, working and affixed to the officer.
 - 5) Ensure the officer’s name is selected as the officer on the recordings.
 - 6) Ensure the cameras are positioned to adequately capture events in front of the vehicle, and in the cabin of the vehicle.
- G. The in-car cameras are programmed to automatically activate and start recording whenever the officer activates the emergency equipment or wireless remote mic-pack. If the in-car camera does not automatically activate, the officer must manually start the recording.
- H. At the end of an event, the officer will stop and properly label the recording event.
- I. When the removable media is full, or when video is needed from the camera, the officer will remove the media and;
 - 1) DVD video will be labeled with the officer’s name and the start and finish date of the recordings. The DVD will be submitted to their supervisor who will properly secure the video in the officer’s video evidence file.
 - 2) Removable storage devices will be removed and turned over to the supervisor, who will properly secure the video evidence by transferring the video to the officer’s video evidence folder on the

evidence computer.

- J. Officers will immediately notify their supervisor of any problem that limits or prohibits the use of their in-car video system, followed by submitting a work order.
- K. Supervisors will ensure that work orders are submitted to the equipment officer and will follow up on resolving any issue that limits or prohibits the function of the in-car video system.

Section 2. Body-Cameras

- A. Officers issued the body-cameras will ensure they are fully charged and worn when reporting for patrol duties, details, functions or events.
- B. Officers will read the operation manual and make themselves familiar with the function and operations of their assigned body-camera.
- C. It is understood that it's not always practical for an officer to just stop and activate a camera. There will be times when an officer must simply react to violence or situations that do not provide a reasonable opportunity for an officer to turn on their camera. Whenever reasonably possible, officers will record the following event types
 - 1) Traffic stops, whenever their in-car camera has malfunctioned or is un-operational.
 - 2) Acts of aggression or violence
 - 3) In responses to resistance / Use of Force
 - 4) Domestic
 - 5) Robberies in progress
 - 6) Burglaries in progress (Building or house searches)
 - 7) Shots fired or suspected armed suspects
 - 8) Foot pursuits
 - 9) Interviewing suspects of known crimes
 - 10) Complaints against the officer, other officers or the department
 - 11) Anytime the officer believes it will help in the prosecution of suspects or in the defense of the officer's actions.
- D. Officers will submit their body-camera to their supervisor at least once a week, or if the storage is full, or following any type serious event.
- E. Supervisors will attach the submitted cameras to the evidence computer and open the body-camera program to transfer the video to the officer's video evidence folder.

- F. Recordings of serious events or cases where it is known that the video will be needed in the prosecution of a crime will be copied to a DVD and will be placed in the case file.

Section 3. Building Security Cameras

The Calera police department monitors security cameras for the police department and various other city facilities. The police department's video cameras are located throughout the building in common areas, or areas of increased liability. The cameras record video and some audio and employees, the public or inmates do not have an expectation of privacy in these areas.

- A. Dispatch will routinely monitor security cameras in the following areas;
 - 1. Jail cells
 - 2. Jail Overview
 - 3. Booking room
 - 4. Courtroom when in use
 - 5. Parking lots
 - 6. Exterior Building Doors
 - 7. City Hall
 - 8. Park
- B. Employees will not require inmates to change clothes in front of security cameras. A room without video has been designated for changing prisoners. Inmates **can be** changed in front of cameras when they are suspected of hiding something under their clothes.
- C. Physical searches of prisoners should be done in front of cameras.
- D. Dispatch may view other cameras; however the listed cameras in sec. (A) take priority to other video cameras that may be available.
- E. Employees shall not distribute photographs, video or audio recordings from the security cameras, unless approved by the Chief of Police, or his designee

Council Member Bunn moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2015-02. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Council Member Phillips moved that Resolution No. R-2015-02 be adopted. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2015-02 adopted.

Adopted this 17th day of February, 2015.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2015-03

WHEREAS, a declaration signed by Western REI, LLC owner of the lands abutting the hereinafter described portion of streets and/or alleys situated in the City of Calera, County of Shelby, State of Alabama, vacating said streets/alleys or portion of streets/alleys, has been duly presented to the City Council of the City of Calera, Alabama, for assent and approval of said governing body, said declaration attached being hereto affixed, marked "Exhibit A," and made a part hereof; and

WHEREAS, the street or alley referred to are more particularly described as follows:

See Attached Legal Description

Exhibit A

WHEREAS, it appears to the City Council of the City of Calera, Alabama that the vacations of said street/alley are in order and that convenient and reasonable means of ingress and egress is afforded to all other property owners owning properties in the subdivision embraced in said map of Dunstan's Survey of the City of Calera, Alabama. Subject, however to all existing right-of-ways or easements for public utilities and to all utility facilities presently situated in said area vacated, subject to this provision.

Council Member Bradshaw moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2015-03.

Council Member Bunn seconded said motion and upon vote, the

results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

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

Council Member Montgomery moved that Resolution No. R-2015-03 be adopted. Council Member Busby seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2015-03 adopted.

Adopted this 17th day of February, 2015.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2015-04

A RESOLUTION ACCEPTING A BID FOR A 2015 SUTPHEN MONARCH PUMPER

WHEREAS, the City of Calera has solicited sealed bids as required under the Alabama bid law; and

WHEREAS, bids were opened at Calera City Hall on January 21, 2015 at 10:00 a.m.; and

WHEREAS, bids were as follows:

Williams Fire Apparatus	\$459,930.29
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WHEREAS, the Mayor and Council of the City of Calera, at the Regular Meeting on February 17, 2015 considers the recommendation of the Fire Chief, Mr. Sean Kendrick. The Mayor and Council will award the bid for the 2015 Sutphen Monarch Pumper for the amount of \$459,930.29

(Copy of Fire Chief, Sean Kendrick letter attached to this Resolution)(Copies of Bids attached to this Resolution)

Council Member Watts moved that Resolution No. R-2015-04 be adopted. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2015-04 adopted.

Adopted this 17th day of February, 2015.

Jon G. Graham, Mayor

ATTEST:

Connie Payton, City Clerk

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2015-05

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

WHEREAS, the City of Calera, Alabama has inventoried the Fire Department equipment allocated to serve the City of Calera; and

WHEREAS, the City has found the following equipment for the City of Calera no longer needed for public municipal purposes.

One – 2007 American LaFrance Eagle Pumper
VIN # 1AFAAACY47RY23868

Council Member Bunn moved that Resolution No. R-2015-05 is adopted. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2015-05 adopted.

Adopted this 17th day of February, 2015.

Connie Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2015-06

WHEREAS, heretofore, on or about December 29, 1998, I-65 Properties South, an Alabama General Partnership, conveyed to The City of Calera, Alabama certain real property described in that certain deed recorded in the Probate Records of Shelby County, Alabama as Instrument No. 1999-03014, which said property was conveyed to the City of Calera for use as a site for the construction, operation, and maintenance of a water storage tank in connection with the supplying of potable drinking water to the citizens of Calera by The Water Works Board of the Town of Calera (hereinafter "Water Works Board"); and

WHEREAS, the Water Works Board was duly incorporated on August 30, 1952, by petition on file with the Probate Judge of Shelby County, Alabama; and

WHEREAS, subsequent to the conveyance to the City of Calera of the aforesaid property, the Water Works Board did, at its expense, construct and locate on said real property an essential water tank to be used as a part of the water storage capacity for supplying drinking and other water to the citizens and businesses of the City of Calera; and

WHEREAS, Section 11-63-1, 11-63-2, and related provisions, authorize a municipality to convey to a "related public corporation," with or without consideration, any land or property; and

WHEREAS, the City Council of the City of Calera deems it appropriate and in the best public interest to convey to the Water Works Board the property described in and conveyed by the aforesaid deed without monetary consideration:

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

1. That the City of Calera convey to the Water Works Board the property described in the aforesaid deed without monetary consideration to be used by the Water Works Board for its purposes in its discretion.

2. That be it further resolved that the Mayor of the City of Calera be and he is hereby authorized and directed to sign and execute a deed conveying said property to the Water Works Board in form and substance as shown on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein.

3. That the Clerk of the City of Calera is further authorized and directed to attest the signature of the Mayor to the aforesaid deed and execute any and all other papers or documents necessary to effectuate the transfer of said property to the Water Works Board.

Council Member Phillips moved that Resolution No. R-2015-06 be adopted. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2015-06 adopted.

Adopted this 17th day of February, 2015.

Jon G. Graham, Mayor

ATTEST:

Connie Payton, City Clerk

CERTIFICATE

I, the undersigned, City Clerk, do hereby certify that the above and foregoing Resolution was duly adopted by the City Council of the City of Calera on the 17th day of February, 2015.

Given under my hand and seal this 17th day of February, 2015.

City Clerk

Council Member Phillips made a motion to authorize Mayor Jon G. Graham to sign the Food and Beverage Concessions Operation Service Agreement with Turner Food Systems, LLC. Council Member Busby seconded said motion which was carried unanimously.

Council Member Phillips made a motion to adjourn the meeting at 6:45 p.m.

Approved this 2nd day of March, 2015.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk