

**MOUNTAIN BROOK CITY COUNCIL  
MEETING AGENDA**

**CITY HALL COUNCIL CHAMBER (ROOM A108)  
56 CHURCH STREET  
MOUNTAIN BROOK, AL 35213**

**JUNE 9, 2014 – 7:00 P.M.**

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1. Approval of the minutes of the May 27, 2014 regular meeting of the City Council.
2. Consideration: Resolution recommending to the ABC Board the issuance of an 040 – Retail Beer (On or Off Premises) and an 060 – Retail Table Wine (On or Off Premises) licenses to Pizza 120, LLC (dba\Pizza 120) located at 2737 Highway 280 South, Suite 151, Mountain Brook, AL 35223.
3. Consideration: Resolution setting a public hearing for July 14, 2014 at 7 p.m. to consider an ordinance amending the PUD development plan for the Lane Parke development (Ordinance No. 1871 adopted May 21, 2012).
4. Consideration: Resolution setting a public hearing for July 14, 2014 at 7 p.m. regarding a proposal to amend the Mixed Use Development Plan for the property located at 1930 Cahaba Road in English Village (Rabiee property/old Zeitz Motors site/Vino Restaurant) with respect to the conditions previously established pursuant to Resolution No. 01-242 adopted on February 26, 2001.
5. Consideration: Resolution declaring certain property surplus and authorizing its sale at public Internet auction.
6. Consideration: Resolution authorizing the City’s participation in the 2014 “Back-to-School” Sales Tax Holiday, beginning at 12:01 a.m. on Friday, August 1, 2014, and ending at twelve midnight on Sunday, August 3, 2014, whereby the City of Mountain Brook will exempt certain school supplies, computers, and clothing from municipal sales or use tax in conformance with the time period, terms and conditions, and definitions as provided for the “State of Alabama Sales Tax Holiday”.
7. Announcement: The next regular meeting of the City Council will be June 23, 2014, at 7 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.
8. Other business.
9. Comments from residents.
10. Adjourn.

**MOUNTAIN BROOK CITY COUNCIL****PRE-MEETING DISCUSSION****MAY 27, 2014**

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The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 6:00 p.m. on Tuesday, the 27th day of May, 2014. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President  
Amy G. Carter, Council President Pro Tempore  
Jack D. Carl  
William S. Pritchard, III  
Jesse S. Vogtle, Jr.  
Lawrence T. Oden, Mayor

Also present were City Attorney Whit Colvin and City Clerk Steven Boone.

**1. AGENDA**

1. Cam's Corner for Overton Park – Shanda Williams, Parks and Recreation Superintendent (Appendix 1).
2. Shanda Williams presented information regarding the restroom for Brookwood Forest Elementary playing field (Appendix 2).
3. Sue Debrecht, Library Director, distributed examples of the new Library's Children Card and explained how they would be used.
4. Steve Shaw gave an overview of the new state law on expungement which will go into effect July 7, 2014 (Appendix 3).
5. Steve Stine, City Attorney, presented an International Residential Code (IRC) amendment to allow waivers by the Building Inspections Superintendent. (Appendix 4 - Resolution No. 2014-061 was added to the formal agenda.)
6. Whit Colvin presented revisions to the Noise Ordinance (Appendix 5). This matter will be considered on June 23, 2014 to allow time for a sample of affected businesses to be notified about the change.
7. Whit Colvin explained the dedication of an additional right-of-way relative to The Manning Condo project location on Cahaba Road. (Appendix 6 - Motion 2014-066 was added to the formal agenda.)

Upon conclusion of the City Council's review of the other formal [7 p.m.] agenda issues, Council President Smith stated that this meeting is adjourned.

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Steven Boone, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA  
MAY 27, 2014**

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The City Council of the City of Mountain Brook, Alabama met in public session in the City Hall Council Chamber at 7:00 p.m. on Tuesday, the 27th day of May, 2014. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President  
Amy G. Carter, Council President Pro Tempore  
Jack D. Carl  
William S. Pritchard, III  
Jesse S. Vogtle, Jr.  
Lawrence T. Oden, Mayor

Also present were City Attorney Whit Colvin and City Clerk Steven Boone.

The City Council President stated that a quorum was present and that the meeting was open for the transaction of business.

**1. FAMILY PROMISE OF BIRMINGHAM**

Richard Goldstein, 3932 Briar Oak Drive, addressed the Mayor and Council regarding the Family of Promise of Birmingham 14th Annual Fundraiser Reception and Silent Auction to be held July 17, 2014.

**2. CONSENT AGENDA**

Council President Smith announced that the following matters will be considered at one time on the consent agenda provided no one in attendance objects:

Approval of the minutes of the May 12, 2014 meeting of the City Council.

<b>2014-059</b>	Award the bid for the purchase of firefighter turnout gear.	Exhibit 1, Appendix 1
<b>2014-060</b>	Award the bid for the purchase of firefighter helmets.	Exhibit 2, Appendix 1
<b>2014-061</b>	Set a public hearing for June 23, 2014 to consider an ordinance amending Section 109-32 of the City Code (Residential Code) regarding the waiver of certain fenestration provisions.	Exhibit 3,
<b>2014-062</b>	Declare certain property [computers and peripheral equipment] surplus and authorize their sale at public auction.	Exhibit 4
<b>2014-063</b>	Authorize the execution of a professional services agreement between the City and Skipper Consulting, Inc. for the design of traffic signals for the intersection of Overton Road at Oakdale Drive and River Run Road (at Cahaba River Park).	Exhibit 5, Appendix 2

<b>2014-064</b>	Set a public hearing for June 23, 2014 to consider an amendment to The Park at Overton Residential Infill District (RID) master development plan for the consolidation of two lots into one and limiting the development to eighteen (18) or fewer lots to allow for the future consolidation of lots (without Council approval).	Exhibit 6, Appendix 3
<b>2014-066 Motion</b>	Accept the dedication of right-of-way (approximately 1,200 square feet) along Cahaba Road adjacent to "The Manning" condominium development (see also Resolution No. 2014-065).	Appendix 4

Thereupon, the foregoing minutes, resolutions, and motion were introduced by Council President Smith and their immediate adoption was moved by Council member Pritchard. The minutes, resolutions, and motion were then considered by the City Council. Council member Vogtle seconded the motion to adopt the foregoing minutes, resolutions, and motion. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith, Council President  
Amy G. Carter, Council President Pro Tempore  
Jack D. Carl  
William S. Pritchard III  
Jesse S. Vogtle, Jr.

Nays: None

Council President Smith thereupon declared that said minutes, resolutions (nos. 2014-059 through 064) and motion (no. 2014-066) are adopted by a vote of 5—0.

**3. PUBLIC HEARING: CONSIDERATION OF A REQUEST TO VACATE THE ALLEYWAY AT "THE MANNING" LOCATED AT 2400, 2404, 2408, 2418, 2420, 2422, AND 2424 CAHABA ROAD AND 2333 LANE CIRCLE (RESOLUTION NO. 2014-065, EXHIBIT 7, APPENDIX 5)**

Council President Smith introduced the resolution in writing and invited comments and questions from the audience. There being none, Council member Pritchard made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said resolution be suspended, and that unanimous consent to the immediate consideration of said resolution is given and that the reading of the resolution at length be waived. The motion was seconded by Council member Vogtle and was carried, as follows:

Ayes: Virginia Smith, Council President  
Amy G. Carter, Council President Pro Tempore  
Jack D. Carl  
William S. Pritchard, III  
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared the motion carried by a vote of 5—0.

After said resolution had been considered in full by the Council, Council member Pritchard then moved for the adoption of said resolution. The motion was seconded by Council member Vogtle. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President  
Amy G. Carter, Council President Pro Tempore  
Jack D. Carl  
William S. Pritchard, III  
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared that the resolution is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

**4. ANNOUNCEMENT REGARDING THE NEXT REGULAR MEETING OF THE CITY COUNCIL**

Council President Smith announced that the next meeting of the Mountain Brook City Council will be held on Monday, June 9, 2014 at 7 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213. Please visit the City's web site ([www.mtnbrook.org](http://www.mtnbrook.org)) for more information.

**5. ADJOURNMENT**

There being no further business to come before the City Council at this time, Council President Smith adjourned the meeting.

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Steven Boone, City Clerk

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**EXHIBIT 1**

**RESOLUTION NO. 2014-059**

**BE IT RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby awards the bid for the purchase of 59 sets of firefighter turnout gear (coats and trousers) to Municipal Emergency Services (MES), being the low bidder.

**BE IT FURTHER RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that the Mayor or City Manger are hereby authorized to issue a purchase order and to execute such other documents that may be determined necessary with respect to said purchase.

**APPENDIX 1**

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**EXHIBIT 2**

**RESOLUTION NO. 2014-060**

**BE IT RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby awards the bid for the purchase of 59 firefighter helmets to Municipal Emergency Services (MES), being the best bid and having been determined to comply with the expressed specifications provided in the invitation to bid.

**BE IT FURTHER RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that the Mayor or City Manger are hereby authorized to issue a purchase order and to execute such other documents that may be determined necessary with respect to said purchase.

**APPENDIX 1**

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**EXHIBIT 3**

**RESOLUTION NO. 2014-067**

**BE IT RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby recommends to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 040 – Retail Beer (On or Off Premises) license and a 060 – Retail Table Wine (On or Off Premises) license to Pizza 120, LLC, doing business as Pizza 120, located at 2737 Highway 280 South, Suite 151, Mountain Brook, AL 35223.

**BE IT FURTHER RESOLVED** that the City Clerk is hereby instructed to forward a copy of this resolution to the State of Alabama, Alcoholic Beverage Control Board.

**ADOPTED:** This 9th day of June, 2014.

\_\_\_\_\_  
Council President

**APPROVED:** This 9th day of June, 2014.

\_\_\_\_\_  
Mayor

**CERTIFICATION**

I, Steven Boone, City Clerk of the City of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on June 9, 2014, as same appears in the minutes of record of said meeting.

\_\_\_\_\_  
City Clerk



**STATE OF ALABAMA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
**ALCOHOL LICENSE APPLICATION**  
**Confirmation Number: 20140529110518889**



Type License: 040 - RETAIL BEER (ON OR OFF PREMISES)    State: \$150.00    County: \$75.00

Type License: 060 - RETAIL TABLE WINE (ON OR OFF PREMISES)    State: \$150.00    County: \$75.00

Trade Name: **PIZZA 120**

Filing Fee: \$100.00

Applicant: **PIZZA 120 LLC**

Transfer Fee:

Location Address: 2737 HWY 280 SOUTH ; SUITE 151    MOUNTAIN BROOK, AL 35223

Mailing Address: 3171 GREEN VALLEY RD; SUITE 531    BIRMINGHAM, AL 35243

County: JEFFERSON    Tobacco sales: NO

Tobacco Vending Machines:

NO

Type Ownership: LLC

Book, Page, or Document info: 130823997-5358361

Date Incorporated: 06/27/2013    State incorporated: DE

County Incorporated:

Date of Authority: 11/10/2013

Alabama State Sales Tax ID: R008777150

Name:

Title:

Date and Place of Birth:

Residence Address:

DAVID MAXWELL KAHN 5844581 - AL	MEMBER	04/23/1962 TERRE HAUTE, IN	3516 BRANCH MILL RD MOUNTAIN BROOK, AL 35223

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 cooperation 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: DAVID KAHN

Home Phone: 205-956-9994

Business Phone: 205-243-2693

Cell Phone: 205-243-2693

Fax:

E-mail: DKAHN@PIZZA120.COM

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name:

License 1:

Applicant:

License 2:



# STATE OF ALABAMA

## ALCOHOLIC BEVERAGE CONTROL BOARD

### ALCOHOL LICENSE APPLICATION



**Confirmation Number: 20140529110518889**

**Initial each**

**Signature page**

*DM*

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

*DM*

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

*DM*

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.

*DM*

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.

*DM*

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

*DM*

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

*DM*

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.

*DM*

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.

*DM*

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): *David M. Kahn*

Signature of Applicant: *David M. Kahn*

Notary Name (print): *Valencia Johnson*

Notary Signature: *Valencia Johnson*

Commission expires: *4-22-18*

Application Taken: *5-29-14* App. Inv. Completed:

Submitted to Local Government:

Received in District Office: *5-29-14* Reviewed by Supervisor:

Forwarded to District Office: *5-29-14*

Received from Local Government:

Forwarded to Central Office:



**STATE OF ALABAMA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
**ALCOHOL LICENSE APPLICATION**



**Confirmation Number: 20140529110518889**

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

Name of Property owner/lessor and phone number: **S&S ASSOCIATES LLC AND NEW OWNERS VESTAVIA LLC 205-879-1144**

What is lessors primary business? **PROPERTY LEASING**

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: **2500** Display Square Footage:

Building seating capacity: **74** Does Licensed premises include a patio area? **NO**

License Structure: **SHOPPING CENTER** License covers: **OTHER**

Number of licenses in the vicinity: **5** Nearest: **.01**

Nearest school: **1 miles** Nearest church: **.5 miles** Nearest residence: **.5 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:**

Name:	Violation & Date:	Arresting Agency:	Disposition:



**STATE OF ALABAMA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
ALCOHOL LICENSE APPLICATION**



**Confirmation Number: 20140529110518889**

**Private Clubs / Special Retail / or Special Events licenses ONLY**

**Private Club**

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

**Special Retail**

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

**Special Events / Special Retail (7 days or less)**

Starting Date:                      Ending Date:

Special terms and conditions for special event/special retail:

**Other Explanations**

License Covers: SUITE 151



**CITY OF MOUNTAIN BROOK**

P. O. Box 130009  
Mountain Brook, Alabama 35213-0009  
Telephone: 205.802.2400  
Facsimile: 205.879.6913  
www.mtnbrook.org

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June 10, 2014

Alabama ABC Board  
211 Summit Parkway, Suite 106  
Crescent Center  
Homewood, AL 35209

Facsimile: (205) 942-3784

Gentlemen:

Attached is a copy of a resolution passed at the June 9, 2014, City Council meeting recommending the issuance of a 040 – Retail Beer (On or Off Premises) license and a 060 – Retail Table Wine (On or Off Premises) license to:

Pizza 120, LLC (trade name Pizza 120)  
2737 Highway 280 South, Suite 151  
Mountain Brook, AL 35223

If you have any questions, please call me at 802-3825.

Sincerely,

Steven Boone  
City Clerk

Enclosure

c: dkahn@pizza120.com

**RESOLUTION NO. 2014-068**

**BE IT RESOLVED** by the City Council of the City of Mountain Brook that, at the meeting of the City Council to be held on Monday, July 14, 2014 at 7:00 p.m., in the Council Chamber of the Mountain Brook City Hall, the City Council will hold a public hearing regarding the adoption of an ordinance amending the Lane Parke Planned Unit Development (PUD) master development plan previously approved by the Mountain Brook City Council (Ordinance No. 1871 adopted May 21, 2012).

**BE IT FURTHER RESOLVED** by the City Council of the City of Mountain Brook that the City Clerk be, and he hereby is, authorized and directed to cause to be published not fewer than twenty-two (22) days prior to July 14, 2014, by posting in (4) four conspicuous places within the City of Mountain Brook, as follows: City Hall, 56 Church Street, Gilchrist Drug Company, 2805 Cahaba Road, Overton Park, 3020 Overton Road, and The Invitation Place, 3150 Overton Road notices of said public hearing as appropriate

**BE IT FURTHER RESOLVED** that the City Clerk be, and he hereby is, further authorized and directed to give written notice of the hearing to the owners of the property located in whole or in part within 500 feet from the boundaries of the property described in this resolution in the form and manner and within the time required by Act No. 1123 of the 1973 Regular Session of the Legislature of Alabama.

**ADOPTED:** This 9th day of June, 2014.

\_\_\_\_\_  
Council President

**APPROVED:** This 9th day of June, 2014.

\_\_\_\_\_  
Mayor

**CERTIFICATION**

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on June 9, 2014, as same appears in the minutes or record of said meeting.

I further certify that copies of the resolution above were posted on June \_\_\_\_, 2014 in four (4) conspicuous places within the City of Mountain Brook, as follows:

City Hall, 56 Church Street  
Overton Park, 3020 Overton Road

Gilchrist Drug Company, 2805 Cahaba Road  
The Invitation Place, 3150 Overton Road

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2014-069**

**BE IT RESOLVED** by the City Council of the City of Mountain Brook that, at the meeting of the City Council to be held on Monday, July 14, 2014 at 7:00 p.m., in the Council Chamber of the Mountain Brook City Hall, the City Council will hold a public hearing regarding the adoption of an ordinance amending the Mixed Use master development plan for property located at 1930 Cahaba Road, originally approved by the Mountain Brook City Council in 1996 and most recently amended by Resolution 10-211 (November 8, 2010).

**BE IT FURTHER RESOLVED** by the City Council of the City of Mountain Brook that the City Clerk be, and he hereby is, authorized and directed to cause to be published not fewer than twenty-two (22) days prior to July 14, 2014, by posting in (4) four conspicuous places within the City of Mountain Brook, as follows: City Hall, 56 Church Street, Gilchrist Drug Company, 2805 Cahaba Road, Overton Park, 3020 Overton Road, and The Invitation Place, 3150 Overton Road notices of said public hearing as appropriate

**BE IT FURTHER RESOLVED** that the City Clerk be, and he hereby is, further authorized and directed to give written notice of the hearing to the owners of the property located in whole or in part within 500 feet from the boundaries of the property described in this resolution in the form and manner and within the time required by Act No. 1123 of the 1973 Regular Session of the Legislature of Alabama.

**ADOPTED:** This 9th day of June, 2014.

\_\_\_\_\_  
Council President

**APPROVED:** This 9th day of June, 2014.

\_\_\_\_\_  
Mayor

**CERTIFICATION**

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on June 9, 2014, as same appears in the minutes or record of said meeting.

I further certify that copies of the resolution above were posted on June \_\_\_\_, 2014 in four (4) conspicuous places within the City of Mountain Brook, as follows:

City Hall, 56 Church Street  
Overton Park, 3020 Overton Road

Gilchrist Drug Company, 2805 Cahaba Road  
The Invitation Place, 3150 Overton Road

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2014-070**

**WHEREAS**, the City of Mountain Brook, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

**WHEREAS**, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mountain Brook, as follows: It is hereby established and declared that the following property owned by the City of Mountain Brook, Alabama is not needed for public or municipal purposes and is hereby declared surplus property:

<b>Item</b>	<b>Asset</b>	<b>Description</b>	<b>VIN</b>	<b>Notes</b>
1	1177	2001 Chevrolet Impala	2G1WH55K219239317	121,698 miles
2	13486	1990 Champion motor grader	200662	1,237hr
3	1180	2002 Ford F-550 (1179 bed)	1FDAF56F92EC57509	70,667 miles
4	1085	1995 Ford F-150	1FTEX14H3SKB9342	141,377 miles
5	13860	1994 John Deere 510D backhoe	10510DB803023	
6	13165	2005 Ford Crown Victoria	2FAFP74W35X138952	134,470 miles
7	13095	2004 Ford F-150	2FTRX18W54CA3266	125,819 miles
8	13162	2005 Dodge Durango	1D8HD48NX538838	173,491 miles
9	13111	2004 Ford Crown Victoria	2FAFP74W74X133977	144,509 miles
10	1174	2001 Ford Crown Victoria	2FAFP71W21X138228	146,259 miles

**BE IT FURTHER RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that the City Manager is hereby authorized and directed to sell said property by way of public Internet auction to the highest bidder and to otherwise dispose of such property that does not sell at said public auction.

**ADOPTED:** This 9th day of June, 2014.

\_\_\_\_\_  
Council President

**APPROVED:** This 9th day of June, 2014.

\_\_\_\_\_  
Mayor

**CERTIFICATION**

I, Steven Boone, City Clerk of the City of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on June 9, 2014, as same appears in the minutes of record of said meeting.

\_\_\_\_\_  
City Clerk

**DATE: 6/4/2014**

**To Steve Boone, City Clerk**

**Ronnie Vaughn, PW Director**

**From: Cynthia Baldwin, Admin Asst.**

**RE: 2014 Surplus List**

Public Works

2001 Chevrolet Impala 121,698 miles VIN#2G1WH55K219239317

1990 Champion motor grader 1237hr PIN#200662

2002 Ford F-550 70,667 miles VIN#1FDAF56F92EC57509

1995 Ford F-150 141,377 miles VIN#1FTEX14H3SKB93422

1994 John Deere 510D backhoe PIN#10510DB803023

2005 Ford Crown Vic 134470 miles VIN#2FAFP74W35X138952

2004 Ford F-150 125819 miles VIN#2FTRX18W54CA32667

2005 Dodge Durango 173,491 miles VIN#1D8HD48NX538838

2004 Ford Crown Vic 144,509 miles VIN#2FAFP74W74X133977

Police Dept.

Park and Rec.

2001 Ford Crown Vic 146259 miles VIN#2FAFP71W21X138228

**RESOLUTION NO. 2014-071**

**BE IT RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that pursuant to Act No. 2006-574, beginning at 12:01 a.m. on Friday, August 1, 2014, and ending at twelve midnight on Sunday, August 3, 2014, the City of Mountain Brook will exempt certain school supplies, computers, and clothing from municipal sales or use tax. Said sales and use tax exemption shall conform with respect to the time period, terms and conditions, and definitions as provided for the “State of Alabama Sales Tax Holiday”.

**BE IT FURTHER RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that the City Clerk is hereby instructed to send a certified copy of this resolution to the Alabama Department of Revenue, Attention: Wanda Robbins, Room 4311, Sales, Use & Business Tax Division, Post Office Box 327900, Montgomery, Alabama 36132-7900 as required by Sales Tax Holiday Rule 810-6-3-.65 and Code of Alabama 1975, §11-51-210(e).

**ADOPTED:** This 9th day of June, 2013.

\_\_\_\_\_  
Council President

**APPROVED:** This 9th day of June, 2013.

\_\_\_\_\_  
Mayor

**CERTIFICATION**

I, Steven Boone, City Clerk of the City of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on June 9, 2014, as same appears in the minutes of record of said meeting.

\_\_\_\_\_  
Steven Boone, City Clerk

Robbins, Wanda <Wanda.Robbins@revenue.alabama.gov>

**IMPORTANT**  
**REQUIRED**

**RESPONSE**  
**IMPORTANT**

## 2014 “Back-to-School” Sales Tax Holiday August 1-3, 2014

**Deadline to notify ADOR: July 1, 2014**

The 2014 “Back-to-School” Sales Tax Holiday begins at 12:01 a.m. on Friday, August 1, 2014, and ends at twelve midnight on Sunday, August 3, 2014. As required by Rule 810-6-3-.65, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before July 1, 2014. The Department will compile this information into a list of all counties and municipalities participating in the “Back-to-School” Sales Tax Holiday and issue a current publication of the list on its website at: [www.revenue.alabama.gov/salestax/SalesTaxHol.cfm](http://www.revenue.alabama.gov/salestax/SalesTaxHol.cfm). Notification of participation in the sales tax holiday may not be included in the published list if received after July 1, 2014.

**Your taxpayers need to know whether or not your locality will participate in the 2014 “Back-to-School” Sales Tax Holiday.**

**Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision.**

**RESPONSE REQUIRED:**

**Participating?** Send a certified copy of any resolution, ordinance, or amendment adopted by your locality.

**Not Participating?** It is important that you inform us of that fact, as well.

Taxpayers and retailers rely on the list provided by the Department of Revenue and the Department cannot post a locality’s participation status based on assumption; notification of nonparticipation or copies of resolution/ordinance from the locality is required.

**Notification can be faxed, mailed or emailed:**

**FAX:** [334-353-7666](tel:334-353-7666)

**MAIL:** ALABAMA DEPARTMENT OF REVENUE  
ATTN: Wanda Robbins  
Sales & Use Tax Division  
Post Office Box 327900  
Montgomery, Alabama 36132-7900

**EMAIL:** [wanda.robbins@revenue.alabama.gov](mailto:wanda.robbins@revenue.alabama.gov)

**QUESTIONS:** [334-353-8044](tel:334-353-8044)