

**MOUNTAIN BROOK CITY COUNCIL
MEETING AGENDA**

**CITY HALL COUNCIL CHAMBER
56 CHURCH STREET
MOUNTAIN BROOK, AL 35213**

MONDAY, SEPTEMBER 22, 2014, 7:00 P.M.

1. Judge Suzanne Childers, candidate for Jefferson County District Court
2. Library presentations.
3. Approval of the minutes of the September 8, 2014 regular meeting of the City Council.
4. Consideration: Resolution appointing Rhett Loveman as a Supernumerary member to the Board of Zoning Adjustment, to serve without compensation through September 22, 2017.
5. Consideration: Resolution appointing Patrick Carlton to The Emmet O'Neal Library Board, to serve without compensation through September 30, 2018.
6. Consideration: Resolution recommending to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 020 – Restaurant Retail Liquor License to Golden Harvest Culinary Mountain Brook, LLC (trade name La Catrina Mexican Cantina) located at 2031 Cahaba Road, Mountain Brook, AL 35223.
7. Consideration: Resolution setting a public hearing for October 13, 2014 at 7 p.m. to consider an ordinance amending the PUD master development plan for Pilgrim Place on Montclair Road.
8. Consideration: Resolution setting a public hearing for October 13, 2014 at 7 p.m. to consider an ordinance rezoning several parcels of land located on Vine Street to Local Business.
9. Consideration: Resolution authorizing the execution of a right-of-way maintenance agreement with respect to the Cahaba Village development.
10. Public hearing: Consideration of an ordinance adopting the City's fiscal 2015 budget.
11. Consideration: Resolution increasing the salary schedule by 1-1/2% for all classified and unclassified employees effective October 7, 2014.
12. Consideration: Ordinance increasing the salary of the City Manager effective October 7, 2014.
13. Consideration: Adoption of an ordinance approving payment of the Educational Degree Premium pay for certain positions in the City pursuant to Section 1.VIII.G. of the Personnel Board of Jefferson County "Salary Administration Guide and Pay Plan" for qualifying degrees earned from accredited institutions of higher education determined to be directly related to the responsibilities and duties of the specified incumbent's classified position.
14. Announcement: The next regular meeting of the City Council is October 13, 2014, at 7 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.
15. Comments from residents.
16. Adjourn.

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
SEPTEMBER 8, 2014**

The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 6:30 p.m. on Monday, the 8th day of September, 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.

Absent: Lawrence T. Oden, Mayor

Also present were City Attorney Whit Colvin, City Manager Sam Gaston, and City Clerk Steven Boone.

1. AGENDA

1. Review and discussion of the 7 p.m. City Council meeting agenda topics.
2. Executive Session. There being no further business to come before the City Council, it was moved by Council member Pritchard that the City Council convene in executive session to discuss a matter involving an ongoing real estate negotiation. The motion was seconded by Council member Vogtle. The City Attorney certified that the subject matter of the executive session is allowed pursuant to the Open Meetings Act. 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

President Smith declared that the motion carried by a vote of 5-0 and then asked that the members of the audience be excused. President Smith also announced that the City Council pre-meeting will adjourn upon conclusion of the executive session and the regular council meeting would commence upon adjournment of the executive session.

Steven Boone, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA
SEPTEMBER 8, 2014**

The City Council of the City of Mountain Brook, Alabama met in public session in the City Hall Council Chambers (Room A108) at 7:00 p.m. on Monday, the 8th day of September, 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.

Absent: Lawrence T. Oden, Mayor

Also present were City Attorney Whit Colvin, City Manager Sam Gaston, 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. 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 August 25, 2014 meeting of the City Council.

2014-110	Establish the employees' and retirees' monthly premiums for medical insurance effective October 2014 (last updated by Resolution No. 2013-123)—No change	Exhibit 1 Appendix 1
2014-111	Authorize the sale of certain surplus property via a public Internet auction	Exhibit 2
2014-112	Set a public hearing on October 13, 2014 to consider an ordinance amending Chapter 121 ("Sign Ordinance") of the City Code	Exhibit 3

Thereupon, the foregoing minutes and resolutions were introduced by Council President Smith and their immediate adoption was moved by Council member Vogtle. The minutes and resolutions were then considered by the City Council. Council member Pritchard seconded the motion to adopt the foregoing minutes and resolutions. 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 and Resolution Nos. 2014-110 through 2014-112 are adopted by a vote of 5-0.

2. PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE (NO. 1914) TO AMEND THE MASTER DEVELOPMENT PLAN FOR THE PARK AT OVERTON, IN THE CITY OF MOUNTAIN BROOK, ALABAMA, TO ALLOW A PATIO COVER ON LOT 5 (3762 VILLAGE LANE) TO BE 12 FEET FROM THE REAR PROPERTY LINE IN LIEU OF THE REQUIRED 15 FEET (EXHIBIT 4, APPENDIX 2)

Council President Smith introduced the ordinance 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 ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given and that the reading of the ordinance 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 ordinance had been considered in full by the Council, Council member Pritchard then moved for the adoption of said ordinance. 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 ordinance (No. 1914) is hereby adopted by a vote of 5-0 and, as evidence thereof, she signed the same.

3. 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, September 22, 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) for more information.

4. ADJOURNMENT

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

Steven Boone, City Clerk

RESOLUTION NO. 2014-113

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Rhett Loveman is hereby appointed as a Supernumerary member to the Board of Zoning Adjustment, to serve without compensation, his term to end September 22, 2017.

ADOPTED: This 22nd day of September, 2014.

Council President

APPROVED: This 22nd day of September, 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 regular meeting held on September 22, 2014, as same appears in the minutes of record of said meeting.

City Clerk

2014-113

M e m o

Date: September 11, 2014

**To: Mayor Oden
City Council
City Manager
City Clerk**

From: Carole Epstein, Executive Assistant

RE: BOARD OF ZONING ADJUSTMENT: SUPERNUMERARY POSITION

The Board of Zoning Adjustment submits the name of Rhett Loveman for your consideration to fill the vacant position of Supernumerary. Mr. Loveman's resume is attached.

There were two applicants who applied for the position. After deliberation it was the consensus of the Board members that Mr. Loveman would be bring the knowledge and experience needed to serve on the Board.

We respectfully ask that you approve Mr. Loveman's appointment.

Rhett B. Loveman, CCIM
3844 Glencoe Drive
Mountain Brook, Alabama 35213
rhettloveman@hotmail.com
(205) 215-5940

July 23, 2014

Mr. Sam Gaston
City Manager, City of Mountain Brook
P.O. Box 130009
Mountain Brook, Alabama 35213

RE: Supernumerary Member vacancy on the Board of Zoning Adjustments

Dear Mr. Gaston,

I am submitting my resume for consideration to fill the Supernumerary Member vacancy on the Board of Zoning Adjustments (BZA). I have over ten years experience in the real estate industry which includes navigating municipal zoning ordinances, and representing applicants before zoning, planning, and BZA commissions around the Birmingham metro area. I also have a master's degree in Urban and Regional Planning. This experience and education has equipped me with the skills needed to be a valuable BZA Supernumerary Member. As a Mountain Brook resident I have a vested interest in preserving the character and charm of the city, and helping it to succeed, while not hindering its growth.

Please let me know should you need any additional information. I look forward to hearing from you soon.

Best regards,

Rhett B. Loveman

Rhett Loveman, CCIM

3844 Glencoe Drive • Mountain Brook, Alabama 35213 • 205-215-5940 • rhettloveman@hotmail.com

WORK EXPERIENCE

U.S. Steel Real Estate, Birmingham, AL

Project Manager, 10/2013 – present

- Oversee all aspects of development and planning for current and future phases of USS Real Estate holdings by coordinating with engineers, land planners, zoning boards, architects, builders, land development contractors, marketing professionals and sales associates to ensure USS's goals and objectives are implemented to obtain the highest possible return for company assets;
- Negotiate joint venture agreements and land/lot sales contracts for managed holdings;
- Perform project management duties for Birmingham neighborhood associations including Trace Crossings, Hillsboro, Rosser Farms, and Grand River;
- Serve on the Board of Directors and Architectural Review Committee for homeowners' associations to review house plans, plot plans, setback variance request, landscape request, and home remodeling projects for approximately 1,500 homes;
- Prepare financial analysis for corporate review and approval; and
- Implement processes and controls to ensure USS sites are in compliance with municipal zoning ordinances, the Alabama Department of Environmental Management's (ADEM) rules and regulations as well as other local and state regulations.

D. R. Horton, Inc., Birmingham, AL

Vice President, Land Acquisition, 2/2010 – 9/2013
Land Acquisition Manager, 7/2004 to 10/2007

- Managed all aspects of the North-Central Alabama Land Acquisition Department for a Fortune 500 Company which includes the following markets: Birmingham, Montgomery, Tuscaloosa, and Auburn;
- Facilitated the entire land acquisition process, including the determination of land suitability, contract negotiations, working with the corporate legal department on contract preparations, compliance with municipal zoning, entitlement, and permitting regulations, collaboration with land planners and adhering to corporate policies to ensure the transaction closes;
- Conducted a weekly land meeting for the Birmingham division where potential real estate opportunities are presented to the executive management team for approval;
- Brokered over \$40 million in land and developed lot real estate transactions;
- Prepared financial proformas for each project to ensure that gross margins meet corporate standards, and supply supporting documentation for the division's "five year plan" and company forecasts;
- Analyzed environmental reports, geotechnical reports, and engineered drawings alongside third-party contractors to ensure developments are turn-key ready for our construction department; and
- Facilitated the company's emergence into new markets in Alabama and the Florida panhandle.

Southpace Properties, Inc., Birmingham, AL

Commercial Real Estate Broker, 10/2007 to 2/2010

- Developed business relationships with prospective clients to procure new business for the largest independently owned commercial real estate firm in the state of Alabama;
- Created and implemented marketing strategies and disseminated to the commercial real estate brokerage community and the general public to sell real estate assets for clients;
- Coordinated all aspects of the real estate transaction, including negotiating listing agreements, securing financing, title insurance, surveys, and zoning entitlements in preparation for closing;
- Established relationships with municipalities and monitored the process for land entitlement matters to ensure the property was properly zoned and permitted for the end-user; and
- Advised clients on contract negotiations, due diligence matters, and the real estate closing process.
- Featured clients: Compass Bank, Bancorp South Bank, Alamerica Bank, Iberia Bank, Bank of America, Arlington Properties, Krebs Architecture & Engineering, and the Sheffield Fund.

Congressman Terry Everett, Washington D.C.

Legislative Assistant, 8/2001 to 7/2002

- Facilitated constituent relationships by conveying Congressman's position on legislative matters, addressing constituent concerns, and attending events on Congressman Everett's behalf;
- Monitored and advised Congressman Everett on banking and finance, housing, education, and transportation legislation; and
- Conducted meetings with lobbyists, interest groups, and constituents to discuss pending legislation.

The Redding Firm, Washington D.C.

Legislative Analyst, 1/2001 to 8/2001

- Monitored relevant legislation and current events and cultivated client relationships with members of Congress and other government personnel.

EDUCATION

- **The University of Alabama, Tuscaloosa, Alabama**
Master of Science, Geography/Urban & Regional Planning, May 2004
- **The University of Alabama, Tuscaloosa, Alabama**
Bachelor of Arts, Political Science, May 2000

PROFESSIONAL ASSOCIATIONS

- Certified Commercial Investment Member (CCIM)--Candidate Guidance Chairman, Alabama Chapter (2009-2011)
- Alabama Center for Real Estate (ACRE) Leadership Council Member (2011-2013)
- Licensed Alabama Real Estate Broker

RESOLUTION NO. 2014-114

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Patrick Carlton is hereby appointed to The Emmet O'Neal Library Board, to serve without compensation, his term to end September 30, 2018.

ADOPTED: This 22nd day of September, 2014.

Council President

APPROVED: This 22nd day of September, 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 regular meeting held on September 22, 2014, as same appears in the minutes of record of said meeting.

City Clerk

Patrick Carlton

2014-114

PATRICK S. CARLTON

3514 Pine Ridge Road
Birmingham, Alabama 35213

Experience:

November 2010 - **National Bank of Commerce**
Current Senior Vice President, Private & Professional Banking Manager
Senior Vice President, Commercial Banking

February 2008 - **RBC Bank (USA) (formerly First American Bank)**
November 2010 Senior Commercial Relationship Manager

July 2006 **First American Bank**
February 2008 Vice President, Commercial Banking

June 1999 to **Regions Bank**
July 2006 Vice President, Commercial Banking

Education: University of Mississippi, 1999—BS Marketing

Personal: Born: April 24, 1977
Married with two children

Church: Canterbury United Methodist Church
2014-2017 Church Council

Other Activities: Monday Morning Quarterback Club
Leukemia & Lymphoma Society, Former Board Member
Girls Incorporated, Former Board Member

RESOLUTION NO. 2014-115

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 020 – Restaurant Retail Liquor License to Golden Harvest Culinary Mountain Brook, LLC (trade name La Catrina Mexican Cantina) located at 2031 Cahaba Road, 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 22nd day of September, 2014.

Council President

APPROVED: This 22nd day of September, 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 September 22, 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: 20140909151026006

Type License: 020 - RESTAURANT RETAIL LIQUOR **State:** \$300.00 **County:** \$300.00

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

Trade Name: LA CATRINA MEXICAN CANTINA **Filing Fee:** \$50.00

Applicant: GOLDEN HARVEST CULINARY MOUNTAIN BROOK LLC **Transfer Fee:**

Location Address: 2031 CAHABA RD MOUNTAIN BROOK, AL 35223

Mailing Address: 5084 PINNACLE SQUARE; SUITE 112 TRUSSVILLE, AL 35235

County: JEFFERSON **Tobacco sales:** NO **Tobacco Vending Machines:**

NO **Type Ownership:** LLC

Book, Page, or Document info: LR200805 6727

Date Incorporated: 04/18/2008 **State incorporated:** AL **County Incorporated:** JEFFERSON

Date of Authority: 04/18/2008 **Alabama State Sales Tax ID:** R000735343

Name: **Title:** **Date and Place of Birth:** **Residence Address:**

TOSHIMI HIRA 910233020 - AR	PRESIDENT	08/06/1974 MEXICO CITY, MEXICO	3539 MARY TAYLOR RD BIRMINGHAM, AL 35235

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: TOSHIMI HIRA

Business Phone: 501-681-6738

Fax:

Home Phone: 501-681-6738

Cell Phone: 501-681-6738

E-mail: TOSHIMI@HIRASGROUP.COM

PREVIOUS LICENSE INFORMATION:

Trade Name:

Applicant:

Previous License Number(s)

License 1:

License 2:



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD**



ALCOHOL LICENSE APPLICATION

Confirmation Number: 20140909151026006

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **ENGLISH VILLAGE LLC 205-218-9102**
 What is lessors primary business? **REAL ESTATE**
 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: **3933** Display Square Footage:
 Building seating capacity: **85** Does Licensed premises include a patio area? **YES**
 License Structure: **SHOPPING CENTER** License covers: **PORTION OF**
 Number of licenses in the vicinity: **6** Nearest: **1**
 Nearest school: **5 miles** Nearest church: **5 miles** Nearest residence: **4 blocks**
 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: 20140909151026006



Initial each

TH
TH

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

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

TH

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

/

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

/

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

/

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

TH

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.

TH

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.

TH

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): TOSHIMI HIED

Signature of Applicant: Valencia Johnson

Notary Name (print): Valencia Johnson

Notary Signature: Valencia Johnson Commission expires: 4-22-18

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: **20140909151026006**

Application Payment Confirmation Number: 11392298

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	\$300.00	\$300.00	\$600.00
			\$0.00
Total Amount to be Charged	\$300.00	\$300.00	\$600.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR
License Type 2:
License County: JEFFERSON
Business Type: LLC
Trade Name: **LA CATRINA MEXICAN CANTINA**
Applicant Name: **GOLDEN HARVEST CULINARY MOUNTAIN BROOK LLC**
Location Address: 2031 CAHABA RD
MOUNTAIN BROOK, AL 35223
Mailing Address: 5084 PINNACLE SQUARE; SUITE 112
TRUSSVILLE, AL 35235
Contact Person: TOSHIMI HIRA
Contact Home Phone: 501-681-6738
Contact Business Phone: 501-681-6738
Contact Fax:
Contact Cell Phone: 501-681-6738
Contact Email Address:
Contact Web Address:

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Application Payment Receipt Confirmation Page

Receipt Confirmation Number: 20140909151026006
Application Payment Confirmation Number: 11392298

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

Application Information

Application Type: APPLICATION
License Type 1: 020 - RESTAURANT RETAIL LIQUOR

[Continue](#)

Technical Support: 866-353-3468 or support@alabamainteractive.org

Version 2.0.3



CITY OF MOUNTAIN BROOK

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

September 23, 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 September 22, 2014, City Council meeting recommending the issuance of a 020 – Restaurant Retail Liquor license to:

Golden Harvest Culinary Mountain Brook, LLC
(Trade name La Catrina Mexican Cantina)
2031 Cahaba Road
Mountain Brook, AL 35223

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

Sincerely,

Steven Boone
City Clerk

Enclosure

c: Toshimi Hira (toshimi@hirasgroup.com)
501/681-6738

RESOLUTION NO. 2014-116

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, October 13, 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 Pilgrim Place Planned Unit Development (PUD) master development plan previously approved by the Mountain Brook City Council (Ordinance No.1747 adopted October 9, 2007).

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 in accordance with applicable state law, 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.

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 22nd day of September, 2014.

Council President

APPROVED: This 22nd day of September, 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 September 22, 2014, as same appears in the minutes or record of said meeting.

I further certify that copies of the resolution above were posted on September ____, 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

Pilgrim Place

2014-116

RESOLUTION NO. 2014-117

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, October 13, 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 rezoning the properties, as more fully described herein below, from their respective zonings of Professional District and Residence-D District to Local Business District.

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 publish in accordance with applicable state law, by posting in four (4) 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, a notice in words and figures substantially as follows:

“ZONING NOTICE

Notice is hereby given that at a regular meeting of the City Council of the City of Mountain Brook to be held on Monday, October 13, 2014, at 7:00 p.m., in the Council Chamber of the Mountain Brook City Hall located at 56 Church Street, Mountain Brook, Alabama 35213, the City Council will hold a public hearing regarding a proposal that the City Council adopt an ordinance in words and figures substantially as follows:

‘ORDINANCE NO.

**AN ORDINANCE TO REZONE CERTAIN PARCELS
OF LAND IN THE CITY OF MOUNTAIN BROOK, ALABAMA
FROM PROFESSIONAL DISTRICT AND RESIDENCE D DISTRICT
TO LOCAL BUSINESS DISTRICT**

WHEREAS, after due consideration, the City Council has determined that the zoning classification of the real estate owned by Beverly Ann McGill, Ben & Jean Buford, and Mountain Brook Pops, which is located along Vine Street, as more particularly described below, should be zoned Local Business District; such property being presently zoned Professional District and Residence D District, respectively.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mountain Brook as follows:

Section 1. The zoning map of the City of Mountain Brook, as referred to in Chapter 129, Article VII of the Mountain Brook City Code, as amended from time to time, is hereby further amended by zoning to Local Business District the following described real property:

LOT 28A, ACCORDING TO A RESURVEY OF LOTS 28 AND 29, BLOCK 25, AS RECORDED IN MAP BOOK 174, PAGE 38 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY - FROM PROFESSIONAL DISTRICT TO LOCAL BUSINESS DISTRICT, 48 VINE STREET, BEVERLY ANN MCGILL.

AND

LOTS 27 & 26, BLOCK 25, ACCORDING TO THE SURVEY OF CRESTLINE HEIGHTS, AS

2014-117

RECORDED IN MAP BOOK 7, PAGE 16 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA - FROM RESIDENCE-D DISTRICT TO LOCAL BUSINESS DISTRICT - 50 AND 52 VINE STREET, BEN & JEAN BUFORD AND MOUNTAIN BROOK POPS CLUB, INC.

Section 2. The provisions of this ordinance are severable. If any provision of this ordinance is held by a court of competent jurisdiction to be invalid, such invalidity shall in no way affect the remaining provisions of this ordinance.

Section 3. This ordinance shall become effective when published by posting the same as required by law.

At the aforesaid time and place, all interested parties will be heard in relation to the changes proposed by said ordinance.'

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.

BE IT FURTHER RESOLVED that the City Clerk be, and hereby is, further authorized and directed to post the Notice herein above set out, which includes the proposed ordinance, in four conspicuous places within the City in accordance with applicable state law.

ADOPTED: This 22nd day of September, 2014.

Council President

APPROVED: This 22nd day of September, 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 September 22, 2014, as same appears in the minutes or record of said meeting.

I further certify that copies of the resolution above were posted on September ____, 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 Pharmacy, 2805 Cahaba Road
The Invitation Place, 3150 Overton Road

City Clerk

2014-117

RESOLUTION NO. 2014-118

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the execution of an agreement between the City and the Alabama Department of Transportation, in the form as attached hereto as Exhibit A, with respect to the cooperative maintenance of U. S. Highway 280 public right-of-way between mileposts 2.628 and 2.866.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the execution of an agreement between the City and ISBI Cahaba Village, LLC and the City, in the form at attached hereto as Exhibit B, with respect to the aforementioned cooperative maintenance agreement with the Alabama Department of Transportation.

ADOPTED: This 22nd day of September, 2014.

Council President

APPROVED: This 22nd day of September, 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 September 22, 2014, as same appears in the minutes of record of said meeting.

City Clerk

EXHIBIT A

ALABAMA DEPARTMENT OF TRANSPORTATION
AGREEMENT FOR THE COOPERATIVE MAINTENANCE
OF PUBLIC RIGHT OF WAY

Permit No. _____

REGION / DIVISION 3rd DISTRICT 1

THIS AGREEMENT, entered into this the 22nd day of September, 2014, by and between the Alabama Department of Transportation acting by and through its Transportation Director hereinafter referred to as the STATE and The City of Mountain Brook, in an effort to maintain an aesthetically pleasing area at the Cahaba Village in the city limits of Mountain Brook along Route US-280, the The City of Mountain Brook agrees to maintain the landscaping, parking lot, curb and gutter, drainage, lighting, and irrigation as which pertains to the Cahaba Village Development as denoted on the attached plans that is within the state right-of-way from milepost 2.628 to 2.866,

All maintenance shall conform to standards and specifications of the Alabama Department of Transportation and the Manual on Uniform Traffic Control Devices. Any subsequent construction beyond the limits of this agreement shall be requested by permit and be subject to approval by the Alabama Department of Transportation. It is furthermore understood by the parties that the plan sheets attached hereto describes the maintained area. The parties understand that this agreement and the plan sheets attached hereto may be amended by the mutual agreement of the parties.

In accepting the above, the Department of Transportation and APPLICANT agree to do the following:

1. Adequate sight distances must be maintained for maximum public safety; otherwise the Department of Transportation reserves the right to remedy this situation in the most expedient manner.

2. The Department of Transportation is not responsible for the safety of the individual involved or taking part in this work during maintenance operations performed by or on the behalf of the APPLICANT.

3. If Department of Transportation construction (repair of drainage and traffic structures, crossovers and other minor construction) is done in the subject area, it will be the responsibility of the Department of Transportation to establish a stand of vegetative cover if deemed necessary by the Department of Transportation and then the APPLICANT'S responsibility to maintain the vegetative cover as stipulated herein. In the event of major construction in the subject area, this Agreement shall be voided at a time designated by the Department of Transportation.

4. All work shall be subject to the inspection and approval of the Alabama Department of Transportation. Description of the proposed work must accompany this and any associated proposal. If the maintenance is not conducted as specified herein, the Department of Transportation shall assume maintenance and this Agreement will be invalid. A copy of this Agreement must be kept by all parties that sign the Agreement. The State of Alabama does not grant applicant any right, title, or claim on any highway right-of-way.

5. The APPLICANT agrees to store no equipment, materials, or debris of any kind on the shoulders of pavement and in the case of multi-lane highways, in the median strips. The pavement will be kept free from waste and equipment.

6. The APPLICANT shall be solely responsible for and hold harmless the Alabama Department of Transportation for any claim for damage done to existing private property, public utility, or the traveling public in connection with the performance of the APPLICANT'S obligations under this Agreement.

7. The APPLICANT will be responsible at all times for all of the work performed under this agreement and, the APPLICANT will protect, defend, indemnify and hold harmless the State of Alabama, The Alabama Department of Transportation, the officials, officers, and employees, in both their official and individual capacities, and their agents and/ or assigns, from and against any and all action, damages, claims, loss, liabilities, attorney's fees or expense whatsoever or any amount paid in compromise thereof arising out of or connected with the work performed under this Agreement.

8. This Agreement is executed with the understanding that it is not valid until the APPLICANT has complied with all existing ordinances, laws and zoning boards that have jurisdiction in the county, city, or municipality.

9. By entering into this agreement, the APPLICANT is not an agent of the State, its officers, employees, agents or assigns. The APPLICANT is an independent entity from the State and nothing in this agreement creates an agency relationship between the parties.

10. Failure of the APPLICANT to conform to the provisions of this Agreement will be cause to terminate this Agreement. Notification prior to termination will be made by the Department of Transportation.

The above conditions are agreed upon:

Name of Club, Group, Business or Municipality:

BY _____
Name and Title Date

BY _____
Name and Title Date

BY _____
Lawrence T. Oden, Mayor Date

205/802-3800
Telephone Number

Reviewed as to Form

Counsel – State of Alabama
Department of Transportation

For the Alabama Department of Transportation:

District Manager Date

Maintenance / Region / Division Engineer Date

10. Failure of the APPLICANT to conform to the provisions of this Agreement will be cause to terminate this Agreement. Notification prior to termination will be made by the Department of Transportation.

The above conditions are agreed upon:

Name of Club, Group, Business or Municipality:

BY _____
Name and Title Date

BY _____
Name and Title Date

BY _____
Name and Title Date

Telephone Number

Reviewed as to Form

Counsel – State of Alabama
Department of Transportation

For the Alabama Department of Transportation:

District Manager Date

Maintenance / Region / Division Engineer Date

EXHIBIT B

AGREEMENT

THIS AGREEMENT made between ISBI CAHABA VILLAGE, LLC, a Delaware limited liability company ("ISBI"), as successor to Bayer Construction Company, LLC, and THE CITY OF MOUNTAIN BROOK (the "City").

WHEREAS, the City has heretofore approved an application filed by ISBI for an amendment to the Development Plan for property located at or near the intersection of U. S. Highway 280 and Green Valley Road known as Cahaba Village (the "Property"); and

WHEREAS, the City has, in conjunction therewith, approved an expansion of the parking area and certain access improvements; and

WHEREAS, in connection therewith, at the request of the Alabama Department of Transportation ("ALDOT"), the City has agreed to enter into an agreement with ALDOT for the cooperative maintenance of public right of way abutting the Property; and

WHEREAS, ISBI has agreed to assume all expenses, liabilities, costs, and obligations embraced within, associated with, or imposed on the City under or by virtue of such agreement; and

WHEREAS, the City and ISBI desire to appropriately memorialize such assignment and assumption of obligations;

NOW, THEREFORE, the City and ISBI agree as follows:

1. In exchange for the City's agreement to enter into the cooperative maintenance agreement with ALDOT described hereinabove, which agreement has been included within Resolution No. 2014-118, ISBI agrees that, upon execution and/or approval thereof by ALDOT (or its assignee), it shall assume full responsibility for compliance with every term, condition, and provision set forth therein or made a part thereof and shall indemnify and hold the City harmless to the full extent of any costs, liability, obligation, or expense incurred by the City in conjunction therewith; provided, however, that nothing herein shall be construed to modify the terms of the existing development agreement between the City and ISBI or to relieve either party of any obligation thereunder.

2. This agreement supercedes and replaces that certain agreement made between Bayer Construction Company, LLC, and The City of Mountain Brook dated February 1, 2005, a copy of which is attached hereto as **Exhibit A**.

DATED this _____ day of 2014.

ISBI CAHABA VILLAGE, LLC, a Delaware limited liability company

By: _____

Name: _____

Title: _____

THE CITY OF MOUNTAIN BROOK, ALABAMA

By: _____

Name: _____

Title: _____

EXHIBIT A

See attached.

**ALABAMA DEPARTMENT OF TRANSPORTATION
AGREEMENT FOR THE COOPERATIVE MAINTENANCE
OF PUBLIC RIGHT OF WAY**

Permit No. _____

DIVISION 3

DISTRICT 1

THIS AGREEMENT, entered into this the 25 day of January, 2005, by and between the Alabama Department of Transportation acting by and through its Transportation Director hereinafter referred to as the STATE and City of Mountain Brook, in an effort to secure a more pleasing appearance on the roadside between Green Valley Road & Pump House Road overpass along Applicant's property known as Cahaba Village

on Route 280, the Applicant _____ agrees to maintain the vegetative cover in the Northern shoulder and median by means of mowing with a flail or rotary mower and hand trimming such that a clean and attractive appearance is obtained. Mowing operations shall be conducted when the height of the vegetative cover reaches 6 inches. Reschedule mowing operations in accordance with the planned frequency. In the event that shrubs and/or minor trees are planted within the area, trimming around the plant materials shall be done in conjunction with mowing to obtain a clean and attractive appearance. Clippings or other incidental debris (such as branches, trash, etc.) shall be removed if mounting of the clippings or other incidental debris occurs.

EXHIBIT A

05-007

In accepting the above, the Department of Transportation and club, group, business, or municipality agree to do the following:

1. The Department of Transportation will see that adequate sight distances are maintained for maximum public safety; otherwise the Department of Transportation reserves the right to remedy this situation in the most expedient manner.
2. The Department of Transportation is not responsible for the safety of the individual involved or taking part in this work during maintenance operations.
3. If Department of Transportation construction (repair of drainage and traffic structures, crossovers and other minor construction) is done in the subject area, it will be the responsibility of the Department of Transportation to establish a stand of vegetative cover if deemed necessary by the Department of Transportation and then the groups', clubs', business', or municipalities' responsibility to maintain the vegetative cover as stipulated herein. In the event of major construction in the subject area, this Agreement shall be voided at a time designated by the Department of Transportation.
4. All work shall be subject to the inspection and approval of the Alabama Department of Transportation. Description of the proposed work must accompany this and any associated proposal. If the maintenance is not conducted as specified herein, the Department of Transportation shall assume maintenance and this Agreement will be invalid. A copy of this Agreement must be kept by all parties that sign the Agreement. The State of Alabama does not grant applicant any right, title, or claim on any highway right-of-way.
5. The club, group, business or municipality agrees to store no equipment, branches, mounds of clippings or plant debris of any kind or any other material on the shoulders of pavement and in the case of multi-lane highways, in the median strips. The pavement will be kept free from waste (clippings, mud and other debris) and equipment.
6. The group, club, business or municipality shall be solely responsible for and hold harmless the Alabama Department of Transportation for any claim for damage done to existing private property, public utility, or the traveling public.
7. This Agreement is executed with the understanding that it is not valid until the club, group, business or municipality has complied with all existing ordinances, laws and zoning boards that have jurisdiction in the county, city or municipality.
8. Failure of the club, group, business or municipality to conform to the provisions of this Agreement will be cause to terminate this Agreement. Notification prior to termination will be made by the Department of Transportation.

EXHIBIT A

05-007

The above conditions are agreed upon:

City of Mountain Brook
Name of Club, Group, Business or Municipality:

For the Alabama Department of
Transportation:

BY *Sam D. Astin* *1-25-05*
Name and Title *City* Date
Manager

ATTEST:

BY *Javer Boone* *1-25-05*
Name and Title *City* Date
Clerk



Date _____

District Engineer Date

Division Engineer Date

Maintenance Engineer Date

EXHIBIT A

05-007

ORDINANCE NO. 1915

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK,
ALABAMA, ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING
OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, that the following is the adopted budget for all major funds of the City for the fiscal year beginning October 1, 2014 and ending September 30, 2015:

	General Operations (100)	Park Board (115)	Library Board (70X)	Capital Projects (417/428/441)	Other Governmental (5XX/600)	All Other (132/14X/153)
Funds Available:						
Revenues:						
Taxes	\$ 27,730,300	\$ 0	\$ 0	\$ 0	\$ 383,300	\$ 0
Licenses and permits	4,473,300	0	0	0	0	0
Intergovernmental	0	46,800	0	0	0	49,533
Charges for services	533,300	69,900	7,000	0	313,800	134,266
Fines and forfeitures	503,000	0	58,000	0	186,300	0
Grants	0	0	11,166	656,000	0	0
Investment Earnings	104,000	500	275	41,300	71,800	2,500
Miscellaneous	290,600	3,000	1,600	25,000	175,300	0
Proceeds from the issuance of debt	0	0	0	0	0	0
Proceeds from the sale of property	0	0	0	0	0	0
Intrafund transfers in:						
General Operations/Capital	0	0	0	3,347,344	1,044,676	0
Park Board	0	0	0	137,180	0	0
Library Board	0	0	0	96,490	0	0
Other (14X/153)	35,199	0	0	0	0	0
E-911	0	0	0	205,186	0	0
Operating transfers in-component unit	0	0	25,000	0	0	0
Donations	0	0	76,950	0	0	0
(Surplus) deficit	(643,442)	0	20,335	3,875,648	102,753	(27,500)
Total Fund Available	\$ 33,026,257	\$ 120,200	\$ 200,326	\$ 8,384,148	\$ 2,277,929	\$ 158,799
Expenditures:						
Legislation and management	\$ 1,392,239	\$ 0	\$ 0	\$ 48,000	\$ 0	\$ 0
Planning	201,145	0	0	0	0	0
Intergovernmental	815,500	0	0	0	0	0
Unassigned benefits	647,700	0	0	0	0	0
Finance	1,304,218	0	0	72,620	257,141	0
Fire	6,925,048	0	0	871,800	0	0
Inspection Services	467,841	0	0	0	0	0
Police	6,907,880	0	0	874,484	439,399	0
Street and Sanitation	6,300,877	0	0	5,520,525	1,018,853	0
Parks and Recreation	0	1,049,287	0	480,369	0	148,600
Library	0	0	3,041,708	159,000	0	0
Debt service payments	0	0	0	0	357,350	0
Operating transfers-out:						
General Fund	0	0	0	0	0	35,199
Capital Projects	3,581,014	0	0	0	205,186	0
Special Revenue	387,326	0	0	0	0	0
Debt Service (Other)	300,000	0	0	357,350	0	0
Other funds (Other)	25,000	0	0	0	0	(25,000)
Park Board	929,087	(929,087)	0	0	0	0
Library Board	2,841,382	0	(2,841,382)	0	0	0
Total Expenditures	\$ 33,026,257	\$ 120,200	\$ 200,326	\$ 8,384,148	\$ 2,277,929	\$ 158,799

1915

BE IT FURTHER ORDAINED by the City Council of the City of Mountain Brook, Alabama that the City Manager of the City is hereby authorized and directed, for and on behalf of the City, to disburse funds for the payment of budgeted expenditures including and not limited to salaries and benefits, payroll taxes, service and other contracts, debt service, utilities, supplies and such other obligations incurred by the City in the normal course of municipal, public safety, and recreational operations.

ADOPTED: The 22nd of September, 2014.

Council President

APPROVED: The 22nd of September, 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 an ordinance adopted by the City Council of the City of Mountain Brook at its meeting held on September 22, 2014, as same appears in the minutes of record of said meeting, and published by posting copies thereon on September 23, 2014, at the following public places as required by law.

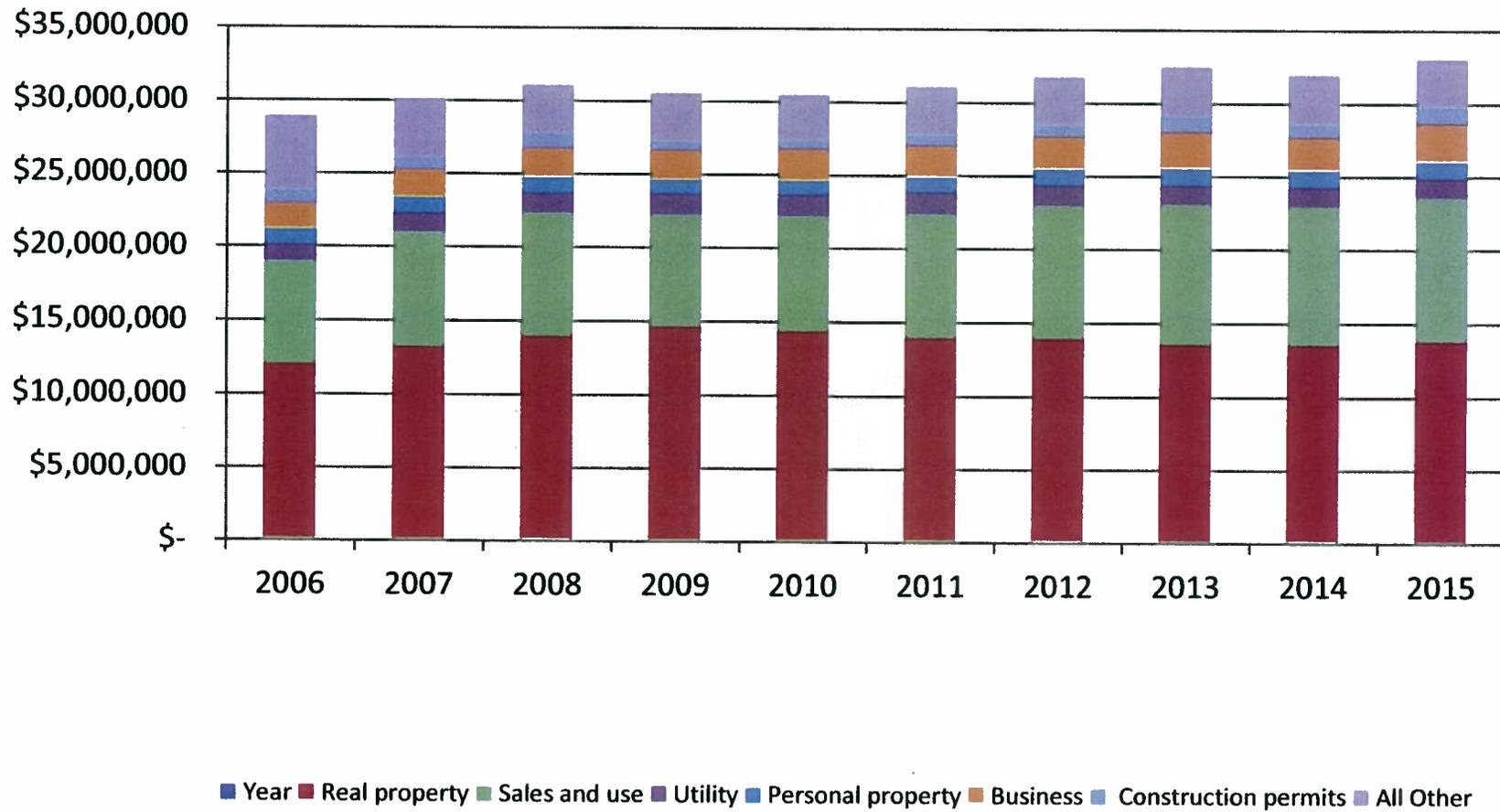
City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road

Overton Park, 3020 Overton Road
The Invitation Place, 3150 Overton Road

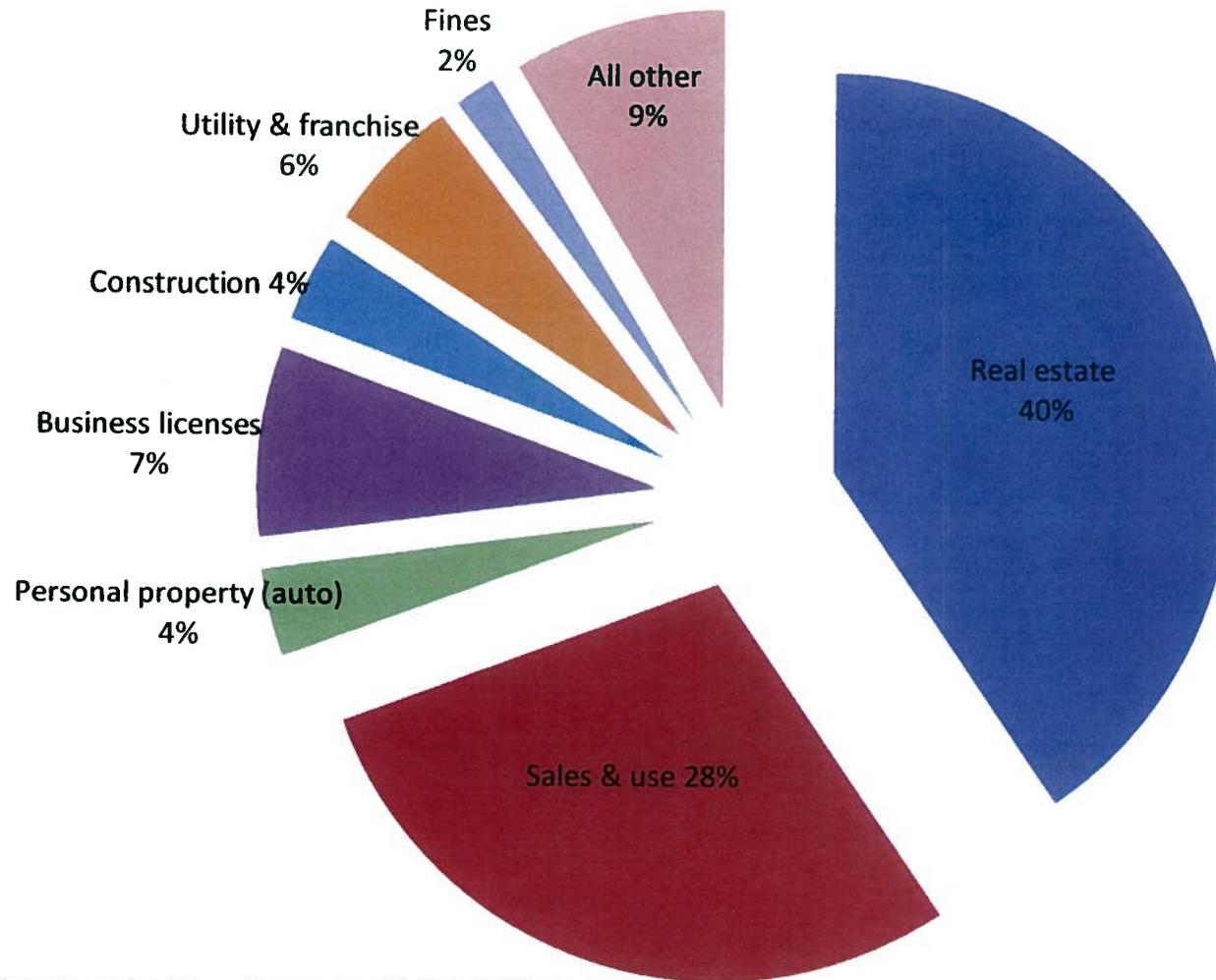
City Clerk

1915

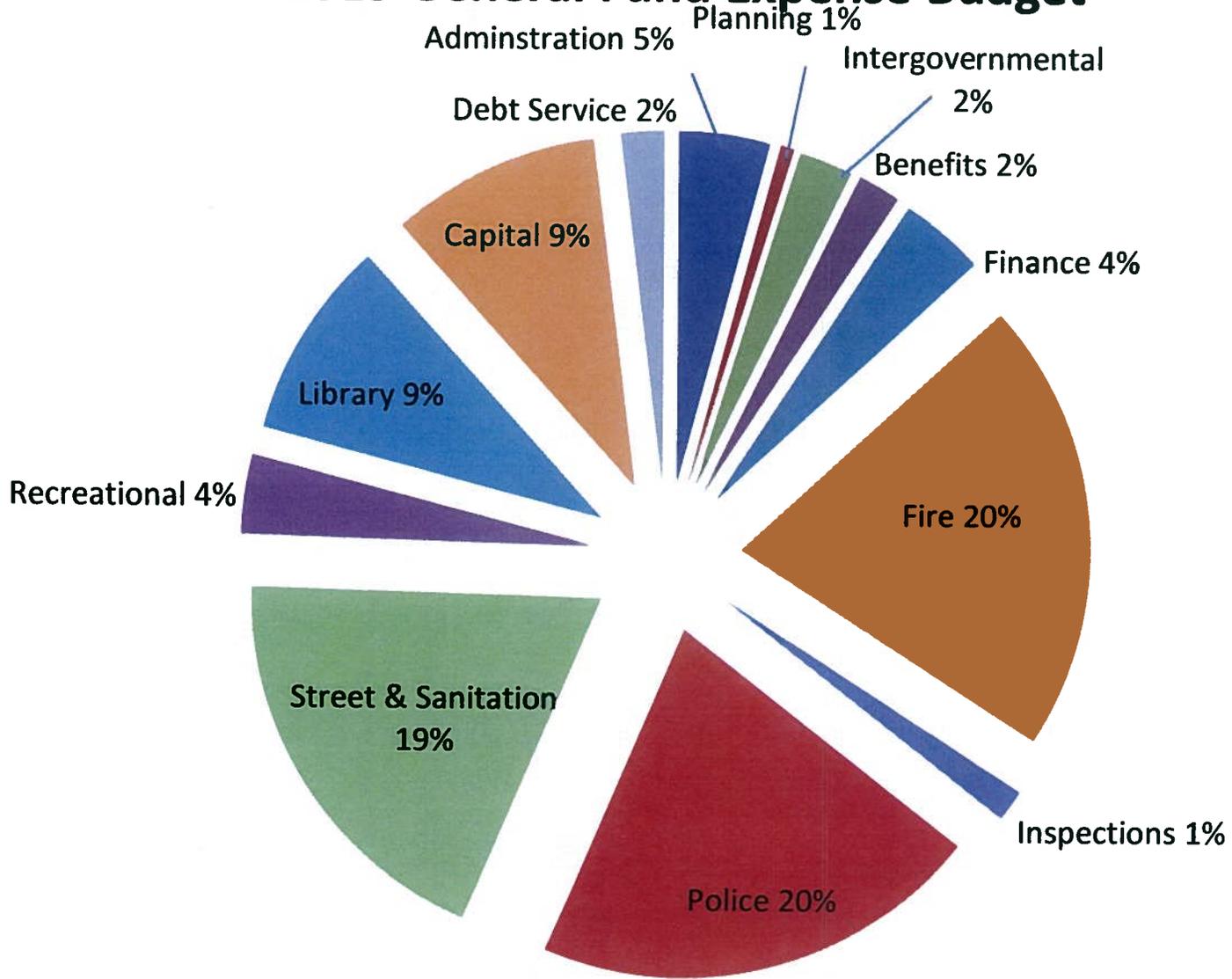
General Fund Revenues



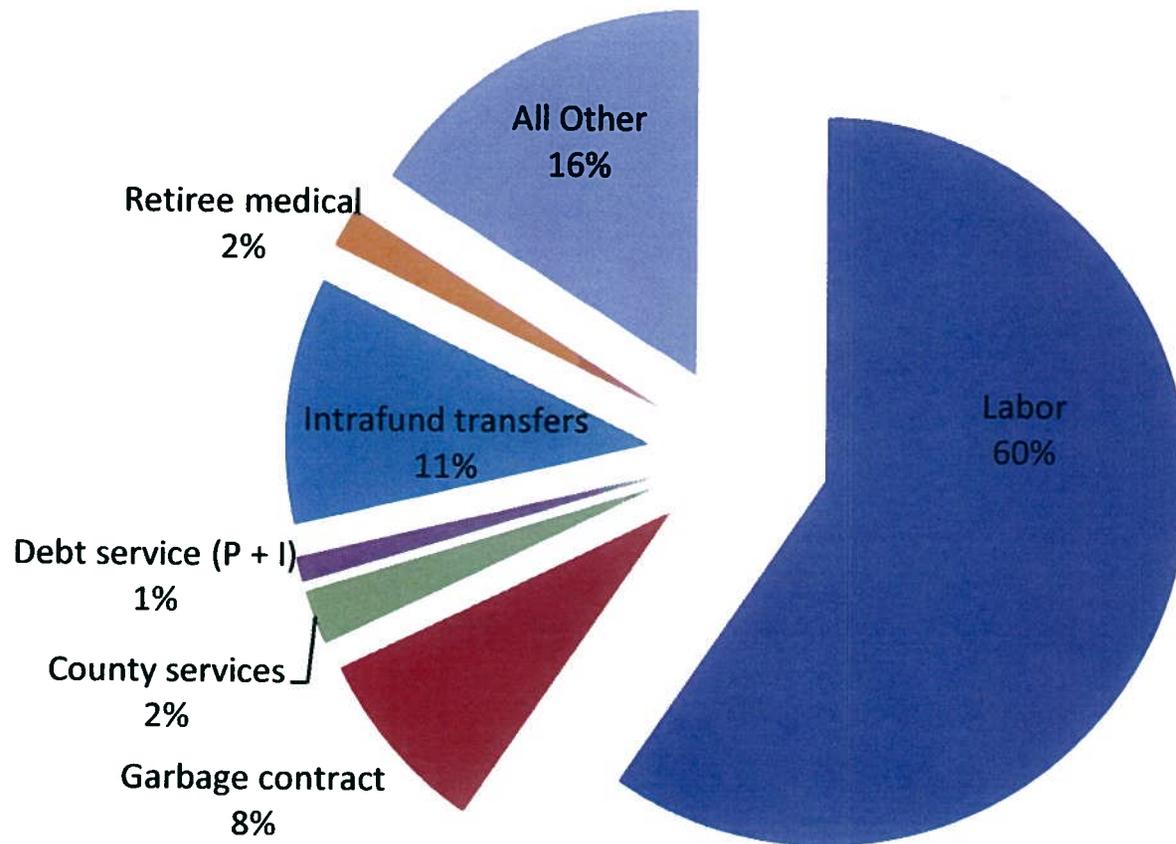
2015 General Fund Revenue Budget



2015 General Fund Expense Budget



2015 General Fund Expense Budget



**Statement of Budgeted Revenues, Expenditures, and Changes in Fund Balance
City of Mountain Brook, Alabama
Year Ended**

	2015					
	General	Capital	Other	Total Governmental Funds		Actual
	Fund	Projects	Governmental	Budget	Budget	
1XX, 7XX	4XX	Funds	2015	2014	2013	
		5XX / 6XX				
Revenues:						
Taxes	\$ 27,730,300	\$ 0	\$ 383,300	\$ 28,113,600	\$ 27,432,155	\$ 27,559,843
Licenses and permits	4,473,300	0	0	4,473,300	3,869,500	4,296,693
Intergovernmental	96,333	0	0	96,333	88,655	84,547
Charges for services	744,466	0	313,800	1,058,266	1,120,249	1,042,294
Fines and forfeitures	561,000	0	186,300	747,300	688,040	737,250
Grants	11,166	656,000	0	667,166	659,095	514,644
Investment Earnings	107,275	41,300	71,800	220,375	309,377	1,319,443
Miscellaneous	295,200	25,000	175,300	495,500	595,300	0
Total Revenues	34,019,040	722,300	1,130,500	35,871,840	34,762,371	35,554,714
Expenditures:						
General government	4,360,802	120,620	257,141	4,738,563	4,982,611	15,202,523
Public safety	14,300,769	1,746,284	439,399	16,486,452	15,830,668	14,723,166
Street & sanitation	6,300,877	5,520,525	1,018,853	12,840,255	8,869,211	8,214,980
Recreational	1,197,887	480,369	0	1,678,256	1,723,942	1,172,010
Library	3,041,708	159,000	0	3,200,708	3,190,843	2,690,946
Debt service	0	0	357,350	357,350	360,391	358,141
Total Expenditures	29,202,043	8,026,798	2,072,743	39,301,584	34,957,666	42,361,766
Excess (deficiency) of revenues over expenditures	4,816,997	(7,304,498)	(942,243)	(3,429,744)	(195,295)	(6,807,052)
Other Financing Sources (Uses):						
Proceeds from the issuance of debt	0	0	0	0	0	0
Operating transfers in	0	3,786,200	1,044,676	4,830,876	4,174,146	4,982,802
Operating transfers (out)	(4,268,340)	(357,350)	(205,186)	(4,830,876)	(4,174,146)	(4,982,802)
Operating transfers in-component uni	25,000	0	0	25,000	43,000	20,885
Donations	76,950	0	0	76,950	274,250	363,805
Total Other Financing Sources	(4,166,390)	3,428,850	839,490	101,950	317,250	384,690
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses	650,607	(3,875,648)	(102,753)	(3,327,794)	121,955	(6,422,362)
Fund balance, beginning of year	13,525,089	10,906,018	5,003,054	29,434,161	27,386,701	33,809,063
FUND BALANCES, END OF YEAR	\$ 14,175,696	\$ 7,030,370	\$ 4,900,301	\$ 26,106,366	\$ 27,508,656	\$ 27,386,701

General Operations (Fund 100) Budget Summary
City of Mountain Brook, Alabama
Year Ended

	<u>Actual 2013</u>	<u>Budget 2014</u>	<u>Projected 2014</u>	<u>Budget 2015</u>
Revenues	\$ 33,078,348	\$ 32,485,000	\$ 33,545,707	\$ 33,634,500
Expenses and Intrafund Transfers:				
General Government	11,541,635	10,386,590	10,737,926	10,906,513
Legislation & Management	2,483,970	2,186,909	2,449,103	1,802,689
Planning	0	0	0	201,145
Intergovernmental	775,843	789,462	802,207	815,500
Benefits (Unassigned)	709,606	705,100	786,596	647,700
Intrafund Transfers-Park Board	1,007,127	996,190	996,190	1,066,267
Intrafund Transfers-Library Board	2,594,651	2,807,290	2,807,290	2,937,872
Intrafund Transfers-All Other	2,673,161	1,536,377	1,610,065	2,085,025
Finance	1,297,276	1,365,262	1,286,475	1,350,315
Administration	428,691	494,629	453,356	476,143
Revenue	263,988	245,295	219,635	229,420
Accounting	283,155	312,924	316,416	328,230
Network Administration	321,442	312,414	297,068	316,522
Public Safety	13,956,615	14,866,800	14,864,924	15,251,809
Fire	6,756,813	7,074,679	7,211,295	7,301,961
Administration	906,940	894,379	888,874	893,072
Training & Safety	123,093	136,111	137,396	146,067
Prevention	142,391	157,411	156,357	156,577
EMS Transportation	368,617	392,564	408,703	440,130
Suppression	5,215,772	5,494,214	5,619,965	5,666,115
Inspections	420,000	452,260	443,662	467,841
Police	6,779,801	7,339,861	7,209,967	7,482,007
Administration	2,300,809	2,413,715	2,400,794	2,378,919
Training	99,885	146,250	141,200	154,500
Patrol	3,459,668	3,751,241	3,639,977	3,829,368
Detectives	799,852	851,842	850,683	923,932
School Resource Officers	119,588	176,813	177,313	195,288
Public Works	6,628,529	6,745,610	6,675,948	6,832,736
Administration	1,338,613	1,333,613	1,269,858	1,380,148
Gargage & Trash Contract	2,722,982	2,765,001	2,751,076	2,779,000
Heavy Construction	901,444	960,729	997,053	1,000,651
Traffic & Right-of-Way	1,510,245	1,541,564	1,544,237	1,540,036
Fleet Maintenance	155,246	144,703	113,724	132,901
Total Expenses and Transfers	<u>32,126,779</u>	<u>31,999,000</u>	<u>32,278,798</u>	<u>32,991,058</u>
Surplus (Deficit)	<u>\$ 951,568</u>	<u>\$ 486,000</u>	<u>\$ 1,266,909</u>	<u>\$ 643,442</u>

**Combining Statement of Budgeted General Fund Revenues, Expenditures, and Changes in Fund Balance
City of Mountain Brook, Alabama
Year Ended**

2015 Budget

	General Fund Total	General Operations 100	Park Board 115	Drug Asset Forfeitures 132	Community Fund 142	Emergency Reserves 146	Phase 3 Fields 149	Court Cash Bonds 153	Operating 701	Library Books 702	Endowment 703
Revenues:											
Taxes	\$ 27,730,300	\$ 27,730,300	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Licenses and permits	4,473,300	4,473,300	0	0	0	0	0	0	0	0	0
Intergovernmental	96,333	0	46,800	0	0	0	49,533	0	0	0	0
Charges for services	744,466	533,300	69,900	0	0	0	134,266	0	7,000	0	0
Fines and forfeitures	561,000	503,000	0	0	0	0	0	0	48,000	10,000	0
Grants	11,166	0	0	0	0	0	0	0	11,166	0	0
Investment Earnings	107,275	104,000	500	0	0	2,500	0	0	0	75	200
Miscellaneous	295,200	290,600	3,000	0	0	0	0	0	1,500	100	0
Total Revenues	34,019,040	33,634,500	120,200	0	0	2,500	183,799	0	67,666	10,175	200
Expenditures:											
General government	4,360,802	4,360,802	0	0	0	0	0	0	0	0	0
Public safety	14,300,769	14,300,769	0	0	0	0	0	0	0	0	0
Street & sanitation	6,300,877	6,300,877	0	0	0	0	0	0	0	0	0
Recreational	1,197,887	0	1,049,287	0	0	0	148,600	0	0	0	0
Library	3,041,708	0	0	0	0	0	0	0	2,654,048	387,660	0
Debt service	0	0	0	0	0	0	0	0	0	0	0
Total Expenditures	29,202,043	24,962,448	1,049,287	0	0	0	148,600	0	2,654,048	387,660	0
Excess (deficiency) of revenues over expenditures	4,816,997	8,672,052	(929,087)	0	0	2,500	35,199	0	(2,586,382)	(377,485)	200
Other Financing Sources (Uses):											
Proceeds from the issuance of debt	0	0	0	0	0	0	0	0	0	0	0
Operating transfers in	0	0	0	0	0	0	0	0	0	0	0
Operating transfers (out)	(4,268,340)	(8,028,610)	929,087	0	0	25,000	(35,199)	0	2,586,382	255,000	0
Operating transfers in-component unit	25,000	0	0	0	0	0	0	0	0	25,000	0
Donations	76,950	0	0	0	0	0	0	0	0	76,950	0
Total Other Financing Sources	(4,166,390)	(8,028,610)	929,087	0	0	25,000	(35,199)	0	2,586,382	356,950	0
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses	650,607	643,442	0	0	0	27,500	0	0	0	(20,535)	200
Fund balance, beginning of year	13,525,089	10,717,119	141,429	20,100	10,970	2,423,496	(1,327)	0	0	159,330	53,971
FUND BALANCES, END OF YEAR	\$ 14,175,696	\$ 11,360,561	\$ 141,429	\$ 20,100	\$ 10,970	\$ 2,450,996	\$ (1,327)	\$ 0	\$ 0	\$ 138,795	\$ 54,171

**Combining Statement of Budgeted Capital Project Funds Revenues, Expenditures, and
Changes in Fund Balance
City of Mountain Brook, Alabama
Year Ended**

2015 Budget

	Capital Projects Total	Infrastructure Projects 417	Grant Funded 428	Capital 441
Revenues:				
Taxes	\$ 0	\$ 0	\$ 0	\$ 0
Licenses and permits	0	0	0	0
Intergovernmental	0	0	0	0
Charges for services	0	0	0	0
Fines and forfeitures	0	0	0	0
Grants	656,000	0	656,000	0
Investment Earnings	41,300	3,100	500	37,700
Miscellaneous	25,000	0	0	25,000
Total Revenues	722,300	3,100	656,500	62,700
Expenditures:				
General government	120,620	0	0	120,620
Public safety	1,746,284	0	0	1,746,284
Street & sanitation	5,520,525	4,206,978	829,205	484,342
Recreational	480,369	454,169	0	26,200
Library	159,000	0	0	159,000
Debt service	0	0	0	0
Total Expenditures	8,026,798	4,661,147	829,205	2,536,446
Excess (deficiency) of revenues over expenditures	(7,304,498)	(4,658,047)	(172,705)	(2,473,746)
Other Financing Sources (Uses):				
Proceeds from the issuance of debt	0	0	0	0
Operating transfers in	3,786,200	2,128,942	172,705	1,484,553
Operating transfers (out)	(357,350)	(357,350)	0	0
Operating transfers in-component unit	0	0	0	0
Donations	0	0	0	0
Total Other Financing Sources	3,428,850	1,771,592	172,705	1,484,553
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses	(3,875,648)	(2,886,455)	0	(989,193)
Fund balance, beginning of year	10,906,018	3,252,908	255,665	7,397,445
FUND BALANCES, END OF YEAR	\$ 7,030,370	\$ 366,453	\$ 255,665	\$ 6,408,252

**Combining Statement of Budgeted Other Governmental Funds Revenues, Expenditures, and Changes in Fund Balance
City of Mountain Brook, Alabama
Year Ended**

	2015 Budget								
	Other Governmental Funds	5¢	Gasoline Tax Funds			2¢	E-911 District	Corrections Fund	Debt Service
	Total	521	522	523	524	531	554	600	
Revenues:									
Taxes	\$ 383,300	\$ 57,600	\$ 201,700	\$ 118,600	\$ 5,400	\$ 0	\$ 0	\$ 0	
Licenses and permits	0	0	0	0	0	0	0	0	
Intergovernmental	0	0	0	0	0	0	0	0	
Charges for services	313,800	0	0	0	0	313,800	0	0	
Fines and forfeitures	186,300	0	0	0	0	2,200	184,100	0	
Grants	0	0	0	0	0	0	0	0	
Investment Earnings	71,800	300	1,300	400	100	900	0	68,800	
Miscellaneous	175,300	0	175,300	0	0	0	0	0	
Total Revenues	1,130,500	57,900	378,300	119,000	5,500	316,900	184,100	68,800	
Expenditures:									
General government	257,141	0	0	0	0	0	256,341	800	
Public safety	439,399	0	0	0	0	324,314	115,085	0	
Street & sanitation	1,018,853	52,950	916,223	22,340	27,340	0	0	0	
Recreational	0	0	0	0	0	0	0	0	
Library	0	0	0	0	0	0	0	0	
Debt service	357,350	0	0	0	0	0	0	357,350	
Total Expenditures	2,072,743	52,950	916,223	22,340	27,340	324,314	371,426	358,150	
Excess (deficiency) of revenues over expenditures	(942,243)	4,950	(537,923)	96,660	(21,840)	(7,414)	(187,326)	(289,350)	
Other Financing Sources (Uses):									
Proceeds from the issuance of debt	0	0	0	0	0	0	0	0	
Operating transfers in	1,044,676	0	200,000	0	0	0	187,326	657,350	
Operating transfers (out)	(205,186)	0	0	0	0	(205,186)	0	0	
Operating transfers in-component unit	0	0	0	0	0	0	0	0	
Donations	0	0	0	0	0	0	0	0	
Total Other Financing Sources	839,490	0	200,000	0	0	(205,186)	187,326	657,350	
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses	(102,753)	4,950	(337,923)	96,660	(21,840)	(212,600)	0	368,000	
Fund balance, beginning of year	5,003,054	45,777	609,747	128,278	32,017	443,178	0	3,744,058	
FUND BALANCES, END OF YEAR	\$ 4,900,301	\$ 50,727	\$ 271,824	\$ 224,938	\$ 10,177	\$ 230,577	\$ 0	\$ 4,112,058	

**Statement of Changes in Fiduciary Net Position
Other Post-Employment Benefits Trust Fund
Year Ended September 30**

	<u>Actual 2013</u>	<u>Budget 2014</u>	<u>Projected 2014</u>	<u>Budget 2015</u>
ADDITIONS				
	Contributions			
215-3408-4810 Employer	\$ 670,923	\$ 666,600	\$ 684,000	\$ 593,000
215-3407-4231 Plan members	128,202	136,000	158,594	167,000
215-3407-4400 Investment earnings	<u>15,375</u>	<u>11,000</u>	<u>17,500</u>	<u>20,000</u>
TOTAL ADDITIONS	814,500	813,600	860,094	780,000
DEDUCTIONS				
215-1115-6130 Benefits	479,125	467,250	550,000	554,000
215-1100-6*** Administrative expense	<u>262</u>	<u>5,500</u>	<u>300</u>	<u>5,800</u>
TOTAL DEDUCTIONS	<u>479,387</u>	<u>472,750</u>	<u>550,300</u>	<u>559,800</u>
NET INCREASE	335,113	340,850	309,794	220,200
Net position held in trust for other post-employment benefits, beginning of year	<u>925,335</u>	<u>1,260,448</u>	<u>1,260,448</u>	<u>1,570,242</u>
NET POSITION HELD IN TRUST FOR OTHER POST-EMPLOYMENT BENEFITS, END OF YEAR	<u>\$ 1,260,448</u>	<u>\$ 1,601,298</u>	<u>\$ 1,570,242</u>	<u>\$ 1,790,442</u>

Note:

Effective October 1, 2006, GASB 45 required local governments to account for their other post-employment benefit plans (OPEB) similar to its method of accounting for its defined benefit pension plans. The City's OPEB plan includes retiree medical insurance. On July 27, 2009, the City Council authorized the creation of an Internal Revenue Code Section 115 trust (Resolution No. 09-101) and began depositing funds into the trust to offset its obligation for retiree medical benefits. Following is a summary of the City's deposits into the Sec. 115 trust since its creation, and trust balances, actuarial accrued liability (AAL) and unfunded actuarial accrued liability (UAAL) as of September 30 :

	September 30					
	Trust Deposit	Net Premiums	Total Expense	Trust Balance	AAL	UAAL
2015 Budgeted	\$ 200,000	\$ 393,000	\$ 593,000	\$ 1,790,442	\$ (4,534,000)	\$ (2,743,558)
2014 Projected	300,000	384,000	684,000	1,570,242	(4,018,000)	(2,447,758)
2013 Actual	320,000	350,923	670,923	1,260,448	(3,560,421)	(2,299,973)
2012	300,000	354,828	654,828	925,335	(3,155,271)	(2,229,936)
2011	200,000	364,016	564,016	613,573	(3,249,729)	(2,636,156)
2010	200,000	322,671	522,671	403,024	(3,473,472)	(3,070,448)
2009	<u>180,000</u>	<u>35,118</u>	<u>215,118</u>	196,320	(2,859,543)	(2,663,223)
	<u>\$ 1,700,000</u>	<u>\$ 2,204,556</u>	<u>\$ 3,904,556</u>			

RESOLUTION NO. 2014-119

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that effective October 7, 2014, the salaries of all employees (classified and unclassified) of the City of Mountain Brook, Alabama, including employees of The Emmet O'Neal Library Board and Parks and Recreation Board, shall be increased by one and one-half of one percent (1-1/2%) over the current salary schedule.

ADOPTED: The 22nd day of September, 2014.

Council President

APPROVED: The 22nd day of September, 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 September 22, 2014, as same appears in the minutes of record of said meeting.

City Clerk

ORDINANCE NO. 1916

**AN ORDINANCE TO INCREASE THE SALARY OF THE
CITY MANAGER OF THE CITY OF MOUNTAIN BROOK, ALABAMA**

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, as follows:

Section 1. Effective October 7, 2014, the salary of the City Manager of the City of Mountain Brook shall be increased to six thousand fifty-six and 26/100 dollars (\$6,056.26) bi-weekly.

Section 2. The Mayor is hereby authorized to execute an [amended] employment agreement to reflect the revised base salary described in Section 1 above, in the form as attached hereto as Exhibit A, between the City and City Manager.

Section 3. All ordinances and resolutions concerning the salary and employment agreement of the City Manager which have been adopted previously are hereby repealed.

Section 4. This ordinance shall become effective when published by posting the same as required by law.

ADOPTED: The 22nd day of September, 2014.

Council President

APPROVED: The 22nd day of September, 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 an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on September 22, 2014, as same appears in the minutes of record of said meeting, and published by posting copies thereof on September ____, 2014, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 3928 Montclair Road, Ste. 148
Gilchrist Pharmacy, 2850 Cahaba Road

Piggly Wiggly Foodstore 4, 93 Euclid Avenue
The Invitation Place, 3150 Overton Road

City Clerk

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT made by and between SAM GASTON ("Gaston") and the CITY OF MOUNTAIN BROOK, ALABAMA ("City").

WHEREAS, Gaston has satisfactorily served as City Manager for the City since June 1993; and

WHEREAS, Gaston and the City have agreed that the terms and conditions of Gaston's continued employment should be memorialized and set forth in a formal contract of employment in order to promote clarity and avoid misunderstanding;

PREMISES CONSIDERED, Gaston and the City agree to the following terms and conditions:

1. Appointment as City Manager; Duties. Gaston shall serve as City Manager of the City of Mountain Brook, Alabama, and, in such capacity, shall perform such tasks and duties as may be prescribed and/or directed by the governing body or by applicable ordinance or statute. Gaston shall devote all of his productive time, ability and attention to the business of the City during the term of his appointment and shall not engage in any other employment or pursuit that would conflict or interfere with his duties and responsibilities as City Manager.
2. Term of Appointment. The term of Gaston's appointment shall be as provided by law.
3. Cancellation; Notice. Gaston's appointment and the City's obligations hereunder may be terminated by (i) operation of law; (ii) termination thereof by the governing body without cause during his term of appointment; (iii) termination thereof by the governing body for cause during his term of appointment; and (iv) Gaston's voluntary resignation.

The City may at its option terminate Gaston's appointment at any time for cause. For purposes of this Agreement, termination "for cause" shall include, but not be limited to, viz: (i) any act of theft, embezzlement, immoral conduct, sexual harassment, use of illicit drugs, or intoxication while acting as an employee of the City; (ii) the conviction for any crime involving moral turpitude; (iii) the willful neglect by Gaston of his duties hereunder; or (iv) the continued breach of any material term or condition of this Agreement by Gaston after written notice. Upon any such termination by the City for cause, Gaston shall only be entitled to the compensation and benefits provided in this Agreement (including accrued but unused vacation and sick leave) computed on a prorated basis up to and including the date of such termination, and shall be entitled to no further compensation subsequent to said date except as may be required by law. Any termination for cause by the City shall not prejudice its rights to seek any other redress or remedy to which it may be entitled under the law.

The City may also, at its option, terminate this Agreement at any time without cause. In the event of any termination by the City of this Agreement without cause prior to the expiration of Gaston's term as provided by law, the City shall be fully obligated to pay to Gaston his full salary and fringe benefits, including but not limited to any accrued but unused vacation and sick leave, only for the four (4) month period immediately following said date of termination. In exchange for said payments by the City, Gaston agrees to make himself available to provide consulting services to the City as may be reasonably requested during said four (4) month period.

Gaston shall provide the City at least sixty (60) days' advance written notice of his resignation. Upon termination of his employment, Gaston shall be paid for any accrued but unused sick leave and/or unused vacation days in accordance with generally applicable city policy.

4. Compensation and Benefits; Evaluation. Gaston shall receive as base compensation the sum of one hundred fifty-seven thousand four hundred sixty-two and 76/100 dollars (\$157,462.76) per annum, which shall be paid in regular increments according to the payroll system and schedule then in effect for the City. Gaston shall also receive and be eligible for the same across-the-board raises and fringe benefits (including but not limited to health, dental, disability, and life insurance, longevity pay, vacation, and sick leave) as are accorded or made available to city employees generally; provided, however, that nothing herein shall be construed to confer merit or civil service status on Gaston. Gaston's job performance shall be evaluated periodically at the discretion of the City Council. Upon receipt of a satisfactory performance evaluation, Gaston shall be entitled to such increase in basic compensation for the duration of the term of his appointment as the governing body may deem appropriate.

In addition to the foregoing, and in keeping with past practice, the City shall furnish to Gaston an automobile that may be used by Gaston for city-related functions, activities, and purposes, and for transportation between work location(s) and his personal residence. The City shall pay or provide for all gasoline, oil, maintenance, and insurance expenses associated with operation of the automobile. The City shall also pay for or reimburse Gaston for all actual and reasonable out-of-pocket expenses, dues, or fees incurred by Gaston in performing or attending city-related functions and activities, including but not limited to membership in and attendance at annual or semi-annual conferences sponsored by the ACCMA, the APA, and the ICMA.

5. Notice. All notices, consents, requests, approvals, and other communications provided for herein shall be validly given, made, or served if in writing and delivered personally or sent by registered or certified mail, postage prepaid, as follows, viz:

TO GASTON: Sam S. Gaston
2028 Clearview Drive
Birmingham, AL 35244

TO CITY: City of Mountain Brook
c/o The Mayor
P. O. Box 130009
Mountain Brook, AL 35213-0009

6. Modification. This Agreement cannot be changed, modified, or amended in any respect except by a written instrument signed by both parties.

7. Entire Agreement. This Agreement supersedes all other agreements previously made between the parties relating to its subject matter. There are no other understandings or agreements, as all prior agreements are hereby merged into this Agreement.

8. Severability. If any part, section or subdivision of this Agreement shall be held invalid or unenforceable for any reason, such holding shall not be construed to invalidate or impair the remainder of this Agreement, which shall continue in full force and effect notwithstanding such holding.

ORDINANCE NO. 1917

APPROVAL OF THE EDUCATIONAL DEGREE PREMIUM PAY PURSUANT TO SECTION 1.VIII.G. OF THE PERSONNEL BOARD OF JEFFERSON COUNTY "SALARY ADMINISTRATION GUIDE & PAY PLAN"

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, as follows:

SECTION 1. EDUCATIONAL DEGREE PREMIUM PAY PLAN. The City Council hereby approves, subject to the approval of the Personnel Board of Jefferson County, the payment of Educational Degree Premium Pay pursuant to Section 1.VIII.G. of the Personnel Board of Jefferson County "Salary Administration Guide & Pay Plan" for qualifying degrees earned from accredited institutions of higher education determined to be directly related to the responsibilities and duties of the incumbent's classified position as follows:

Class No.	Job Title	Premium Code		
		Associate 06	Bachelor 21	Graduate/ Professional 31
1082	Assistant City Manager/Finance Director			One Step
5257	Building Inspections Superintendent II			One Step
5098	Fire Chief III			One Step
6093	Police Chief III			One Step
8715	Public Works Director III			One Step
8290	Park/Recreation Superintendent			One Step
	Sworn Fire and Police personnel excluding Chiefs (5098 and 6093)	One Step	Two Steps	

Note: Eligible employees may only receive one the educational degree premiums; the premiums may not be combined.

SECTION 2. REPEALER. All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

SECTION 3. SEVERABILITY. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 4. EFFECTIVE DATE. The effective date of this ordinance shall be October 7, 2014.

ADOPTED: This 22nd day of September, 2014.

Council President

1917

APPROVED: This 22nd day of September, 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 an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on September 22, 2014, as same appears in the minutes of record of said meeting, and published by posting copies thereof on September 23, 2014, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road

Overton Park, 3020 Overton Road
The Invitation Place, 3150 Overton
Road

City Clerk

1917

Education Incentive
City of Mountain Brook
Updated September 2014

Class No	Grade	Step	Position Title	Qualified Positions	Potential Salary Incentive			Salary	7.65%		Total
					Associates	Bachelors	Graduate		FICA	Pension	
N/A	N/A	N/A	City Manager	1	N/A	N/A	X	\$ 3,785	\$ 290	\$ 443	\$ 4,518
1082	34	10	Assistant City Manager/Finance Director	1	N/A	N/A	\$ 6,614.40	\$ 6,614	\$ 506	\$ 774	\$ 7,894
5257	28	10	Building Inspections Superintendent II	0	N/A	N/A	\$ 4,846.40	\$ 0	\$ 0	\$ 0	\$ 0
5098	34	10	Fire Chief III	1	N/A	N/A	\$ 6,614.40	\$ 6,614	\$ 506	\$ 774	\$ 7,894
6093	34	9	Police Chief III	1	N/A	N/A	\$ 6,365.80	\$ 6,366	\$ 487	\$ 745	\$ 7,598
8715	28	9	Public Works Director III	0	N/A	N/A	\$ 4,700.80	\$ 0	\$ 0	\$ 0	\$ 0
8290	23	6	Park/Recreation Superintendent	1	N/A	N/A	\$ 3,432.00	\$ 0	\$ 0	\$ 0	\$ 0
								<u>\$ 23,380</u>	<u>\$ 1,789</u>	<u>\$ 2,736</u>	<u>\$ 27,904</u>

If all positions attained graduate degrees \$ 43,118
Inc. Benefits

9. Controlling Law. In the event of a conflict between the terms of this Agreement and applicable state or federal law, said law(s) shall control, and this Agreement shall be construed with reference to and in accordance with applicable law.

10. Effective Date. This Agreement shall be effective upon approval of an ordinance adopting or ratifying same.

DATED this ____ day of September, 2014.

CITY MANAGER

CITY OF MOUNTAIN BROOK

Sam Gaston

By:

Lawrence T. Oden, Mayor