

**MEETING AGENDA
MOUNTAIN BROOK CITY COUNCIL**

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

JUNE 22, 2015, 7:00 P.M.

1. Consideration: Resolution recognizing Carole Epstein upon the occasion of her upcoming retirement from the City.
2. Consideration: Resolution expressing gratitude to David Price for his service on the Tree Commission.
3. Approval of the minutes of the June 8, 2015 regular meeting of the City Council.
4. Consideration: Resolution authorizing the payment from the General Fund of \$300,000 into the City of Mountain Brook Section 115 (retiree medical insurance) Trust for investment in accordance with the City's investment policy.
5. Consideration: Resolution declaring certain [Library] equipment surplus and authorizing its sale by way of public Internet auction or disposal of such items not sold at said auction.
6. Consideration: Resolution 1) approving the plans for the resurfacing of CR-113 (Rocky Ridge) from Lorna Road to CR-97 (Shades Crest Road) (Alabama Department of Transportation (ALDOT) Project Number ACAA59495-ATRP(006)), 2) authorizing ALDOT to close and barricade said project and intersecting streets as necessary, 3) agreeing to adopt an ordinance permanently barricading and/or relocating specified streets, 4) agreeing that there will be no future permanent encroachments of the specified right-of-way and no ordinances fixing speed limits contrary to applicable Alabama law, and 5) agreeing to perform all maintenance of any existing roads, interchanges, and grade separations along said roadway to the end of the bridge.
7. Announcement: The next regular meeting of the City Council is July 13, 2015, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.
8. Comments from residents.
9. Adjourn.

RESOLUTION NO. 2015-086

WHEREAS, Carole Epstein will retire from the City of Mountain Brook effective July 1, 2015, after a long and successful career that began on February 26, 1986; and

WHEREAS, Carole Epstein has served as Executive Assistant to three City Managers, four Mayors and numerous Boards and Commissions during her 30-year career; and

WHEREAS, Carole Epstein's desire for excellence in performing her job duties and providing outstanding customer service to our residents and visitors was made possible through her tireless pursuit of education, having received her Bachelor of General Studies Degree from Samford University during her tenure with the City; having obtained the prestigious designation of Certified Professional Secretary and Certified Administrative Professional from the International Association of Administrative Professionals; having received her Certified Municipal Clerk and Master Municipal Clerk certification from the Alabama Association of Municipal Clerks; and having obtained her Certified Planning and Zoning Official certification from the University of North Alabama; and

WHEREAS, Carole Epstein has demonstrated excellent leadership qualities, having served as President of the Jefferson County Municipal Clerks Association; having been elected Administrative Professional of the Year in 1999 by the Birmingham Chapter of the International Association of Administrative Professionals and serving as its president in 2001; and

WHEREAS, it is the desire of the residents of Mountain Brook to express their appreciation to Carole Epstein and recognize her excellent service to our City.

NOW, THEREFORE, be it resolved that the Mayor and City Council, on behalf of all the residents of Mountain Brook, do publicly thank Carole Epstein for her years of dedicated service and wish her well in her retirement.

Given under my hand and the City of Mountain Brook, Alabama, on this 22nd day of June, in the year of our Lord, 2015, and of the Independence of the United States of America, the 239th.

ADOPTED: The 22nd day of June, 2015.

Lawrence T. Oden, Mayor

APPROVED: The 22nd day of June, 2015.

Virginia C. Smith, Council President

2015-086

RESOLUTION NO. 2015-087

WHEREAS, David P. B. Price served on the City of Mountain Brook Tree Commission for six years, beginning on January 12, 2009; and

WHEREAS, David Price had previously served as Mountain Brook's first Parks & Recreation Superintendent for five years; was a founding member of the Alabama Urban Forestry Association and served in numerous leadership capacities with that organization, was a Certified Parks & Recreation Professional; and

WHEREAS, David Price's background, education, training, knowledge of urban forestry, experience, understanding of the importance of proper tree management and safety issues have been invaluable in advising and guiding the Tree Commission; and

WHEREAS, it is the desire of the residents of Mountain Brook to express their appreciation to David Price and recognize his service to our City.

NOW, THEREFORE, be it resolved that the Mayor and City Council, on behalf of all the residents of Mountain Brook, do publicly thank David Price for his years of dedicated service and wish him well in his endeavors.

ADOPTED: The 22nd day of June, 2015.

Lawrence T. Oden, Mayor

APPROVED: The 22nd day of June, 2015.

Virginia C. Smith, Council President

2015-087

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
JUNE 8, 2015**

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 Monday, the 8th day of June, 2015. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack
Lawrence T. Oden, Mayor

Absent: None

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

1. AGENDA

1. Request by Urban Cookhouse to hold a Farmers' Market in Crestline Village Friday afternoons/evenings during June-August (Appendix 1).

Because the location was not suitable to police officials or some Crestline merchants, the application was not added to the formal meeting agenda for City Council action. The applicant may re-apply with a new plan if so desired. The members of the City Council expressed their appreciation of the event and hope that the logistics can be worked out to the satisfaction of police officials and merchants. Other possible locations in Crestline Village include the Library parking lot, the Scott property across from the Library, along Dan Watkins Road, the upper parking lot of Crestline Elementary along Church Street, and the back parking lot of Crestline Elementary along Elm Street.

2. Add two (2) additional 15-minute parking spaces in Mountain Brook Village – Dana Hazen (Appendix 2).

The members of the City Council expressed general agreement with the proposal and asked that the City Manager take the steps necessary to install the two new signs.

3. Annexation petitions (Irving Meisler of 106 Lockerbie Lane (0.30 acres) and Lockerbie Association, Inc. of 3871 Lockerbie Drive (0.01 acres for connectivity to corporate boundary) – Appendix 3. [Ordinance No. 1936 was added to the formal meeting agenda.]
4. Review of the matters to be considered at the formal (7 p.m.) meeting.
5. Other business (the following resolutions were added to the formal meeting agenda):
- a. Resolution No. 2015-082
 - b. Resolution No. 2015-083
 - c. Resolution No. 2015-084
 - d. Resolution No. 2015-085

2. EXECUTIVE SESSION

Council President Smith made a motion that the City Council convene in executive session to discuss the good name and character of an individual and another matter involving litigation. The motion was

seconded by Council member Womack. 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
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack

Nays: None

Council President Smith declared that the motion carried by a vote of 5—0 and then asked that the members of the audience be excused. She also announced that the City Council shall reconvene in the Council Chamber upon conclusion of the executive session.

City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA
JUNE 8, 2015**

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 Monday, the 8th day of June, 2015. The Council President called the meetings to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack
Lawrence T. Oden, Mayor

Absent: None

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. RECOGNITION OF GUESTS

Council President Smith recognized three Boy Scouts (two from Troop 320 and one from Troop 28) in attendance for their Citizenship in the Community merit badge.

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 26, 2015 regular meeting of the City Council.

2015-078	Authorize the appointment of Julia Gardner Gibler to the Tree Commission to serve without compensation through June 8, 2018 (replaces David Price)	Exhibit 1, Appendix 1
2015-079	1) Authorize the execution of a professional services agreement between the City and Skipper Consulting, Inc. with respect to traffic signal modifications design work for the intersection of Church Street and Montevallo Road/Montrose Road Stone and 2) Accept the proposal submitted by Stone and Sons Electrical Contractors for their installation of equipment pursuant to the aforementioned traffic signal modifications design plan	Exhibit 2, Appendix 2
2015-080	Accept the proposal submitted by Stone and Sons Electrical Contractors for their installation of equipment pursuant to the traffic signal modifications designed by Skipper Consulting dated May 21, 2015 for the intersection of Overbrook Road at Mountain Brook Parkway/Pine Ridge Road and authorize the execution of such other documents that may be determined necessary with respect to said project	Exhibit 3, Appendix 3

2015-081	Authorize the execution of a lease between the City (dba\The Emmet O'Neal Library) and Southlake Capital, LLC with respect to the leasing over thirty-six (36) months of twenty-eight (28) public computers by The Emmet O'Neal Library Board	Exhibit 4, Appendix 4
2015-082	Authorize the creation of one (1) Municipal Clerk I position (Class no. 2105, G26/10) to be filled at the discretion of the City Manager in accordance with the "Rules and Regulations" of the Personnel Board of Jefferson County	Exhibit 5
2015-083	Authorize the execution of the Acknowledgement and Consent, subject to such modifications as may be determined appropriate by legal counsel, with respect to the Partial Assignment of Development Agreement between Evson , Inc. and Iberia Bank with respect to the Lane Parke development agreement	Exhibit 6, Appendix 5
2015-084	Authorize the execution of the Assignment of Contract Rights between the City, and Evson , Inc., and Daniel Realty Company, LLC subject to such modifications as may be determined appropriate by legal counsel, with respect to the Lane Parke development agreement	Exhibit 7, Appendix 6
2015-085	Grant a sewer easement to the Jefferson County Commission, subject to such minor revisions that may be determined appropriate by legal counsel, with respect to the Piggly Wiggly project in Crestline Village	Exhibit 8, Appendix 7

Thereupon, the foregoing minutes and resolutions were introduced by Council President Smith and their immediate adoption was moved by Council member Shelton. 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
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack

Nays: None

Council President Smith thereupon declared that said minutes and Resolution Nos. 2015-078 through 2015-085 are adopted by a vote of 5—0.

3. CONSIDERATION OF AN ORDINANCE (NO. 1934) REMOVING TWO STOP SIGNS ON VINE STREET AT ITS INTERSECTION WITH DEXTER AVENUE AND PROVIDE FOR TWO STOP SIGNS ON DEXTER AVENUE AT ITS INTERSECTION WITH VINE STREET AND TO PROVIDE FOR PUNISHMENT THEREOF (EXHIBIT 9, APPENDIX 8)

The ordinance was introduced in writing by Council President Smith who then invited questions or comments from the audience.

There being no comments or discussion, President Smith called for a motion. Council President Pro Tempore 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 Womack and was carried, as follows:

Ayes: Virginia Smith, Council President
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack

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 President Pro Tempore Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Shelton. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack

Nays: None

The President of the Council declared that the said ordinance (No. 1934) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

4. CONSIDERATION OF AN ORDINANCE (NO. 1935) PROVIDING FOR A STOP SIGN ON BELLE MEADE WAY AT ITS INTERSECTION WITH SPRING VALLEY ROAD AND TO PROVIDE FOR PUNISHMENT THEREOF (EXHIBIT 10, APPENDIX 9)

The ordinance was introduced in writing by Council President Smith who then invited questions or comments from the audience.

There being no comments or discussion, President Smith called for a motion. Council President Pro Tempore 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 Carl and was carried, as follows:

Ayes: Virginia Smith, Council President
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack

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 Shelton then moved for the adoption of said ordinance. The motion was seconded by Council member Womack. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton

Alice B. Womack

Nays: None

The President of the Council declared that the said ordinance (No. 1935) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

5. CONSIDERATION OF AN ORDINANCE (NO. 1936) ALTERING AND REARRANGING THE BOUNDARY LINES OF THE CITY OF MOUNTAIN BROOK, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY (EXHIBIT 11, APPENDIX 10)

The ordinance was introduced in writing by Council President Smith who then invited questions or comments from the audience.

There being no comments or discussion, President Smith called for a motion. Council President Pro Tempore 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 Shelton and was carried, as follows:

Ayes: Virginia Smith, Council President
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack

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 President Pro Tempore Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Womack. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
William S. Pritchard, III, Council President Pro Tempore
Jack D. Carl
Lloyd C. Shelton
Alice B. Womack

Nays: None

The President of the Council declared that the said ordinance (No. 1936) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

6. PUBLIC HEARING TO CONSIDER FURTHER MODIFICATIONS/RESTRICTIONS TO THE CITY'S NOISE ORDINANCE WITH RESPECT TO COMMERCIAL LANDSCAPE SERVICE PROVIDERS WORKING IN RESIDENTIAL AREAS OF THE CITY (APPENDIX 11)

President Smith opened the public hearing and invited input from the audience members.

Brian Word of Northcote Drive and owner of Blackjack Horticulture:

- Last address the City Council about one year ago regarding this matter
- Submitted written comments to the City Manager (Appendix 11-1)
- In his opinion, the current regulations seem to be working well which seem to be consistent with the regulations regarding construction activity in the City

- His company performs both construction/installation work as well as maintenance. If the work times are altered for maintenance crews, it is possible that he could have construction crews working and using "loud" equipment and his maintenance workers at the same job site forced to wait until the approved start time.
- His maintenance crews start early for the safety of his workers so they can minimize their work during the hottest periods of the day
- Regarding quieter equipment options, the manager at Advanced Mower informed him that there are not any viable alternatives. These alternatives are not as powerful so it could take up to twice as long to perform the same task as with a more powerful unit and the noise reduction is only 8-10 decibels. These units are more expensive as well. There are no quieter model options for trimmers, edgers and mowers.
- As a resident, it is his observation that when he hears someone working early or late, it is usually a homeowner
- In his 15 years owning Blackjack, he can recall only a couple of complaints from residents which were dealt with on a case-by-case basis

There being no further comments or discussion, President Smith closed the public hearing.

President Smith:

- Expressed her shared concerns
- Had not previously considered the inconsistency of the hours of operation for maintenance workers with construction workers
- Is not inclined to pursue further restrictions at this time

President Pro Tempore Pritchard:

- This issue was considered very thoroughly last year
- The restrictions imposed upon the adoption of Ordinance No. 1906 were developed with input from the community and landscape service providers
- Sees no reason to modify the regulations further

Mayor Oden:

- Express disbelief that the manufacturers have not/cannot develop quieter models that will serve the needs of the end user

Council member Carl:

- Reminded everyone that the regulations pertain to commercial operators only and that homeowners can run their power equipment anytime
- Believes the current regulations are reasonable for the commercial community

Council member Shelton:

- Asked whether the Council should consider regulating the use of power equipment for all (private and commercial)

President Pro Tempore Pritchard:

- Such [private use] regulations have been suggested before but the City Council has consistently taken the position that private use should not be regulated until such time that it becomes a public nuisance

President Smith:

- Prefers that neighbors work together to resolve issues with respect to their use of power equipment
- Based on the comments from the audience and elected officials, it appears that no further regulations will be pursued at this time

7. ANNOUNCEMENTS 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 22, 2015 at 7:00 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.

8. ADJOURNMENT

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

City Clerk

EXHIBIT 1

RESOLUTION NO. 2015-078

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Julia Gardner Gibler is hereby appointed to the Tree Commission, to serve without compensation, with the term of office to end June 8, 2018.

APPENDIX 1

EXHIBIT 2

RESOLUTION NO. 2015-079

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby authorizes the execution of the professional services agreement submitted by Skipper Consulting, Inc., in the form as attached hereto as Exhibit A, with respect to the traffic signal modifications design and installation at the intersection of Church Street and Montevallo Road/Montrose Road.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby authorizes the City Manager to accept the proposal submitted by Stone & Sons Electrical Contractors for the installation of traffic signal modifications pursuant to the design drawings prepared by Skipper Consulting, Inc. dated May 28, 2015 in consideration of \$11,411 (Exhibit B attached hereto).

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Manager is further authorized to issue a purchase order and to execute such other documents that may be determined necessary with respect to said project.

APPENDIX 2

EXHIBIT 3

RESOLUTION NO. 2015-080

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby authorizes the City Manager to accept the proposal submitted by Stone & Sons Electrical

RESOLUTION NO. 2015-088

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the payment from the General Fund of \$300,000 into the City of Mountain Brook Section 115 (retiree medical insurance) Trust for investment in accordance with the City's investment policy.

ADOPTED: This 22nd day of June, 2015.

Council President

APPROVED: This 22nd day of June, 2015.

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 June 22, 2015, as same appears in the minutes of record of said meeting.

City Clerk

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

	<u>Actual 2014</u>	<u>Budget 2015</u>	<u>Projected 2015</u>	<u>Budget 2016</u>
ADDITIONS				
Contributions				
215-3408-4810 Employer	\$ 659,756	\$ 593,000	\$ 700,000	\$ 687,000
215-3407-4231 Plan members	136,765	167,000	145,000	152,000
215-3407-4400 Investment earnings	<u>14,110</u>	<u>20,000</u>	<u>32,000</u>	<u>18,000</u>
TOTAL ADDITIONS	810,631	780,000	877,000	857,000
DEDUCTIONS				
215-1115-6130 Benefits	496,521	554,000	513,000	539,000
215-1100-6*** Administrative expense	<u>3,222</u>	<u>5,800</u>	<u>7,255</u>	<u>0</u>
TOTAL DEDUCTIONS	<u>499,743</u>	<u>559,800</u>	<u>520,255</u>	<u>539,000</u>
NET INCREASE	310,888	220,200	356,745	318,000
Net position held in trust for other post-employment benefits, beginning of year	<u>1,260,448</u>	<u>1,571,336</u>	<u>1,571,336</u>	<u>1,928,081</u>
NET POSITION HELD IN TRUST FOR OTHER POST-EMPLOYMENT BENEFITS, END OF YEAR	<u>\$ 1,571,336</u>	<u>\$ 1,791,536</u>	<u>\$ 1,928,081</u>	<u>\$ 2,246,081</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
2016 Budgeted	\$ 300,000	\$ 387,000	\$ 687,000	\$ 2,246,081	\$ (4,795,965)	\$ (2,549,884)
2015 Projected	300,000	400,000	700,000	1,928,081	(4,408,860)	(2,480,779)
2014	300,000	359,756	659,756	1,571,336	(3,992,253)	(2,420,917)
2013	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>\$ 2,100,000</u>	<u>\$ 2,574,312</u>	<u>\$ 4,674,312</u>			

RESOLUTION NO. 2015-089

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:

<u>Item</u>	<u>Asset</u>	<u>Description</u>	<u>Model or Serial</u>	<u>Notes</u>
1		Checkpoint	IT-2000	library self checkout
2		Cisco	Linksys E3000	wireless router (lot of
3		Dell	Optiplex 755	computer CPU (lot of
4		Dell	Optiplex 760	
5		Dell	PowerEdge 2950	server (from 2007)
6		Dell	Dell Latitude E5520	laptop with broken
7		Dell	Latitude D630	laptop computer
8		HP	Pavillion dv900	laptop computer
9		HP Color LaserJet	3800n	color laser printer
10		HP LaserJet	4200	includes envelope
11		HP LaserJet	2025	color laser printer (lot
12		Jamex	6557	coin op box (lot of 3)
13		Kyocera Mita	KM4035	copier (lot of 2) (from
14		Kyocera Mita	Taskalpha 205c	color copier (from
15		Kyocera Mita	KM3050	color copier (from
16		Mitel	Superset 4025	digital telephone (lot
17		Mitel	Superset 4150	digital telephone (lot
18		Mitel	MCCIII-ML Stratum 3	telephone
19		Mitel	Digital Line 12CCT	telephone system
20		Mitel	ONS Line 12CCT	telephone system
21		Mitel	Express Message 4 port	telephone system
22		Mitel	Bay Control card	telephone system
23		Mitel	PRI card	telephone system
24		MSI	MSi MS-N014	netbook (from 2010)
25		MSI	MS-6638	all in one touchscreen
26		No Brand	Folding Table	No model
27		No Brand	cash box	No model
28		Pelco	No model	indoor/outdoor
29		Pelco	No model	indoor dome camera
30		Pelco	No model	indoor mountable
31		Pelco	No model	indoor camera (1)
32		Pelco	KBD4002	monitor control unit
33		Philips	LTC2821/90	17" CRT monitor
34		Philips	LCT2017/60	15" CRT monitor
35		St. Bernard	Iprism 20h	internet filtering
36		Systemax	SYX-MS-7309	computer CPU (from
37		Toshiba	Satellite P105-S6024	laptop computer
38		Tyco	No model	DVR for camera

2015-089

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 22nd day of June, 2015.

Council President

APPROVED: This 22nd day of June, 2015.

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 22, 2015, as same appears in the minutes of record of said meeting.

City Clerk

Fwd: ATRIP project, Rocky Ridge Road

Ronald Vaughn

3:33 PM (10 minutes ago)

to Sam, me

I am forwarding Christopher Brady's (City Engineer, Vestavia) email with attachments which gives a little more information concerning the ATRIP resurfacing project on Rocky Ridge Road. The project limits are approximately five miles of Rocky Ridge Road from Highway 280 to Lorna Road in Hoover. There is a section just off of Highway 280 for a little more than a half mile that we border on one side and Vestavia the other. When ALDOT completes the bid and awards the contract whether 2015 or 2016 we should be able to fund with our budgeted paving funds.

Thanks

Ronnie Vaughn

Public Works Director

City of Mountain Brook AL

3579 East Street

Birmingham , Alabama 35243

[205.802.3865](tel:205.802.3865) Office

[205.967.2631](tel:205.967.2631) Fax

vaughnr@mtnbrook.org

----- Forwarded message -----

From: **Christopher Brady** <cbrady@vhal.org>

Date: Thu, Jun 18, 2015 at 3:04 PM

Subject: ATRIP project, Rocky Ridge Road

To: Ronald Vaughn <vaughnr@mtnbrook.org>

Cc: Brian Davis <bdavis@vhal.org>

Ronnie,

I am attaching the most recent cost estimation of this project. Please keep in mind this was done by the consultant based on most recent design plans and does not reflect actual contract costs. I understand ALDOT tentatively plans to bid this project in late July.

Based on the estimated splits and percentage of the project that touch various municipality limits, the potential costs of the required match that may be asked of City of Mountain Brook is approximately \$19,972.18 at this time. Again, this is not a firm request at this time, but gives you an order of magnitude for your considerations.

Please review and let me know if you have any questions or if I can supply additional information.

And, as always, I appreciate the opportunity to work with you on this and other projects.

Sincerely,

Christopher Brady, PE, CFM

City Engineer, City of Vestavia Hills

Associate Director, Department of Public Services

513 Montgomery Highway

Vestavia Hills, Alabama 35216

phone: [205-978-0150](tel:205-978-0150)

fax: [205-978-0199](tel:205-978-0199)

email: cbrady@vhal.org

ATRIP project cost estimates

updated: 28-May-2015

ATRIP No. 37-03-34

Rocky Ridge

			Estimated Cost	<u>20% Match</u>	50% of match	est. PE fees	50% of PE fees
	5.71 miles		\$	\$ 288,711.73		\$ 109,321.00	
Jeff Co	0.55 mi	9.6%	\$ 139,046.80	\$ 27,809.36		\$ 10,530.04	
Jeff Co(MtnBrk/VH)	0.79 mi	13.8%	\$ 199,721.77	\$ 39,944.35	\$ 19,972.18	\$ 15,124.97	\$ 7,562.49
Jeff Co(VH/Hoover)	0.22 mi	3.9%	\$ 55,618.72	\$ 11,123.74	\$ 5,561.87	\$ 4,212.02	\$ 2,106.01
				\$ 78,857.44		\$ 32,375.03	
Hoover	1.43 mi	25.0%		\$ 72,304.34		\$ 27,378.11	

Rocky Ridge Road

Estimated Cost:\$1,443,558.63

Contingency: 0.00%

Estimated Total: \$1,443,558.63

Rocky Ridge Road

Base Date: 05/28/15

Spec Year: 12

Unit System: E

Work Type: Pavement Rehab, Resurfacing

Highway Type: UNDIVIDED/MINOR ARTERIAL

Urban/Rural Type: BIRMINGHAM

Season: SUMMER

County: JEFFERSON

Midpoint of Latitude: 844613

Midpoint of Longitude: 332559

District:

Federal/State Project Number: ACAA59495-ATRP(006)

Prepared by CDG Engineers & Associates, Inc.

<u>Line #</u>	<u>Item Number</u>	<u>Quantity</u>	<u>Units</u>		<u>Extension</u>
Group 0001: Rocky Ridge Road					
	Clearing And Grubbing (Maximum Allowable Bid \$				
0006	206D000	92.000	LF	\$12.13354	\$1,116.29
	Removing Pipe				
0007	206D001	977.000	LF	\$1.73089	\$1,691.08
	Removing Guardrail				
0008	210D001	500.000	CUYD	\$24.59250	\$12,296.25
	Borrow Excavation (Loose Truckbed Measurement)				
0009	214A000	74.000	CUYD	\$10.17964	\$753.29
	Structure Excavation				
0010	214B001	24.000	CUYD	\$37.98822	\$911.72
	Foundation Backfill, Commercial				
0011	305B071	83.000	TON	\$25.33179	\$2,102.54
	Coarse Aggregate, Section 801, For Miscellaneous Use				
0012	405A000	5,378.000	GAL	\$4.24299	\$22,818.80
	Tack Coat				
0013	407B000	10.000	MILE	\$266.05810	\$2,660.58
	Joint Sealant For Hot Mix Asphalt Pavement				
0014	408A052	107,570.000	SQYD	\$0.70566	\$75,907.85
	Planing Existing Pavement (Approximately 1.10" Thru 2.0" Thick)				
0015	410H000	1.000	EACH	\$27,704.93333	\$27,704.93
	Material Remixing Device				
0016	424A360	8,836.000	TON	\$85.74181	\$757,614.63
	Superpave Bituminous Concrete Wearing Surface Layer, 1/2" Maximum Aggregate Size Mix, ESAL Range C/D				
0017	424B654	50.000	TON	\$86.36227	\$4,318.11
	Superpave Bituminous Concrete Upper Binder Layer, Patching, 3/4" Maximum Aggregate Size Mix, ESAL Range C/D				
0018	430B043	200.000	TON	\$29.42445	\$5,884.89
	Aggregate Surfacing (1" Down, Crusher Run)				
0019	530A004	65.000	LF	\$59.18078	\$3,846.75
	36" Roadway Pipe (Class 3 R.C.)				
0020	530A102	13.000	LF	\$45.19948	\$587.59
	24" Roadway Pipe (Class 3 R.C.) (Extension)				
0021	600A000	1.000	LS	\$118,000.00000	\$118,000.00
	Mobilization				
0022	610C001	11.000	TON	\$37.94000	\$417.34
	Loose Riprap, Class 2				
0023	610D003	342.000	SQYD	\$5.00283	\$1,710.97
	Filter Blanket, Geotextile				
0024	619A102	1.000	EACH	\$746.84255	\$746.84
	24" Side Drain Pipe End Treatment, Class 1				
0026	630A001	1,877.000	LF	\$31.40898	\$58,954.66
	Steel Beam Guardrail, Class A, Type 2				
0027	630C022	4.000	EACH	\$2,094.33400	\$8,377.34
	Guardrail End Anchor, Type Special				
0028	630C050	8.000	EACH	\$2,465.44373	\$19,723.55
	Guardrail End Anchor, Type 20 Series				
0029	652A100	1.000	ACRE	\$836.18355	\$836.18
	Seeding				
0030	654A000	100.000	SQYD	\$7.41222	\$741.22
	Solid Sodding				
0031	665A000	1.000	ACRE	\$597.52147	\$597.52
	Temporary Seeding				
0032	665B001	3.000	TON	\$432.79221	\$1,298.38
	Temporary Mulching				
0033	665E000	500.000	SQYD	\$1.77495	\$887.48
	Polyethylene				

Line #	Item Number	Quantity	Units	Extension	
0034	665G000 Sand Bags	250.000	EACH	\$5.00627	\$1,251.57
0035	665J002 Silt Fence	1,670.000	LF	\$3.26833	\$5,458.11
0036	665O001 Silt Fence Removal	1,670.000	LF	\$0.80035	\$1,336.58
0037	665N000 Temporary Coarse Aggregate,ALDOT Number 1	300.000	TON	\$25.20322	\$7,560.97
0038	665P005 Inlet Protection, Stage 3 Or 4	16.000	EACH	\$307.73522	\$4,923.76
0039	665Q002 Wattle	500.000	LF	\$6.05955	\$3,029.78
0040	666A001 Pest Control Treatment	1.000	ACRE	\$49.35959	\$49.36
0041	674A000 Construction Safety Fence	500.000	LF	\$2.03941	\$1,019.71
0042	680A001 Geometric Controls	1.000	LS	\$16,000.00000	\$16,000.00
0043	698A000 Construction Fuel (Maximum Bid Limited to \$	1.000	LS	\$60,725.00000	\$60,725.00
0044	701A227 Solid White, Class 2, Type A Traffic Stripe (5" Wide)	12.000	MILE	\$2,894.45501	\$34,733.46
0045	701A230 Solid Yellow, Class 2, Type A Traffic Stripe (5" Wide)	12.000	MILE	\$2,931.51269	\$35,178.15
0046	701A244 Broken Yellow, Class 2, Type A Traffic Stripe (5" Wide)	1.000	MILE	\$1,719.90425	\$1,719.90
0047	701B207 Dotted, Class 2, Type A Traffic Stripe (5" Wide)	1,962.000	LF	\$0.66080	\$1,296.49
0048	701C002 Broken Temporary Traffic Stripe (Paint)	2.000	MILE	\$706.14339	\$1,412.29
0049	701C003 Solid Temporary Traffic Stripe (Paint)	23.000	MILE	\$768.57634	\$17,677.26
0050	701F001 Dotted Temporary Traffic Stripe (Paint)	1,962.000	LF	\$1.10000	\$2,158.20
0051	701G242 Broken White, Class 2, Type A Traffic Stripe (5" Wide)	3,681.000	LF	\$0.60000	\$2,208.60
0052	703A002 Traffic Control Markings, Class 2, Type A	10,909.000	SQFT	\$2.49846	\$27,255.70
0053	703B002 Traffic Control Legends, Class 2, Type A	480.000	SQFT	\$3.07869	\$1,477.77
0054	703D002 Temporary Traffic Control Markings (Paint)	2,877.000	SQFT	\$1.10290	\$3,173.04
0055	705A030 Pavement Markers, Class A-H, Type 2-C	113.000	EACH	\$3.98111	\$449.87
0056	705A031 Pavement Markers, Class A-H, Type 1-A	164.000	EACH	\$3.99559	\$655.28
0057	705A032 Pavement Markers, Class A-H, Type 1-B	528.000	EACH	\$3.94904	\$2,085.09
0058	705A037 Pavement Markers, Class A-H, Type 2-D	626.000	EACH	\$3.72133	\$2,329.55
0059	705A038 Pavement Markers, Class A-H, Type 2-E	211.000	EACH	\$4.02202	\$848.65
0060	707B005 Type C Hazard Marker Installation	19.000	EACH	\$123.34000	\$2,343.46
0061	730H001 Loop Wire	6,880.000	LF	\$2.07725	\$14,291.48
0062	730I001 Loop Detector Lead-In-Cable	2,214.000	LF	\$1.05816	\$2,342.77
0063	726A000	580.000	LF	\$38.24289	\$22,180.88

<u>Line #</u>		<u>Quantity</u>	<u>Units</u>		<u>Extension</u>
	Portable Concrete Barriers,				
0065	740D000 Channelizi Drums	150.000	EACH	\$44.76584	\$6,714.88
0067	740M001 Ballast For Cone	50.000	EACH	42330	\$271.17
	741C010 Portable Sequential Arrow And Chevron Sign Unit	2.000	EACH	\$1,484.71083	\$2,969.42

Total for Group 0001:\$1,443,558.63



Robert Bentley
Governor

**ALABAMA
DEPARTMENT OF TRANSPORTATION**

EAST CENTRAL REGION
OFFICE OF REGIONAL ENGINEER
100 CORPORATE PARKWAY
SUITE 450
HOOVER, AL 35242
P.O. BOX 382348
BIRMINGHAM, AL 35238-2348
TELEPHONE: (205) 327-4962



John R. Cooper
Transportation Director

June 12, 2015

The Honorable Lawrence Oden
Mayor, City of Mountain Brook
City Hall
56 Church Street
Mountain Brook, Alabama 35213

RE: Jefferson County
Project Number: ACAA59495-ATRP(006)
Resurface CR-113 (Rocky Ridge Road) from
Lorna Road to CR-97 (Shades Crest Road)

Dear Mayor Oden:

Attached you will find the Standard Project Resolution and Plans concerning the above referenced project.

Please review these documents and, if all is in order, present them to the City Council of Mountain Brook for consideration and approval. It is important to emboss the official City of Mountain Brook Seal on each signature sheet. A certified resolution, which authorizes the Mayor to sign the agreement, affixed with the City Seal should also be included with the agreement. After execution, please return this document, with original signatures (no stamps), to this office, ATTN: Mrs. Sandra F. P. Bonner to avoid possible delays to the letting schedule.

If I can supply you with any additional information or clarify any point contained herein, please feel free to contact me at your convenience.

Sincerely,

DeJarvis Leonard, P.E.
East Central Region Engineer

By: 
Lance Taylor,
Asst. Region Engineer - Pre-Construction

DL/LAT/SFPB
Attachment
C: Mrs. Sandra F. P. Bonner
File w/att.

RESOLUTION

WHEREAS, the City of Mountain Brook, Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made within the City Limits of Mountain Brook, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project Number: ACAA59495-ATRP(006) Resurface CR-113 (Rocky Ridge Road) from Lorna Road to CR-97 (Shades Crest Road) Plane, Resurface and Traffic Stripe.

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, The Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the City Council of Mountain Brook that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said

project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A - This project does not require permanent barricade or relocation of any intersection streets.

Please refer to: Project Notes (Sheet 2E)

Please refer to: Traffic Control Plan Notes (Sheet 2F)

Please refer to: Traffic Signal Plan Notes (Sheet 2G)

Please refer to: Sequence of Construction and Traffic Control Plan (Sheets 11 -14)

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing

of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED by this City Council:

1. That the City agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. That the City agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the City agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

THIS RESOLUTION PASSED, ADOPTED, AND APPROVED this the _____ day of _____, 20__.

ATTEST

City Clerk

Mayor

I, the undersigned, Clerk of the City of Mountain Brook, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the Council of the foregoing City, at its regular meeting held on the _____ day of _____, 20__, which resolution is on file in the office of the City Clerk.

Given under my hand and the official seal of such _____ this _____ day of _____, 20__.

City Clerk