

**MEETING AGENDA
MOUNTAIN BROOK CITY COUNCIL**

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

FEBRUARY 22, 2016, 7:00 P.M.

1. Presentation: Resolution expressing gratitude to Judge Pete Johnson for his service to the City as municipal court judge.
2. Presentation: Resolution recognizing Chief Robert (“Zeke”) Ezekiel upon his retirement from the City effective March 1, 2016.
3. Approval of the minutes of the February 8, 2016 regular meeting of the City Council.
4. Consideration: Resolution appointing a Fire Chief to replace retiring Chief Ezekiel.
5. Consideration: Resolution reappointing Turner Williams as municipal court judge through March 1, 2018.
6. Proclaim the week of March 7 through March 13, 2016 as Arbor Week.
7. Consideration: Resolution ratifying the engagement of Brasfield & Gorrie with respect to the HVAC scheduled maintenance service bid administration services.
8. Announcement: The next regular meeting of the City Council is March 14, 2016, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.
9. Comments from residents.
10. Adjourn.

RESOLUTION

WHEREAS, Orson L. ("Pete") Johnson has served the residents of the City of Mountain Brook, Alabama with distinction as municipal court judge since August 21, 2008; and

WHEREAS, Judge Johnson rendered fair and impartial judicial decisions balancing public safety needs and concerns with upholding the rule of law while also taking into consideration the socio-economic and other factors affecting the defendants' cases heard; and

WHEREAS, Judge Johnson made himself readily available to law enforcement and court officials twenty-four hours daily to facilitate and expedite law enforcement efforts; and

WHEREAS, it is the desire of the residents of the City to express their gratitude to Orson L. ("Pete") Johnson for his service and contributions to the community;

NOW, THEREFORE, BE IT RESOLVED that the City Council and Mayor, on behalf of the residents of Mountain Brook, do publicly thank Orson L. ("Pete") Johnson for his exemplary service to the City and the residents of the City of Mountain Brook, Alabama as municipal court judge.

GIVEN UNDER MY HAND AND THE CITY OF MOUNTAIN BROOK, ALABAMA, on this 8th day of February, in the year of our Lord, 2016, and of the Independence of the United States of America, the 240th.

ADOPTED: This 22nd day of February, 2016.

Virginia C. Smith, Council President

APPROVED: This 22nd day of February, 2016.

Lawrence T. Oden, Mayor

2016-019

RESOLUTION

WHEREAS, Chief Robert W. ("Zeke") Ezekiel will retire from the City of Mountain Brook effective March 1, 2016, after a long and distinguished career with the City that began on December 4, 1993; and

WHEREAS, under the direction and leadership of Chief Robert W. Ezekiel, the City's Fire Department excelled in the areas of fire service and public safety as illustrated by the achievement of numerous accomplishments and milestones including, but not limited to, the following:

- The expansion of the Fire Department's mission to include the provision of ambulance services in 1996
- Coordinated the design and construction of the Fire Training Facility and Drill Tower in 2007
- Provided technical assistance in the design of the Fire Department's Administrative Offices and Fire Station No. 1 at the City's municipal complex completed in 2013
- Instrumental in the Fire Department's achieving of the Insurance Service Office (ISO) Class 2 fire rating in 2016; and

WHEREAS, Chief Robert W. Ezekiel's commitment to excellence and dedication to selfless service is exemplified in the Fire Department's moto, "Quality Service for a Quality City"; and

WHEREAS, it is the desire of the governing body, employees, and residents of the City of Mountain Brook to express their appreciation to Chief Robert W. Ezekiel and recognize him for his unparalleled service to our community and City government.

NOW, THEREFORE, be it resolved that the Mayor and City Council, on behalf of all of the residents of Mountain Brook, do publicly thank Robert W. Ezekiel for his twenty-two plus years of dedicated service and wish him well in his retirement and future endeavors.

Given under my hand and the City of Mountain Brook, Alabama, on this 22nd day of February, in the year of our Lord, 2016, and of the Independence of the United States of America, the 240th.

ADOPTED: The 22nd day of February, 2016.

Lawrence T. Oden, Mayor

APPROVED: The 22nd day of February, 2016.

Virginia C. Smith, Council President

2016-020

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
FEBRUARY 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 6:30 p.m. on Monday, the 8th day of February, 2016. 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 Carl Johnson, City Manager Sam Gaston, and City Clerk Steven Boone.

1. AGENDA

1. Creek bank stabilization and costs for Shades Creek at Mountain Brook Parkway and Overbrook Road-William Thornton of Schoel Engineering (Appendix 1).

Walter Schoel advised against pursuing the designed bank stabilization project based on the unofficial cost estimates provided by contractors. Mr. Schoel will continue to explore with contractors other means of stabilizing the bank in a more cost efficient manner and report back to the City Council.

2. Right-of-way survey for sidewalk along Montclair Road from Memory Lane to Mountain Brook Park Condos – Ronnie Vaughn, Darrell Meyers and Henry Fowlkes (Appendix 2).

Based on the survey, it appears that the sidewalk can be installed without relocated the utility poles. The project likely cannot be added to the Phase 10 sidewalk project. The City's policy has been to have residents pay for the cost of materials and the City pay the cost of installation. The 46 area residents will be asked whether they can raise the estimated \$45,000 for material costs.

3. Ms. Gayle Evanston to address the Council requesting smoking be banned on all city/public property, not just within public buildings. This matter was withdrawn at the request of Ms. Evanston prior to the meeting.
4. Review of matters to be considered at the 7:00 p.m. (official) meeting. The consensus of the members present was that the resolutions appeared to be in order and routine in nature and will be considered at one time on the consent agenda.

2. EXECUTIVE SESSION

There being no further business to come before the City Council, it was moved by Council President Pro Tempore Pritchard that the City Council convene in executive session to discuss a matter involving the good name and character of an individual. The motion was seconded by Council President Smith. The City Attorney certified that the subject 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 upon conclusion of the executive session at approximately 7 p.m. in the Council Chamber.

3. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct synopsis of the discussion from the meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Pre-Council Room (A106) on February 8, 2016, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that no formal action or votes were conducted at said meeting.

City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA
FEBRUARY 8, 2016**

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 February, 2016. 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 Carl Johnson, 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. PRESENTATION OF THE ANNUAL FINANCIAL AUDIT OF THE CITY AS OF AND FOR THE YEAR ENDED SEPTEMBER 30, 2015 (APPENDIX 1)

Jason Harpe, partner with Carr, Riggs & Ingram, LLC, presented the annual financial audit as of and for the year ended September 30, 2015 along with charts, required communications, and management letter.

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 January 25, 2016 regular meeting of the City Council.

2016-016	Authorize the execution of an agreement with Stone & Sons Electrical Contractors with respect to the installation of generators for back-up power for traffic lights on U. S. Highway 280	Exhibit 1, Appendix 2
2016-017	Authorize the installation of two street lights on Westchester Circle (at 3601 and 3625)	Exhibit 2, Appendix 3
2016-018	Audit report as of and for the year ended September 30, 2015	Appendix 1

Thereupon, the foregoing minutes, resolutions, and audit report were introduced by Council President Smith and their immediate adoption and acceptance of the audit report was moved by Council member Womack. The minutes, resolutions, and audit report were then considered by the City Council. Council President Pro Tempore Pritchard seconded the motion to adopt the foregoing minutes and resolutions and acceptance of the audit report. 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 Council minutes, and resolutions (Nos. 2016-016 and 2016-017) are adopted, and annual audit report (2016-018) is accepted by a vote of 5—0 and as evidence thereof she signed the same.

3. 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, February 22, 2016 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.

4. ADJOURNMENT

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

5. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the regular meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A108) on February 8, 2016, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

 City Clerk

EXHIBIT 1

RESOLUTION NO. 2016-016

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 Stone & Sons Electrical Contractors, Inc., in the form as attached hereto as Exhibit A, with respect to the installation of gas generators to provide an auxiliary power source for City-owned and maintained traffic lights at the following intersections in the City of Mountain Brook:

- (a) U.S. Highway 280 at Office Park – 1 generator;
- (b) U.S. Highway 280 at Cherokee Road – 1 generator;
- (c) U.S. Highway 280 at Overton Road – 1 generator; and
- (d) U.S. Highway 280, Rocky Ridge at Green Valley Roads - 2 generators

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

RESOLUTION NO. 2016-021

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby appoints Christopher J. Mullins as Fire Chief of the City of Mountain Brook effective March 1, 2016.

ADOPTED: The 22nd day of February, 2016.

Council President

APPROVED: The 22nd day of February, 2016.

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 February 22, 2016, as same appears in the minutes of record of said meeting.

City Clerk

Christopher J. Mullins

297 Sonnys Lane Dora, Alabama 35062 | 205 329-3870 | mullinsc@mtnbrook.org

Objective

It is my desire to advance in my career with the City of Mountain Brook as the next Fire Chief. I have been a loyal and dedicated employee of this city for the last twenty years. I have advanced through the ranks and have served in many capacities within the organization, including ten years in Fire Administration. I have worked diligently to prepare myself for this opportunity through education, training and commitment to responsibility. I have not only supported, but have proudly exemplified the shared values of the Mountain Brook Fire Department throughout my career. These shared values are what set our organization apart from others. I truly believe in who we are and I am confident that through my leadership we will continue to strive for and maintain excellence in all that we do by providing "Quality Service for a Quality City."

Education



JACKSONVILLE STATE UNIVERSITY – JACKSONVILLE, ALABAMA

MASTER OF SCIENCE | 2008 | MAJOR: EMERGENCY MANAGEMENT



ATHENS STATE UNIVERSITY – ATHENS, ALABAMA

BACHELOR OF SCIENCE | 1999 | MAJOR: PUBLIC SAFETY ADMINISTRATION



SHELTON STATE COMMUNITY COLLEGE – TUSCALOOSA, ALABAMA

ASSOCIATE IN APPLIED SCIENCE | 1996 | MAJOR: FIRE SERVICE MANAGEMENT



THE UNIVERSITY OF ALABAMA AT BIRMINGHAM – BIRMINGHAM, ALABAMA

SCHOOL OF HEALTH RELATED PROFESSIONS – EMERGENCY MEDICAL SERVICES

STATE CERTIFIED AND NATIONALLY REGISTERED PARAMEDIC | 1991 |

Professional Training and Continuing Education



NATIONAL FIRE ACADEMY – EMMITSBURG, MARYLAND

Advanced Leadership Issues in Emergency Medical Services	2008
Management of Emergency Medical Services	2007
Executive Planning	2006
Fire Service Financial Management	2004
Interpersonal Dynamics	2003
Community Education Leadership	2000
Presenting Effective Public Education Programs	1999

ALABAMA FIRE COLLEGE

Firefighter I	Fire Officer I	Incident Safety Officer
Firefighter II	Fire Officer II	Health and Safety Officer
Fire Instructor I	Fire Officer III	Child Passenger Seat Tech
Fire Instructor II	Fire Officer IV	Vehicle Extrication Tech
Fire Instructor III	Apparatus Operator	Intro to Technical Rescue
Fire Inspector I	Hazardous Materials Technician	High Angle Rescue
Fire Inspector II	Advanced Arson Case Development	Trench Rescue
Fire Investigator I	Legal Aspects of Fire Investigation	Confined Space Rescue
Public Educator I	Self-Contained Breathing Apparatus Specialist	Structural Collapse Rescue
Fire Service Supervision	Computer Aided Management of Emergency Ops	Swift Water Rescue

OTHER

Alabama Terrorism and Tactical Operations Medical Support	2007
Basic SWAT – Northeast Alabama Law Enforcement Academy	2015
Active Shooter Response Training – Federal Bureau of Investigation	2015

EXECUTIVE DEVELOPMENT

Fire Chiefs Executive Development Program	1999*2002*2003*2005*2007*2008*2009 2010*2011*2012*2013*2014*2015
Alabama Fire Chiefs Summer Leadership Conference	2011*2012*2013*2014
Southeastern Association of Fire Chiefs Leadership Conference	2015
Managers Preparing to Accomplish Change Today (MPACT)	2012
Leadership Development for Government Executives (LEDGE)	2009

Professional Experience

DEPUTY FIRE CHIEF | MOUNTAIN BROOK FIRE DEPARTMENT | 2015-PRESENT

Job Responsibilities:

EMS Division Director * Supervisor to the Training and Safety Division and Administrative Assistant * Responsible for departmental and individual Paramedic licensure and certification with the Alabama Department of Public Health * Liaison to the Alabama Department of Public Health * EMS Billing Coordinator * Tactical Medic Program Director * Liaison to Dispatch Center * Child Passenger Seat Program Coordinator * United Way Coordinator * Special Events Coordinator *

BATTALION CHIEF / EMS OFFICER | MOUNTAIN BROOK FIRE DEPARTMENT | 2009-2015

CAPTAIN / EMS OFFICER | MOUNTAIN BROOK FIRE DEPARTMENT | 2006-2009

LIEUTENANT | MOUNTAIN BROOK FIRE DEPARTMENT | 2001-2006

FIREFIGHTER / PARAMEDIC | MOUNTAIN BROOK FIRE DEPARTMENT | 1996-2001

FIREFIGHTER / PARAMEDIC | BIRMINGHAM FIRE DEPARTMENT | 1993-1996

CAPTAIN | GRAYSVILLE FIRE DEPARTMENT | 1999-2004

FIREFIGHTER / PARAMEDIC | GRAYSVILLE FIRE DEPARTMENT | 1994-1999

Professional Experience continued

ADJUNCT FACULTY/ EXAM PROCTOR| COLUMBIA SOUTHERN UNIVERSITY | 2010 – PRESENT

ADJUNCT FACULTY / INSTRUCTOR | ALABAMA FIRE COLLEGE | 2002-2007

Professional Affiliations

Alabama EMS for Children	State Board Member	2012 - Present
Alabama Firefighters Annuity Fund Board	State Board Member	2014 - Present
International Association of Fire Chiefs	Active Member	2015 - Present
Southeastern Association of Fire Chiefs	Active Member	2015 - Present
Alabama Association of Fire Chiefs	Active Member	2006 - Present
Central Alabama Fire Chiefs Association	Active Member	2006 - Present

References

Dr. Dale Wisely

Director of Student Services - Mountain Brook School System
(205) 871-4608

Dr. Adam Robertson

Mountain Brook resident and Medical Director for the Mountain Brook Fire Department
(205) 871- 5912

Dr. James Lott III

Mountain Brook resident and Pulmonary / Critical Care Specialist
Baptist Medical Center – Princeton
Mountain Brook Boy Scout Leader
(205) 910-1217

** Additional References available upon request*

RESOLUTION NO. 2016-022

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Turner Williams is hereby reappointed as a Municipal Court Judge of the City of Mountain Brook, with the term to end March 1, 2018.

ADOPTED: This 22nd day of February, 2016.

Council President

APPROVED: This 22nd day of February, 2016.

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 February 22, 2016, as same appears in the minutes of record of said meeting.

City Clerk



CITY OF MOUNTAIN BROOK

56 Church Street
Mountain Brook, Alabama 35213
Telephone: 205.802.3800
Facsimile: 205.879.6913
www.mtnbrook.org

ARBOR WEEK PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, I, Lawrence T. Oden, Mayor of the City of Mountain Brook, do hereby **proclaim** March 7, 2016 through March 13, 2016, as

ARBOR WEEK

in the City of Mountain Brook, and I urge all residents to celebrate the occasion and to support efforts to protect our trees and woodlands, and

Further, I urge all residents to plant trees to gladden the heart and promote the well-being of this and future generations.

Given under my hand and the City of Mountain Brook, Alabama, on this 22nd day of February, in the year of our Lord, 2016, and of the Independence of the United States of America, 240th.

Lawrence T. Oden, Mayor

2016-023

RESOLUTION NO. 2016-024

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby ratifies the City's engagement of Brasfield & Gorrie, LLC with respect to their provision of HVAC scheduled maintenance bid administration services (Exhibit A).

ADOPTED: The 22nd day of February, 2016.

Council President

APPROVED: The 22nd day of February, 2016.

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 February 22, 2016, as same appears in the minutes of record of said meeting.

City Clerk



February 15, 2016

Steve Boone
City of Mountain Brook
P.O. Box 130009
Mountain Brook, AL 35213

RE: HVAC Scheduled Maintenance Invitation to Bid

Steve,

Brasfield & Gorrie is pleased to quote the following services to assist the City in soliciting bids for the next 3-year proposal for scheduled maintenance for the City of Mountain Brook Municipal Complex. Services will include:

1. Review and revise (as necessary) the invitation to bid. Original invitation to bid utilized in 2013 will be used as the base document to produce 2016 version.
2. Participation in mandatory contractor walk-thru of facilities prior to proposal submission.
3. Provide responses to contractor inquiries that may arise during the period between the mandatory walk-thru and bid submission.
4. Evaluate proposals received and make a recommendation based on the most comprehensive, cost effective program.

Cost for the above services: \$1,000.00

We look forward to working with you to assist in securing the next 3-year maintenance agreement for the City of Mountain Brook.

Respectfully,

Mike Thomas, CHC
MEP Group Manager

mithomas@brasfieldgorrie.com
d: 205.714.1450 m: 205.229.0088

BRASFIELD & GORRIE, L.L.C.
3021 7th Avenue South
Birmingham, Alabama 35233
205 328 4000
brasfieldgorrie.com

2016-024