

**WORK SESSION AGENDA  
MOUNTAIN BROOK CITY COUNCIL**

**CITY HALL PRE-COUNCIL ROOM (A106)  
56 CHURCH STREET  
MOUNTAIN BROOK, AL 35213**

**OCTOBER 24, 2016, 6:00 PM**

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The following elected officials shall meet [publicly] to make plans and committee assignments for the November 7, 2016 organizational meeting of the City Council (pre-meeting to start upon conclusion of the work session at approximately 6:15 p.m.)

Virginia C. Smith	Alice B. Womack
William S. Pritchard, III	Philip Black (council member-elect)
Lloyd C. Shelton	Stewart Welch (mayor-elect)

**PRE-MEETING AGENDA  
MOUNTAIN BROOK CITY COUNCIL**

**CITY HALL PRE-COUNCIL ROOM (A106)  
56 CHURCH STREET  
MOUNTAIN BROOK, AL 35213**

**OCTOBER 24, 2016, 6:15 PM**

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1. Crestline Traffic Study presentation-Richard Caudle of Skipper Consultants
2. Set time for November 7<sup>th</sup> Organizational Meeting of the 2016-2018 City Council.



Steve Boone &lt;boones@mtnbrook.org&gt;

**WORK SESSION****Organizational meeting**

1 message

**Steve Boone** <boones@mtnbrook.org>

Tue, Aug 30, 2016 at 4:53 PM

To: Alice Womack <alicewomack14@gmail.com>, "Jack D. Carl" <jdcarl@bellsouth.net>, Lloyd Shelton <lshelton@go2cpa.com>, "Oden Lawrence T." <lastvalhalla@aol.com>, "Virginia C. Smith" <wood967@aol.com>, "William S. (Billy) Pritchard III" <billyp@pm-j.com>  
 Cc: Sam Gaston <gastons@mtnbrook.org>

I have attached the minutes of the 2014 organizational meeting and a summary of the current Council liaison assignments. The organizational meeting will be November 7 (time of your choosing). Planning Commission meets that evening.

**2014-149**

Appoint Council representatives as follows:

Planning Commission (voting member)	- Jack D. Carl
Board of Zoning Adjustment (liaison)	- Virginia C. Smith
Parks and Recreation Board (liaison)	- Virginia C. Smith
Emmet O'Neal Library Board (liaison)	- Lloyd C. Shelton
Board of Education (liaison)	- William S. Pritchard, III
Finance Committee (voting member)	- Lloyd C. Shelton
Villages Design Review Committee (liaison)	- Alice B. Womack
Editorial Board	- Virginia C. Smith
Tree Commission (liaison)	- Virginia C. Smith
Chamber of Commerce (liaison)	- Alice B. Womack
Parking Committee	- Jack D. Carl
Municipal judges	- Mayor Oden
Public safety departments	- Mayor Oden
All In Committee (voting member)	- William S. Pritchard, III

Please contact me if you have any questions.

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**Steven Boone**

City of Mountain Brook  
 P. O. Box 130009  
 Mountain Brook, AL 35213-0009  
 Direct: (205) 802-3825  
 Facsimile: (205) 874-0611

[www.mtnbrook.org](http://www.mtnbrook.org)  
<http://mtnbrookcity.blogspot.com/>  
 Twitter®: @mountain\_brook

**MINUTES OF THE ORGANIZATIONAL MEETING OF THE  
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA  
NOVEMBER 3, 2014**

The City Council of the City of Mountain Brook, Alabama, met in special public session to conduct its organizational meeting as required by the laws of the State of Alabama in the City Hall Council Chambers (Room A108) of the City of Mountain Brook on Monday, the 3rd day of November 2014, at 7:30A.M.

The meeting was called to order by the City Manager and the roll was called with the following results:

Present:            Jack D. Carl  
                      William S. ("Billy") Pritchard, III  
                      Lloyd C. Shelton  
                      Virginia C. Smith  
                      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. INTRODUCTION OF JUDGE PETE JOHNSON**

The City Manager introduced Mountain Brook Municipal Court Judge Pete Johnson who will administer the oaths of office.

**2. INAUGURATION OF THREE CITY COUNCIL MEMBERS**

Judge Johnson administered the oath of office (Appendices 1 through 3) to Council members Womack, Shelton, and Pritchard who then assumed their duties as Council members, respectively, of the City of Mountain Brook.

**3. ELECTION OF THE CITY COUNCIL PRESIDENT**

Mr. Gaston then invited a nomination from the City Council for Council President. Council member Carl nominated Council member Virginia C. Smith for Council President. Council member Prichard seconded the nomination. A vote was conducted with the following results:

Ayes:            Jack D. Carl  
                      William S. ("Billy") Pritchard, III  
                      Lloyd C. Shelton  
                      Virginia C. Smith  
                      Alice B. Womack

Nays:            None

The meeting was then turned over to Council President Smith who declared that the motion carried by a vote of 5-0.

**4. ELECTION OF CITY COUNCIL PRESIDENT PRO TEMPORE**

Council President Smith then called for a nomination regarding the appointment of the Council President Pro Tempore. Council member Carl nominated Council member William S. ("Billy") Pritchard, III for Council President Pro Tempore of the Council. The nomination was seconded by Council President Smith. Council President Smith then called for a vote with the following results:

Ayes: Virginia C. Smith, Council President  
 Jack D. Carl  
 William S. ("Billy") Pritchard, III  
 Lloyd C. Shelton  
 Alice B. Womack

Nays: None

Council President Smith declared that Council member William S. ("Billy") Pritchard, III has been appointed to be Council President Pro Tempore by a vote of 5—0.

**5. CONSIDERATION: MOTION (NO. 2014-147) FOR THE ADOPTION OF THE RULES OF ORDER AND PROCEDURE (APPENDIX 4)**

Council President Smith introduced the motion (in writing). It was then moved by Council member Pritchard that the City Council adopts the Rules of Order and Procedure as presented by the Council President. The motion was seconded by Council member Carl. President Smith then called for a vote with the following results:

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

Nays: None

The President of the Council declared the motion (No. 2014-147) carried by a vote of 5—0.

**6. CONSIDERATION: ORDINANCE (NO. 1921) APPOINTING THE CITY MANAGER (EXHIBIT 1)**

Council President Smith introduced the ordinance in writing. It was then moved by Council member Pritchard 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 be given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Womack and was unanimously carried, as follows:

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

Nays: None

The President of the Council declared the motion carried.

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 Shelton. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

The President of the Council declared that the ordinance (No. 1921) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

**7. CONSIDERATION: ORDINANCE (NO. 1922) APPOINTING THE CITY CLERK (EXHIBIT 2)**

Council President Smith introduced the ordinance in writing. It was then moved by Council member Shelton 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 be given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Womack and was unanimously carried, as follows:

Ayes: Virginia C. Smith, Council President  
William S. ("Billy") Pritchard, III, 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 Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council President Smith. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

The President of the Council declared that the ordinance (No. 1922) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

**8. CONSIDERATION: ORDINANCE (NO. 1923) APPOINTING THE CITY TREASURER (EXHIBIT 3)**

Council President Smith introduced the ordinance in writing. It was then moved by Council member Pritchard 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 be given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Shelton and was unanimously carried, as follows:

Ayes: Virginia C. Smith, Council President  
William S. ("Billy") Pritchard, III, 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 Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council President Smith. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

The President of the Council declared that the ordinance (No. 1923) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

**9. CONSIDERATION: ORDINANCE (NO. 1924) APPOINTING THE ASSISTANT CITY TREASURER (EXHIBIT 4)**

Council President Smith introduced the ordinance in writing. It was then moved by Council member Womack 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 be given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Pritchard and was unanimously carried, as follows:

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

Nays: None

The President of the Council declared that the ordinance (No. 1924) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

**10. INAUGURATION OF THE AFOREMENTIONED OFFICERS**

Judge Johnson then administered the oaths of office (Appendices 5 through 7) to Sam Gaston, Steven Boone, and William F. Angell, respectively, who then assumed their respective duties as officers of the City of Mountain Brook. [Note: The City Clerk administered the oath of office to the Assistant City Treasurer on November 5, 2014 (Appendix 7).]

**11. CONSIDERATION: RESOLUTION (NO. 2014-148) APPOINTING THE CITY ATTORNEY(S) FOR THE CITY (EXHIBIT5)**

Council President Smith introduced the resolution in writing appointing Bishop, Colvin, Johnson & Kent (general legal services) and Starnes, Davis & Florie, LLP (litigation services) as City Attorneys for the City. It was then moved by Council member Pritchard that the resolution be adopted as presented by the Council President. The motion was seconded by Council member Carl. Council President Smith then called for a vote with the following results:

Ayes: Virginia C. Smith, Council President  
William S. ("Billy") Pritchard, III, Pro Tempore  
Jack D. Carl  
Lloyd C. Shelton  
Alice B. Womack  
Nays: None

The President of the Council declared that the resolution (No. 2014-148) motion carried by a vote of 5—0.

**12. CONSIDERATION: MOTION (NO. 2014-149) APPOINTING THE MAYOR AND CITY COUNCIL AS THE BOARD OF COMMISSIONERS OF THE MOUNTAIN BROOK EMERGENCY COMMUNICATIONS DISTRICT AND NOMINATING THE CHAIRMAN OF THE EMERGENCY COMMUNICATION DISTRICT BOARD**

Council President Smith called for a motion. Council member Pritchard made a motion appointing the Mayor and City Council as the Board of Commissioners of the Mountain Brook Emergency Communications District and nominating the Mayor of the City Chairman of the Emergency Communication District Board. The motion was seconded by Council member Carl. Council President Smith then called for a vote with the following results:

Ayes: Virginia C. Smith, Council President  
William S. ("Billy") Pritchard, III, Pro Tempore  
Jack D. Carl  
Lloyd C. Shelton  
Alice B. Womack  
Nays: None

The President of the Council declared that the motion (No. 2014-149) carried by a vote of 5—0.

**11. ANNOUNCEMENT: THE NEXT MEETING OF THE CITY COUNCIL**

Council President Smith announced that the next meeting of the Mountain Brook City Council will be held on Monday, November 24, 2014 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](http://www.mtnbrook.org)) for more information.

**12. 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

**EXHIBIT 1****ORDINANCE NO. 1921****ORDINANCE APPOINTING THE  
CITY MANAGER OF THE CITY OF MOUNTAIN BROOK**

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

1. Sam Gaston is hereby appointed and employed as City Manager of the City of Mountain Brook, Alabama, to serve at the pleasure of the Council or until his successor be duly appointed.
2. His duties shall be as now or hereafter fixed by the laws of the State of Alabama and by the ordinances of the City of Mountain Brook, Alabama, and such other duties as may be delegated to him from time to time by the Council.
3. He shall give bond with sureties in the penal sum of \$20,000.00, the premiums for which shall be paid by, and be the expense of the City, the same to be conditioned as provided in Section 11-43-21(c), Code of Alabama, 1975.

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**EXHIBIT 2****ORDINANCE NO. 1922****ORDINANCE APPOINTING THE  
CITY CLERK OF THE CITY OF MOUNTAIN BROOK**

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

1. Steven Boone is hereby appointed as City Clerk of the City of Mountain Brook, Alabama, to serve at the pleasure of the Council or until his successor be duly appointed.
2. His duties as such City Clerk shall be as now or hereafter fixed by the laws of the State of Alabama and by the ordinances of the City of Mountain Brook, Alabama, and such other duties as may be delegated to him from time to time by the Council.
3. His duties as City Clerk shall be in addition to those incident to the position in the classified civil service in which he is or may hereafter be employed; and his compensation, both for such civil service position and as City Clerk, shall be that established for the civil service position under the schedules of the Personnel Board of Jefferson County as implemented by the City Council from time to time for classified employees of the City.
4. He shall give bond with sureties in the penal sum of \$20,000.00, the premiums for which shall be paid by, and be the expense of, the City. The bond shall be subject to approval by the Mayor.

**EXHIBIT 3****ORDINANCE NO. 1923****ORDINANCE APPOINTING THE  
CITY TREASURER OF THE CITY OF MOUNTAIN BROOK**

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

1. William F. Angell is hereby appointed as City Treasurer of the City of Mountain Brook, to serve without compensation and at the pleasure of the Council or until his successor be duly appointed.
2. He shall give bond with sureties in the penal sum of \$5,000.00, the premium for which shall be paid by, and be the expense of the City. The bond shall be subject to approval by the Mayor.

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**EXHIBIT 4****ORDINANCE NO. 1924****ORDINANCE APPOINTING THE  
ASSISTANT CITY TREASURER OF THE CITY OF MOUNTAIN BROOK**

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

1. John H. ("Jack") Martin is hereby appointed as Assistant City Treasurer of the City of Mountain Brook, Alabama, serves without compensation and at the pleasure of the Council or until his successor be duly appointed.
2. The Assistant Treasurer shall furnish a surety company bond in an amount approved by the City Council for the faithful performance of his duties in the safe custody of the funds of the City. Such bond shall be signed by good and sufficient sureties to be approved by the Mayor. The premium for such bond shall be paid by the City from its General Fund.

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**EXHIBIT 5****RESOLUTION NO. 2014-148**

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

The law firm of Bishop, Colvin, Johnson & Kent is hereby appointed as City Attorney for the City of Mountain Brook, Alabama, to serve at the pleasure of the City Council at a retainer fee of \$15,000 per month. Said fees are to compensate the City Attorney for the regular and customary legal services performed for said City, such as attendance at City Council meetings, advice to the Mayor, Council, and employees, and preparation of ordinances and resolutions; said salary not to operate as compensation for extraordinary or unusual services, such as handling municipal bond issues, public improvements, litigation, and the like for which said attorney shall be paid such additional compensation as may be fixed by the Council.

**BE IT FURTHER RESOLVED** by the City Council of the City of Mountain Brook, Alabama, that the law firm of Starnes, Davis & Florie, LLP is hereby appointed as City Attorney for the City with respect to litigation services to be billed at their standard hourly rates, to serve at the pleasure of the City Council.

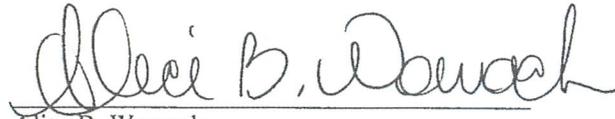
OATH OF OFFICE

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF MOUNTAIN BROOK

I, Alice B. Womack, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

  
Alice B. Womack

APPENDIX I

Sworn to and subscribed before me this 3rd day of November, 2014.

  
Orson L. ("Pete") Johnson, Judge  
Municipal Court of Mountain Brook

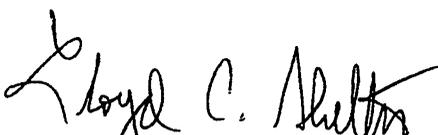
OATH OF OFFICE

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF MOUNTAIN BROOK

I, Lloyd C. Shelton, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

  
Lloyd C. Shelton

APPENDIX 2

Sworn to and subscribed before me this 3rd day of November, 2014.

  
Orson L. ("Pete") Johnson, Judge  
Municipal Court of Mountain Brook

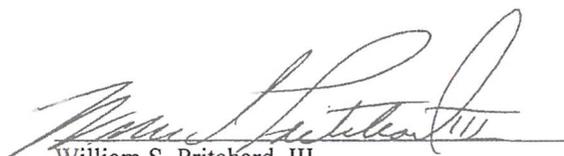
OATH OF OFFICE

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF MOUNTAIN BROOK

I, William S. Pritchard, III, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.



William S. Pritchard, III

APPENDIX 3

Sworn to and subscribed before me this 3rd day of November, 2014.



Orson L. ("Pete") Johnson, Judge  
Municipal Court of Mountain Brook

~~Each council member thereafter elected to said seats shall hold office for a term of four years so that the mayor and all council members are elected for four-year terms of office with the terms to be staggered as provided herein.  
(Code 1996, § 2-20.2; Ord. No. 1627, § 1, 4-19-2004)~~

~~Sec. 2-25. Compensation of mayor.~~

~~The mayor shall draw no salary or other compensation for his services to the city.  
(Code 1996, § 2-1; Ord. No. 3)  
State law reference—Compensation of mayor, Code of Ala. 1976, § 11-43-26.~~

~~Sec. 2-26. Compensation of councilmembers.~~

~~Councilmembers shall receive no salary for performing the duties of their offices.  
(Code 1996, § 2-7; Ord. No. 547, § 3)~~

~~Sec. 2-27. Electronic voting.~~

~~For all elections held subsequent to the passage of this section, the use of ES&S Model 100a ballot tabulator (M100) electronic voting device that includes an ES&S AutoMark ballot marking device or Help America Vote Act ("HAVA") compliance system which complies with Code of Ala. § 17-2-4 and any regulations adopted pursuant hereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results.  
(Ord. No. 1774, § 1, 6-23-2008)~~

(b) *Time and place of regular meetings; special meetings.* Meetings of the council shall be held at the city hall or such other place within the city limits as the council may determine.

(1) Regular meetings shall be at such times as determined by the council.

(2) Written or oral notice of the time of any special meeting of the council as authorized by Code of Ala. 1976, § 11-43-6 shall, unless such meeting is announced at a regular meeting of council, be given to the city manager and to each councilmember at least 12 hours in advance of the meeting. The failure of any of them to receive such notice shall not invalidate an action taken at such meetings if:

- a. Such person is present at the meeting of, either before or after the meeting, waives notice thereof; or
- b. Such action is ratified at a subsequent meeting of the council.

The business that may be transacted at a special meeting shall not be limited to the item indicated in the notice. To the extent practicable, notice of a special meeting shall also be given to the mayor and the clerk, but the failure of either or both of them to receive such notice shall not impair the validity and efficacy of the business transacted at the meeting.

(c) *Attendance and participation of mayor; city manager and other city officials; addressing council.*

(1) The mayor and the city manager shall have the privilege of participating in the council's discussions and deliberations, but the right to make motions and to vote is limited to councilmembers.

(2) Persons other than the councilmembers, mayor and city manager shall be allowed to address the council while in session only with the permission of and under the conditions and limitations prescribed by the council president. Any such person shall, when first recognized, state his name, address and, if applicable, the person or

Sec. 2-57. Informal discussions.

Unless objection is raised by a councilmember, it shall be in order to permit informal discussion on subject matters brought before the council in advance of the formal presentation of any motion with respect thereto.  
(Code 1996, § 2-13; Ord. No. 570, § 5)

Sec. 2-58. Ordinances to be in writing when motions to be in writing.

All ordinances shall be in writing. Other motions shall be reduced to writing if requested by any councilmember.  
(Code 1996, § 2-13; Ord. No. 570, § 6)

Sec. 2-59. Recording of vote.

"Yea" and "naye" shall be taken and recorded in the minutes whenever required by statute or requested by any councilmember.  
(Code 1996, § 2-14; Ord. No. 570, § 7)  
State law reference—Recording of vote, Code of Ala. 1976, § 11-43-8.

Sec. 2-60. Motions to table.

It shall be in order to lay on the table a proposed amendment to a pending measure and such motion to table, if adopted, shall not carry with it or prejudice the original measure unless explicitly so stated in the motion.  
(Code 1996, § 2-15; Ord. No. 570, § 8)

Sec. 2-61. Actions not requiring second.

Motions to reconsider do not require a second nor do appeals to the council from rulings by the chair on questions of order.  
(Code 1996, § 2-16; Ord. No. 570, § 9)

Sec. 2-63. Participation of chair.

The chair may address the council, make a motion and discuss any other matter at issue without any requirement that he first relinquish the chair.  
(Code 1996, § 2-17; Ord. No. 570, § 10)

Sec. 2-63. Absence of president of council, president pro tempore or clerk.

During the absence of the council president or during his inability to serve, the duties, responsibilities and powers of the council president, including those relating to his being the presiding officer of the council, shall devolve upon and be discharged by the president pro tempore of the council. During the absence or inability of the president pro tempore, the functions of such office shall be exercised by a councilmember appointed by the council, which appointment shall be entered upon the council minutes. During the absence or inability of the clerk to serve, the council shall appoint some other person to perform the duties of the clerk, which appointment shall be entered upon the council minutes.  
(Code 1996, § 2-18; Ord. No. 570, § 11)

State law reference—Absence of council president, president pro tempore and clerk, Code of Ala. 1976, §§ 11-43-23, 11-43-100.

Sec. 2-64. Rules of order adopted.

The rules contained in "Robert's Rules of Order, Newly Revised" shall govern the council in all cases to which they are applicable and in which they are not inconsistent with the statutes of the state or with the provisions of this article.  
(Code 1996, § 2-19; Ord. No. 570, § 12)

Sec. 2-65. Consent agenda.

(a) At the meeting of the members of the city council held prior to each regular meeting of the city council ("preliminary meeting"), any member of the city council may request that a resolution or other item, other than an ordinance, which is on the agenda for such regular meeting ("meeting") be placed on the consent agenda for the meeting. No resolution or other item shall be placed on the consent agenda unless it is discussed by the members of the city council attending the preliminary meeting.

(b) Any resolution or other item which a member of the city council requests be placed on the consent agenda for a meeting (singular, "matter", plural, "matters") shall be placed on the consent agenda unless one or more members of the city

APPROVED

Secs. 2-82—3-66. Reserved.

DIVISION 2. RULES OF ORDER AND PROCEDURE

Sec. 3-56. Meetings.

(a) *Rules of procedure.* Meetings of the city council shall be conducted in accordance with the applicable statutes of the state, as implemented by the rules of procedure contained in this article.

2014-147

group represented; he shall identify himself again by name each subsequent time he is recognized.

(3) Meetings shall be attended by the city clerk, the city attorney and such other officers, agents or employees of the city as the council may from time to time determine.

(d) *Order of business.* The order of business shall be as directed by the council president, however, any councilmember may make additions to the agenda.  
(Code 1996, §§ 2-6—2-11; Ord. No. 570, §§ 1—4; Ord. No. 690, § 1, 11-13-1984; Ord. No. 1584, 2-24-2003)

State law reference—Provisions relative to meetings, Code of Ala. 1976, §§ 11-43-43, 11-43-50; city council authorized to enact rules of procedure, Code of Ala. 1976, § 11-43-28; attendance of the city clerk, Code of Ala. 1976, § 11-43-100.

council object, which objection may be made either during the preliminary meeting or during the meeting.

(c) As the first item on the agenda for each meeting, after the minutes of the prior meeting of the city council have been considered (unless the minutes have been placed on the consent agenda), the president of the city council, or other presiding member of the city council ("presiding officer"), shall announce the agenda item number of any matters on the agenda which have been assigned to the consent agenda or the presiding officer shall direct the city clerk to read from the agenda a brief description of each matter which has been assigned to the consent agenda.

(d) After the agenda number of each matter on the consent agenda has been read by the presiding officer or the city clerk has read a brief description of each matter on the consent agenda, the presiding officer shall ask if any member of the city council would like to have any of such matters discussed. If a member of the city council would like to have a matter on the consent agenda discussed, such matter shall be withdrawn from the consent agenda and it shall be discussed when it is reached on the agenda. If a member of the audience asks for an explanation of, or information about, a matter on the consent agenda, the presiding officer may give a brief explanation of such matter or may direct a member of the city's staff or another member of the city council to give a brief explanation of such matter, but it shall not be withdrawn from the consent agenda.

(a) The presiding officer shall then ask for a motion with respect to the matters on the consent agenda. All matters on the consent agenda shall be considered in the same motion. If a motion to adopt the matters on the consent agenda is made, seconded and approved by a majority of the members of the city council who are present at the meeting, all such matters shall be considered adopted and in full force and effect, just as they would have been had each such matter been considered and voted on separately and approved by a majority of the members of the city council who were present at the meeting.  
(Code 1996, § 2-20.1; Ord. No. 1311, §§ 1—3, 6-28-1988; Ord. No. 1468, 4-9-2001)

Secs. 3-68—3-88. Reserved.

ARTICLE III. OFFICERS AND EMPLOYEES

DIVISION 1. GENERALLY

Sec. 3-89. Surety bonds.

(a) *City clerk.* The bond required of the city clerk for the faithful performance of his duties and the safe custody of the funds of the city shall be an amount approved by the city council. Such bond shall be signed by good and sufficient sureties to be approved by the mayor. The premium for such bond shall be paid by the city from its general fund.

(b) *City treasurer.* The bond required of the city treasurer for the faithful performance of his duties and the safe custody of the funds of the city shall be an amount approved by the city council. Such bond shall be signed by good and sufficient sureties to be approved by the mayor. The premium for such bond shall be paid by the city from its general fund.  
(Code 1996, § 3-3; Ord. No. 7; Ord. No. 8)  
State law reference—Similar provisions, Code of Ala. 1976, §§ 11-43-104, 11-43-120.

Sec. 3-90. Assistant treasurer, office created; appointment; term of office; bond; compensation; duties.

(a) There is hereby created the office of assistant treasurer for the city. There shall be no more than two assistant treasurers.

(b) The assistant treasurers shall be appointed by the city council. The city council shall appoint one or two assistant treasurers, as the city council, from time to time, shall consider to be in the best interest of the city. The term of office of the assistant treasurer or assistant treasurers shall be coextensive with the term of office of the city council; provided, that either or both of the assistant treasurers may be removed at any time by vote of a majority of the members of the city council. During the absence or disability of the assistant treasurer, or both assistant treasurers if there are two assistant treasurers, the city council

OATH OF OFFICE

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF MOUNTAIN BROOK

I, Sam S. Gaston, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

  
Sam S. Gaston

APPENDIX 5

Sworn to and subscribed before me this 3rd day of November, 2014.

  
Orson L. ("Pete") Johnson, Judge  
Municipal Court of Mountain Brook

OATH OF OFFICE

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF MOUNTAIN BROOK

I, Steven Boone, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.



Steven Boone

APPENDIX 6

Sworn to and subscribed before me this 3rd day of November, 2014.

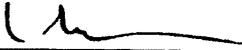


Orson L. ("Pete") Johnson, Judge  
Municipal Court of Mountain Brook

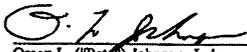
OATH OF OFFICE

STATE OF ALABAMA  
JEFFERSON COUNTY  
CITY OF MOUNTAIN BROOK

I, William F. Angell, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

  
\_\_\_\_\_  
William F. Angell

Sworn to and subscribed before me this 3rd day of November, 2014.

  
\_\_\_\_\_  
Orson L. ("Pete") Johnson, Judge  
Municipal Court of Mountain Brook

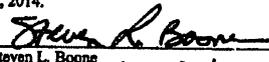
OATH OF OFFICE

STATE OF ALABAMA  
JEFFERSON COUNTY  
CITY OF MOUNTAIN BROOK

I, John H. (Jack) Martin, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

  
\_\_\_\_\_  
John H. (Jack) Martin

Sworn to and subscribed before me this 5th day of November, 2014.

  
\_\_\_\_\_  
Steven L. Boone  
City Clerk  
*Commission expired  
4/17/2017*



Pre-meeting

# Crestline Village Traffic Study

## Mountain Brook, Alabama

Prepared for:

The City of Mountain Brook  
P.O. Box 130009  
Mountain Brook, Alabama 35213  
Phone (205) 802-2400 Fax (205) 879-6913

Prepared by:

Skipper Consulting, Inc.  
3644 Vann Road, Suite 100  
Birmingham, Alabama 35235  
Phone (205) 655-8855 Fax (205) 655-8825

Revision 1:  
October 2016



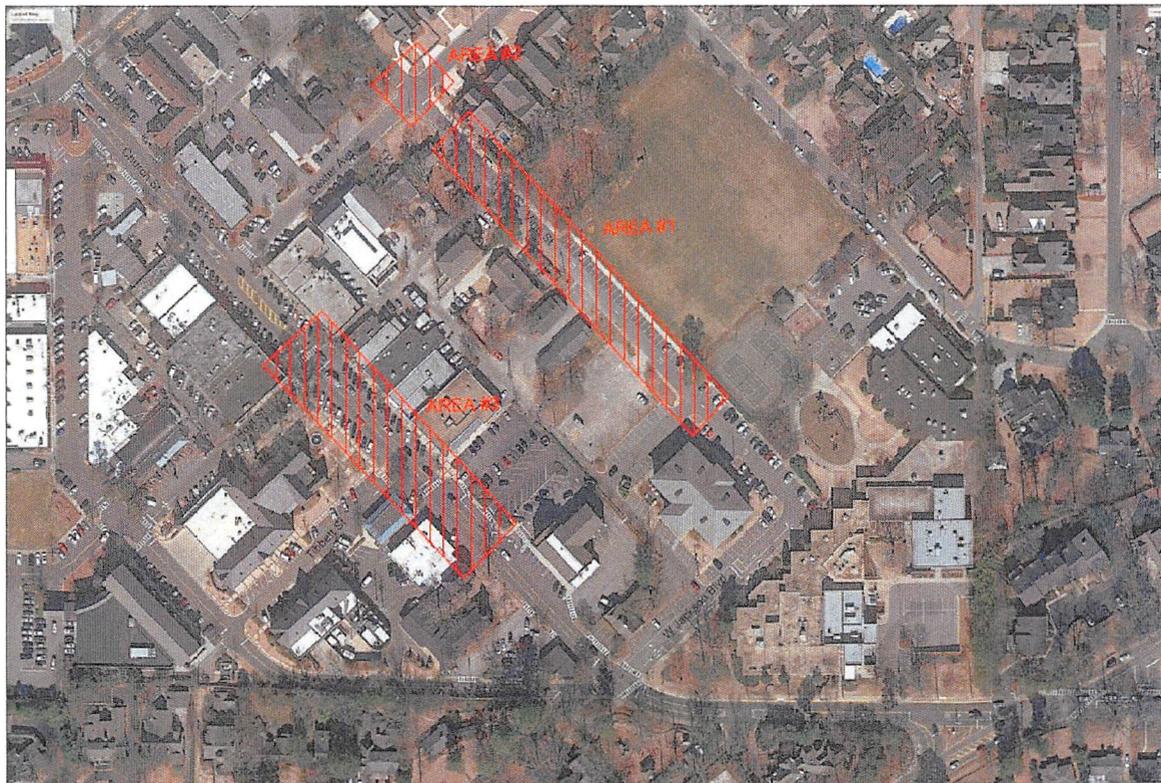
**Introduction**

This report documents a traffic study performed to assess existing vehicular traffic operations and pedestrian crossings at three locations within Crestline Village in the City of Mountain Brook, Alabama. The three areas which are analyzed in this report are as follows:

- Area #1 - Vine Street Pedestrian Crossing and Piggly Wiggly Access
- Area #2 – The Intersection of Vine Street at Dexter Avenue
- Area #3 - Church Street Pedestrian Crossings

The locations of the three areas are depicted in Figure 1.

The general scope of work for each area included conducting traffic counts, performing observations, analyzing counts, traffic flow and pedestrian flow, and developing recommendations.



**Figure 1 - Site Location Map**

Crestline Village Traffic Study - Mountain Brook, Alabama

September 2016



**Area #1 - Vine Street Pedestrian Crossing and Piggly Wiggly Access**

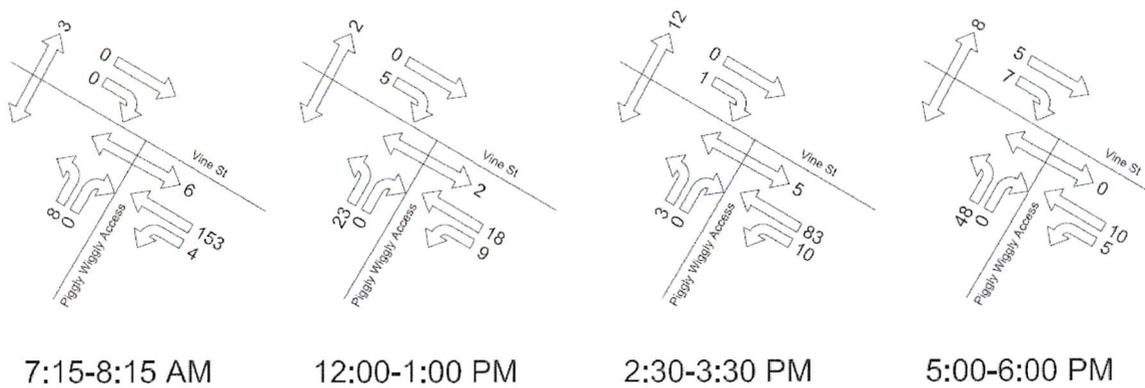
Current Conditions

Approval of the construction of the Piggly Wiggly required alteration of traffic flow in Area #1. Specifically, the following traffic operations are required:

- West Jackson Boulevard is one way northbound operation 24 hours a day, 7 days a week along its entire length from Church Street to Vine Street.
- Vine Street is one way westbound operation 24 hours a day, 7 days a week from West Jackson Boulevard to the western edge of the Board of Education building parking lot.
- Vine Street is one way westbound operation during the period of 7:20 a.m. to 4:00 p.m. along its entire length from West Jackson Boulevard to Dexter Avenue on school days.
- Vine Street is two way operation at all other times from Dexter Avenue to the western edge of the Board of Education building parking lot.

Traffic Counts

Vehicular and pedestrian traffic counts were performed at the intersection of Vine Street with the new access the Piggly Wiggly parking lot and the pedestrian crossing from the Piggly Wiggly to the Mountain Brook Athletic Fields on Wednesday, August 31, 2016 during the hours of 7:15 to 8:15 a.m., 12:00 to 1:00 p.m., 2:30 to 3:30 p.m., and 5:00 to 6:00 p.m. The traffic counts are depicted in Figure 2.



**Figure 2 - Existing Traffic Counts - Area #1**  
Crestline Village Traffic Study - Mountain Brook, Alabama

September 2016



### Observations

Observations of traffic and pedestrian flows in Area #1 were conducted on Saturday, September 10, 2016 from 10:30 to 11:30 a.m. This time period is the peak for combined traffic and pedestrian flows in the area due to activities at the Mountain Brook Athletic Fields. During the observation period, the following issues were noted:

- Vehicles failed to yield to pedestrians in the crosswalk two times during the observation period
- Vehicles traveled the wrong way on Vine Street east of the School Board driveway three times during the observation period

### Recommendations

Based on the traffic flows and observations, the following recommendations are made concerning traffic and pedestrian flows within Area #1:

*Recommendation #1* – Stripe out the areas on either side of the painted crosswalk on the Athletic Fields side of Vine Street. Vehicles parked in these areas block the ADA curb ramp and inhibit motorists' view of pedestrians as they begin to cross. The recommended striping pattern is shown in Figure 3. Two No Parking signs should also be posted on the fence in front of these striped-out areas.



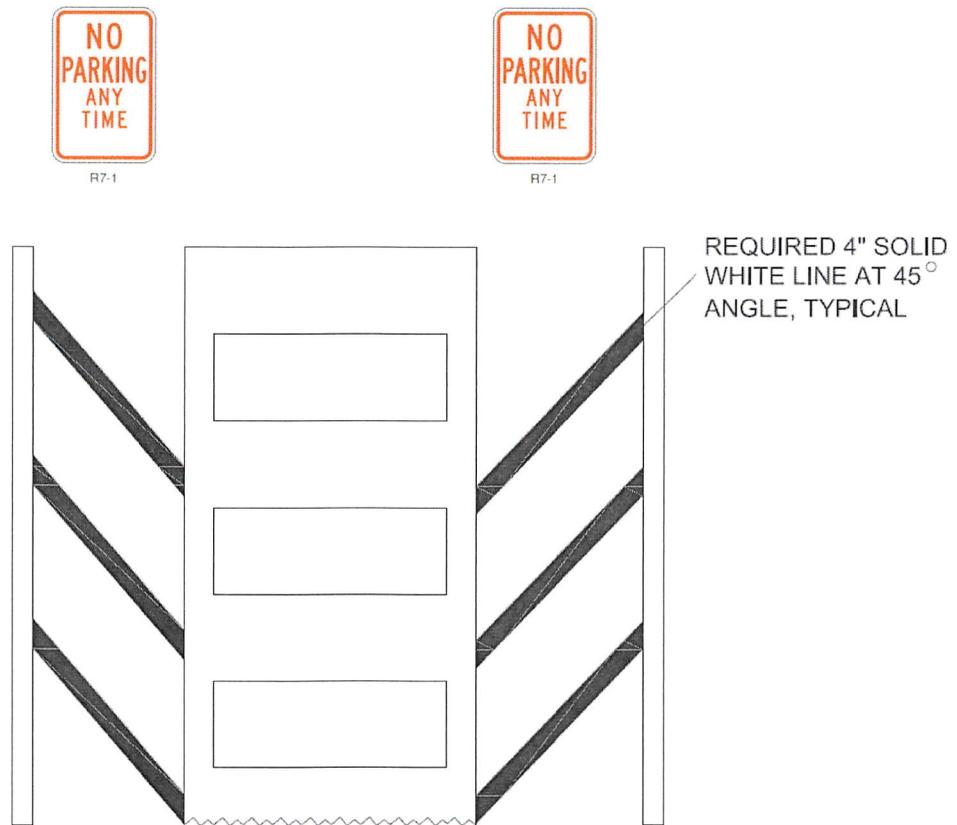


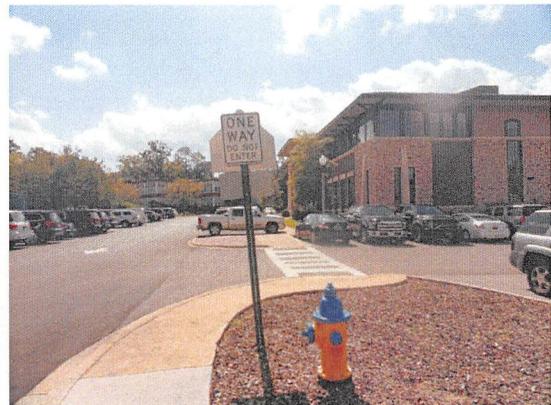
Figure 3 - Crosswalk Striping - Area #1

Crestline Village Traffic Study - Mountain Brook, Alabama

September 2016



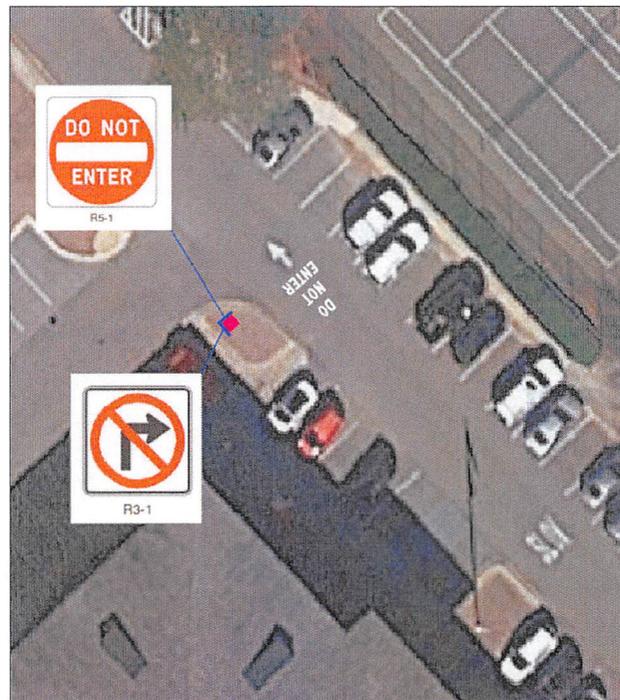
*Recommendation #2* – Exchange the two existing DO NOT ENTER signs on Vine Street with standard MUTCD R5-1 DO NOT ENTER signs (30"x30"), as illustrated on the following page:





R5-1

*Recommendation #3* – Install a new sign assembly on the corner of Vine Street at the driveway to the Board of Education Building. The sign assembly should be on a square tubular post with signs as indicated on Figure 4. Also, install new DO NOT ENTER pavement markings as shown on Figure 4.



**Figure 4 - Board of Education Parking - Area #1**

Crestline Village Traffic Study - Mountain Brook, Alabama

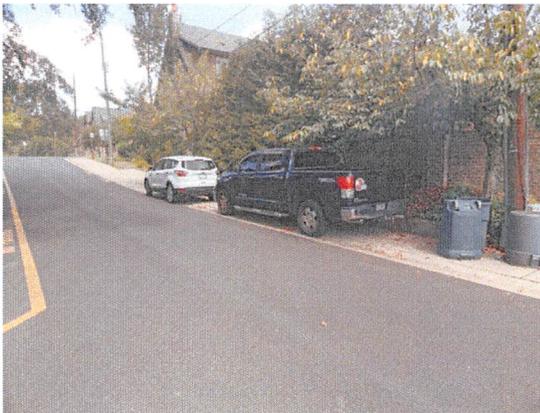
September 2016



*Recommendation #4* – Enforce existing No Parking signs on Vine Street.

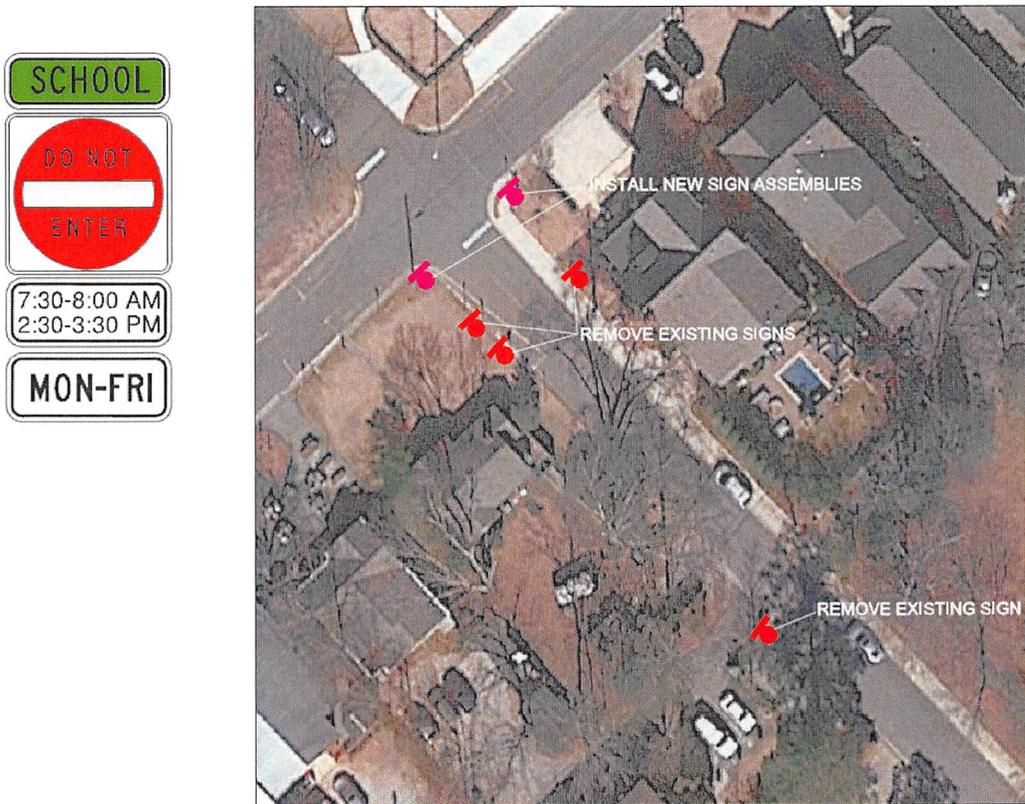


*Recommendation #5* – Continue No Parking pavement markings on Vine Street next to the sidewalk from the alley to Dexter Avenue and post No Parking signs behind the sidewalk.



R7-1

*Recommendation #6* – Modify the existing one-way operation of Vine Street between Dexter Avenue and the western edge of the Board of Education parking lot. The proposed times for one way operation are weekdays from 7:30 a.m. to 8:00 a.m. and 2:30 to 3:30 p.m. The plan to implement the proposed modification involves removing four existing signs and installing two new signs as shown in Figure 5. This proposed modification was discussed with the Mountain Brook Board of Education Superintendent and the Principal of Crestline Elementary School, and they had no objection to the proposed change.



**Figure 5 -Vine Street One Way Modifications**

Crestline Village Traffic Study - Mountain Brook, Alabama

September 2016



**Area #2 – The Intersection of Vine Street at Dexter Avenue**

The intersection of Vine Street at Dexter Avenue was analyzed to determine the appropriate traffic control for the intersection. Prior to the Piggly Wiggly project, the intersection of Vine Street at Dexter Avenue was two-way stop controlled with the stop signs facing both approaches of Vine Street. The traffic impact study report prepared for the Piggly Wiggly demonstrated that the existing traffic control was not appropriate for the existing traffic flows at the intersection, and recommended that the traffic control be altered to a two way stop with the stop signs facing both of the Dexter Street approaches. The City of Mountain Brook adopted and implemented this recommendation. For this study, a re-examination of the traffic control at the intersection was performed to determine the appropriate traffic control for the intersection. Two alternatives were analyzed:

Alternative 1 – two way side street stop with stop signs facing Dexter Avenue (existing condition)

Alternative 2 – four way stop

**Traffic Counts**

Vehicular and pedestrian traffic counts were performed at the intersection of Vine Street at Dexter Avenue on Wednesday, August 31, 2016 during the hours of 7:15 to 8:15 a.m., 12:00 to 1:00 p.m., 2:30 to 3:30 p.m., and 5:00 to 6:00 p.m. The traffic counts are depicted in Figure 6.

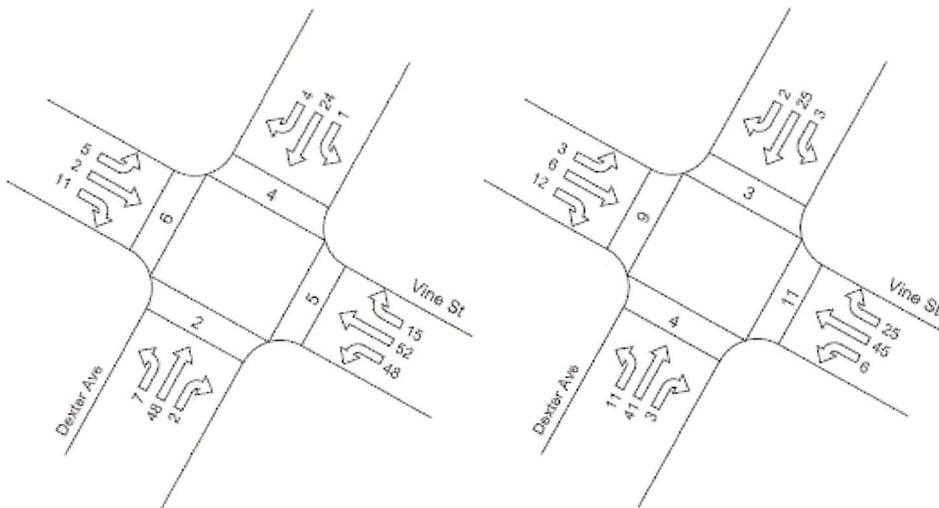
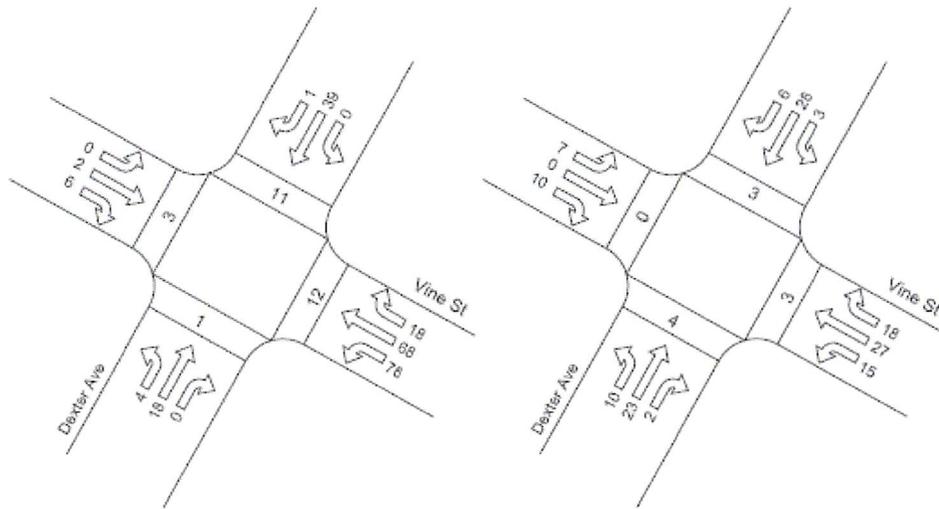


Figure 6 - Existing Traffic Counts - Vine Street at Dexter Avenue

Crestline Village Traffic Study - Mountain Brook, Alabama

September 2016



Observations

Observations of traffic and pedestrian flow were conducted at the intersection of Vine Street at Dexter Avenue on Wednesday, September 14 from 7:15 to 8:00 a.m. and 2:45 to 3:15 p.m. Observations included vehicles which stopped on Vine Street even though they had right-of-way, vehicles which failed to yield right-of-way on Dexter Avenue, and maximum queues on Vine Street westbound. The following is a summary of the observations:

## 7:15 – 8:00 AM

Vehicles on Vine Street which stopped	20 out of 163 vehicles (12%)
Vehicles on Dexter Avenue which failed to yield	3 out of 47 vehicles (6%)
Maximum Queue on Vine Street Westbound	4 vehicles

## 2:45-3:15 PM

Vehicles on Vine Street which stopped	15 out of 96 vehicles (16%)
Vehicles on Dexter Avenue which failed to yield	0 out of 38 vehicles (0%)
Maximum Queue on Vine Street Westbound	3 vehicles

Microsimulation Model

A microsimulation model was prepared to test two alternative traffic control schemes for the intersection of Vine Street at Dexter Avenue:

Alternative 1 – two way side street stop with stop signs facing Dexter Avenue (existing condition)

Alternative 2 – four way stop

Comparisons were made for the a.m. peak period and the afternoon school peak period of traffic flow. The results are summarized in Table 1.

**Table 1**  
**Microsimulation Model Comparison**  
**Dexter Avenue at Vine Street**

<i>Peak Hour</i>	<i>Movement</i>	<i>Average Queue (number of vehicles)</i>	
		<i>Alternative 1 Dexter Avenue Stop</i>	<i>Alternative 2 Four Way Stop</i>
AM	Vine Street Eastbound	0	1
	Vine Street Westbound	1	6
	Dexter Avenue Northbound	1	1
	Dexter Avenue Southbound	2	1
Afternoon School	Vine Street Eastbound	0	1
	Vine Street Westbound	0	3
	Dexter Avenue Northbound	1	2
	Dexter Avenue Southbound	1	1

*Board of Education Meeting*

A representative of Skipper Consulting, Inc. met with representatives of the Mountain Brook Board of Education on Friday, October 7, 2016. The primary subject of the meeting was to gather Board of Education input regarding the potential of converting the intersection of Vine Street at Dexter Avenue to a four way stop. Both the Superintendent of the Board of Education and the Principal of Crestline Elementary School were opposed to the conversion of the intersection of Vine Street at Dexter Avenue to a four way stop. The reasons stated for their opposition were as follows:

- Prior experience of the traffic conditions with a stop sign for Vine Street showed that extensive queues formed on Vine Street at peak traffic flow conditions.
- The current traffic control at the intersection has practically eliminated queuing on Vine Street.
- Concern that impeding traffic flow on Vine Street would result in traffic cutting through the Board of Education parking lot to get to Church Street, particularly since the Piggly Wiggly parking lot access to Vine Street is blocked during peak school traffic times.

Recommendations

*Recommendation #1* – The decision as to whether or not to modify the existing intersection of Vine Street at Dexter Avenue to install a four way stop is a difficult decision to make. The traffic analyses indicate that vehicle queues are shorter with the existing two way stop with the stop signs facing Dexter Avenue; however, the microsimulation model shows that converting the intersection to a four way stop does not yield excessive queues on Vine Street (a maximum queue of six vehicles, approximately 150 feet). Evaluations of the safety performance for conditions before the Piggly Wiggly modification to current conditions are not valid since there is no recent crash history at the intersection. The *Highway Safety Manual* indicates that conversion of two way stop control to four way stop control results in a 48% reduction in crashes; however, since there is no crash history, no real safety benefit can be expected.

Observations conducted by Skipper Consulting, Inc. indicate that the traffic flow at the intersection of Vine Street at Dexter Avenue is operating as anticipated when the recommendation was made for modifications as part of the Piggly Wiggly project. The current operation does not cause any excessive queuing or undue delay to Dexter Avenue which requires mitigation. Since the traffic factors do not contribute to a definite recommendation to either maintain the current stop sign configuration or convert the intersection to a four way stop, the recommendation of this report is therefore strongly influenced by the opinion of the Board of Education and Crestline Elementary School. It is recommended that existing traffic control at the intersection of Vine Street at Dexter Avenue be maintained, with stop signs facing Dexter Avenue.

*Recommendation #2* – Stripe a crosswalk crossing Dexter Avenue on the east side of Vine Street as shown in Figure 7.

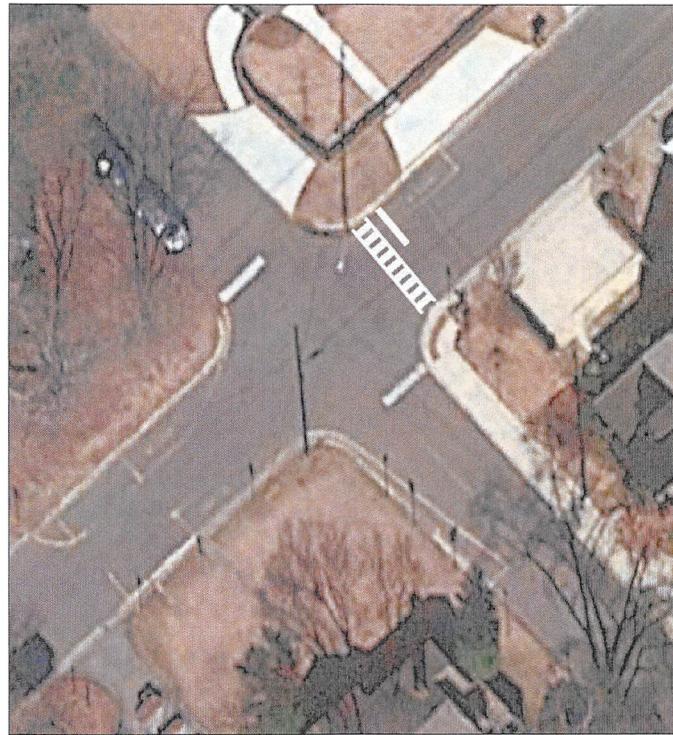


Figure 7 - Crosswalk Striping - Dexter Avenue

Crestline Village Traffic Study - Mountain Brook, Alabama

September 2016



*Recommendation #3* – Remove yellow lines around No Parking areas in the vicinity of the intersection of Vine Street at Dexter Avenue. These lines cause drivers to shy away from the edge of the roadway and encroach in oncoming lanes.



**Area #3 - Church Street Pedestrian Crossings**

Traffic Counts

Vehicular and pedestrian traffic counts were performed on Church Street at the pedestrian crossings located near Hoyt Street and Tibbett Street on Thursday, September 1, 2016 during the hours of 7:15 to 8:15 a.m., 12:00 to 1:00 p.m., 2:30 to 3:30 p.m., and 5:00 to 6:00 p.m. The traffic counts are depicted in Figure 8.



**Figure 8 - Existing Traffic Counts - Area #3**  
Crestline Village Traffic Study - Mountain Brook, Alabama

September 2016



Crash Data

Existing crash data for the calendar year 2015 was obtained for Church Street from Euclid Avenue to Montevallo Road from the City of Mountain Brook Police Department. A total of 16 crashes were reported. No crashes involved pedestrians. The classification of crashes by type is as follows:

Parking Maneuver	6
Rear End	6
Right Angle	2
Fixed Object	2

Observations

Observations were conducted at the two pedestrian crossings on Church Street on Saturday, September 10, 2016 from 11:30 a.m. to 12:15 p.m. and on Monday, September 19, 2016 from 12:00 to 1:00 p.m. At the crosswalk near Tibbett Street, there was very little pedestrian activity noted and no significant conflicts were noted. At the Hoyt Street crosswalk, there were seven instances of drivers failing to yield to pedestrians in the crosswalk.

Recommendations

Recommendation #1 – At the crosswalk near Hoyt Street, upgrade flashing beacons with additional rapid rectangular flashing beacons which are activated by pedestrian actuation.

