

**MOUNTAIN BROOK CITY COUNCIL
MEETING AGENDA**

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

AUGUST 25, 2014 – 7:00 P.M.

1. Approval of the minutes of the August 11, 2014 regular meeting of the City Council.
2. Proclamation: Constitution Week.
3. Proclamation: Gynecological Cancer Awareness Week.
4. Consideration: Motion authorizing the City Manager to bind the City's fiscal 2015 property and liability insurance policies with One Beacon Insurance (no change in deductibles from the expiring policy) effective September 1, 2014 as recommended by the Finance Committee at its work session conducted August 14, 2014.
5. Consideration: Resolution authorizing the execution of two service agreements between the City and New World Systems with respect to 1) Aegis MSP and Mobile server migration and 2) NCIC parsing.
6. Consideration: Resolution authorizing the execution of an agreement between the City and Ilene and Sanford Axelroth with respect to a Public Utility easement encroachment at 3525 Mill Springs Road.
7. Announcement: The next regular meeting of the City Council will be September 8, 2014, at 7 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.
8. Other business.
9. Comments from residents.
10. Adjourn.

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
AUGUST 11, 2014**

The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 6:30 p.m. on Monday, the 11th day of August, 2014. The Council President Pro Tempore called the meeting to order and the roll was called with the following results:

Present: Amy G. Carter, Council President Pro Tempore
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Absent: Lawrence T. Oden, Mayor
Virginia C. Smith, Council President
Jack D. Carl

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

1. RECOGNITION OF GUESTS

Council President Pro Tempore Carter recognized Boy Scouts Blake Finn of Troop 63 and Bo Johnson of Troop 28 both in attendance to satisfy the requirements of the Communications merit badge.

2. AGENDA

1. Review and discussion of the 7 p.m. City Council meeting agenda topics.
2. Executive Session. There being no further business to come before the City Council, it was moved by Council member Pritchard that the City Council convene in executive session to discuss a matter involving a pending real estate transaction. The motion was seconded by Council member Vogtle. The City Attorney certified that the subject matter of the executive session is allowed pursuant to the Open Meetings Act. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Amy G. Carter, Council President Pro Tempore
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

President Pro Tempore Carter declared that the motion carried by a vote of 3-0 and then asked that the members of the audience be excused. President Pro Tempore Carter also announced that the City Council pre-meeting will resume in the Council Chamber (Room A108) upon conclusion of the executive session and the regular council meeting would commence immediately upon conclusion of the pre-meeting.

3. APPLE grant administration agreement (Resolution No 2014-099). Michael Kaczorowski of the Regional Planning Commission of Greater Birmingham explained that the APPLE grant allows for entities to utilize federal grants to conduct studies without committing to any construction projects. This grant covers a city-wide traffic study at a cost of \$50,000 of which the City is obligated to a 20% (\$10,000) match. Upon conclusion of the study, the City can then determine which improvements identified in the study are worthy of pursuing and how best to finance.

Steven Boone, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA
AUGUST 11, 2014**

The City Council of the City of Mountain Brook, Alabama met in public session in the City Hall Council Chambers (Room A108) at 7:00 p.m. on Monday, the 11th day of August, 2014. The Council President Pro Tempore called the meeting to order and the roll was called with the following results:

Present: Amy G. Carter, Council President Pro Tempore
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Absent: Lawrence T. Oden, Mayor
Virginia C. Smith, Council President
Jack D. Carl

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

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

1. CONSENT AGENDA

Council President Pro Tempore Carter 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 July 28, 2014 meeting of the City Council.

2014-095	Reappoint Robert ("Rob") E. Walker, IV, as a Supernumerary Member to the Village Design Review Committee, to serve without compensation, with the term of office to end August 11, 2017.	Exhibit 1
2014-096	Reappoint Richard F. Simonton as a full member to the Board of Zoning Adjustment, retroactive to July 25, 2014, to serve without compensation, with the term of office to end July 25, 2017.	Exhibit 2
2014-097	Set a public hearing on September 8, 2014 to consider an ordinance amending the master development plan for the Park at Overton.	Exhibit 3, Appendix 1
2014-098	Set a public hearing on September 8, 2014 to consider an ordinance amending the master development plan for Pilgrim Place.	Exhibit 4
2014-099	Authorize the execution of an APPLE grant administration agreement between the City and Regional Planning Commission of Greater Birmingham with respect to a city-wide traffic study.	Exhibit 5, Appendix 2

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

Ayes: Amy G. Carter, Council President Pro Tempore
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

Council President Pro Tempore Carter thereupon declared that said minutes and Resolution Nos. 2014-095 through 2014-099 are adopted by a vote of 3—0.

2. MOTION (NO. 2014-100) AUTHORIZING THE ACCEPTANCE OF A \$2,000 STATE OF ALABAMA APPROPRIATION RESTRICTED FOR THE PROMOTION OF TOURISM

Council member Vogtle made a motion that the City Council accept from Representative Jim Carns a \$2,000 State of Alabama appropriation designated for the promotion of tourism provided the appropriation and tourism initiative may be administered by the Mountain Brook Chamber of Commerce. The motion was seconded by Council member Pritchard. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Amy G. Carter, Council President Pro Tempore
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

Council President Pro Tempore Carter thereupon declared that said motion (No. 2014-100) is adopted by a vote of 3—0.

3. ANNOUNCEMENT REGARDING THE NEXT REGULAR MEETING OF THE CITY COUNCIL

Council President Pro Tempore Carter announced that the next meeting of the Mountain Brook City Council will be held on Monday, August 25, 2014 at 7 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213. Please visit the City’s web site (www.mtnbrook.org) for more information.

4. ADJOURNMENT

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

Steven Boone, City Clerk

EXHIBIT 1

RESOLUTION NO. 2014-095

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Robert (“Rob”) E. Walker, IV, is hereby reappointed as a Supernumerary Member to the Village Design Review Committee, to serve without compensation, with the term of office to end August 11, 2017.

PROCLAMATION

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2013, marks the two hundred twenty-seventh anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebration which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as Constitution Week;

NOW, THEREFORE, I, Lawrence T. Oden, by virtue of the authority vested in me as Mayor of the City of Mountain Brook, do hereby proclaim the week of September 17th through 23rd as

CONSTITUTION WEEK

and urge all residents to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Mountain Brook to be affixed the 25th day of August of the year of our Lord 2014 and of the Independence of the United States of America, the 238th.

Lawrence T. Oden, Mayor

2014-101



Birmingham Territory Chapter
Patrice Donnelly, Regent

Mountain Brook City Council
Lawrence Oden, Mayor
P.O. Box 130009
Mountain Brook, AL 35213-0009
July 30, 2014

Dear Honorable Oden :

The US Constitution is the oldest Constitution still in active use in the world today and is the basic document of our Republic, which protects the individual liberties of all citizens through written law.

On August 2, 1956 President Dwight D. Eisenhower signed Public Law #915 into order establishing September 17-23 as Constitution Week to emphasize citizens' responsibilities for protecting and defending the Constitution and to inform and encourage individuals to study the document and the historical events which led to its creation.

The members of the Birmingham Territory Chapter of the National Society Daughters of the American Revolution request that you declare September 17-23 Constitution Week by resolution. Please help us promote the importance of this historic document. Enclosed are spot announcements in which you may use in your newsletters, website or inner-office correspondence.

Thank you for honoring the Constitution of the United States and your patriotic service. We look forward to receiving your resolution.

Sincerely,

Patrice Donnelly, Regent
Birmingham Territory Chapter NSDAR
1001 Castlemaine Drive
Birmingham, AL 35226
941-2184
prdonnel@samford.edu

Sample Proclamation

Whereas: The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

Whereas: September 17, 2014, marks the two hundred twenty-seventh anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

Whereas: It is fitting and proper accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of American designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, _____ by the virtue of the authority in me as _____ of _____ do hereby proclaim the week of September 17 to 23 as

CONSTITUTION WEEK

and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WHITENESS WHEREOF, I have hereunto set my hand and caused the Seal of ___ to be affixed this ___ day of ___ of the year of our Lord two thousand fourteen.

CONSTITUTION MINUTES

Constitution Week, September 17-23, commemorates the signing of the Constitution of the United States. The first plan of national government the United States had was called Articles of Confederation and Perpetual Union, quickly shortened to the Articles of Confederation by most people. The Confederation was a loosely joined group of states that gives only limited powers to the central government. The Articles were drawn up in 1777 and went out of existence when the Constitution was adopted in 1789.

1. The United States Constitution has endured longer than any other constitution and in the world and has been used by many other countries as a model for drafting their own constitutions. Fly your Flag with pride.
2. On February 21, 1787, the Continental Congress resolved that... "on the second Monday in May a Convention of delegates who shall have been appointed by the several States be held at Philadelphia for the sole and express purpose of revising the Articles of Confederation...." The original states, except Rhode Island, collectively appointed 70 delegates, but only 55 could attend and only 39 actually signed.
3. The delegates to the Convention were long-lived for their era with the average age of their death 67 years old. Samuel Johnson reached the age of 92 and Few, Franklin, Madison, Williamson and Wythe lived into their 80s. Hamilton and Spaight both were killed in duels. Madison lived the longest, dying in 1836.
4. Most of the delegates were married and raised children. Roger Sherman had 15 children by 2 wives and nine of the delegates had at least two wives. Four of the delegates, Abraham Baldwin, Nicholas Gilman, David of St. Thomas Jenifer and Alexander Martin were lifelong bachelors. The men mirrored the overwhelmingly protestant character of American religious life at the time and were members of various denominations. Only two, Carroll and Fitzsimons, were Roman Catholics.
5. Most of the delegates were natives of the 13 colonies. Only eight were born elsewhere; Butler, Fitzsimons, McHenry and Patterson were born in Ireland and, two, Davie and Robert Morris were born in England; Wilson was born in Scotland and Hamilton was born in the West Indies. Reflecting the mobility that has always characterized American life.
6. Washington and Madison became Presidents of the United States and King and Charles Cotesworth Pinckney were nominated as candidates for the office. Hamilton, McHenry and Madison attained Cabinet posts. Sixteen men became U. S. Senators: Baldwin, Bassett, Blount, Butler, Dayton, Few, Gilman, Johnson, King, Langdon, the two Morrisises, Paterson,

Charles Pinckney, Read and Sherman. Eleven served in the House of Representatives, four served as Federal Judges, and four more as Associate Justices of the Supreme Court. Four others, King, the two Pinckneys, and Governor Morris, undertook important diplomatic missions for the Nation.

7. Alexander Hamilton worked with John Jay and James Madison on a series of papers called the Federalist papers as propaganda for the Constitution. He served as the first United States Secretary of the Treasury from 1789-1795. He retired to his law practice and later was appointed to the position of major General from 1798-1800 due to an impending war with France. He was killed in a duel with Aaron Burr in 1804.
8. George Washington served for eight years as the first President of the United States under the new Constitution. His first four years were dominated by domestic issues and the second four years by foreign policy issues. During the administration of President John Adams there was a threat of war with France and again, Washington came back to serve his country in the capacity of Commander-in-Chief. With the threat of war over he went back to live his last days at his beloved Mt. Vernon. He died there on December 12, 1799. Light Horse Harry Lee said that George Washington was "first in war, first in peace, and first in the hearts of his countryman."
9. The greatest accomplishment of The Federalist Papers was to show that the Constitution was both coherent and republican. Suppressing their private doubts and disappointments, Hamilton and Madison, joined by John Jay, undertook the series of essays in order to expound the merits of the new Constitution and to answer the objections to it.

PROCLAMATION

WHEREAS, gynecologic cancer is the fourth largest cancer killer of women in the United States and more than 80,000 will be diagnosed this year alone; and

WHEREAS, the good health and well-being of women in our state are enhanced as a direct result of efforts to spread awareness about gynecologic cancers and their symptoms and treatments; and

WHEREAS, among the health concerns facing today's society are cancers unique to women that claim the lives of too many mothers, daughters, sisters and other loved ones— some of which have few signs or symptoms, and which are often difficult to detect; and

WHEREAS, women's reproductive cancers vary widely, ranging from preventable, to easily detected and treated stages, to the difficult-to-diagnose stage; and

WHEREAS, it is critical for women, physicians and all healthcare providers to recognize the risk factors and symptoms of gynecologic cancers and to remember the importance of early detection in preventing and treating this disease; and

WHEREAS, continued progress in the battle against gynecologic cancer requires vigilant public awareness and support for effective healthcare programs, services, scientific research and education; and to this end, all educators, service providers, researchers and advocacy groups are urged to work together to develop ways to inform more women about gynecologic cancer and to ensure that all women have access to appropriate cancer screening services; and

WHEREAS, it is fitting to recognize the worthy goals of this observance and to promote efforts to reduce the incidence of gynecologic cancer among our loved ones, and it is also crucial that all women take an active role in learning the symptoms and risk factors associated with all forms of cancer, developing healthy habits, and undergoing regular medical examinations so that any occurrence of this disease may be detected in its early and treatable stages; and

WHEREAS, women must be well-informed about early signs and symptoms in order to benefit from advances made in the treatment of these cancers; and

WHEREAS, it is incumbent upon the residents of the City of Mountain Brook, Alabama to work together as concerned people to increase research in understanding the causes, finding effective screening and prevention strategies, and developing improved therapies for gynecologic cancers; and

WHEREAS, groundbreaking research into the causes, detection and treatment of gynecologic cancers is currently being performed in medical centers located in Alabama; and

WHEREAS, the State Capitol will be lit in teal, the designated awareness color for gynecologic cancers, on Tuesday, September 2, 2014:

NOW, THEREFORE, I, Lawrence T. Oden, Mayor of the City of Mountain Brook, Alabama, do hereby proclaim September 2, 2014 as

GYNECOLOGIC CANCER AWARENESS DAY

in the City, and encourage all residents to reflect upon the memory of those lost to these diseases, the bravery of those currently battling these diagnoses, the need for increased awareness, screening and research so that all women might be spared from them in the future, and encourage all residents to work together to raise awareness of gynecologic cancers, and do commend this observance to all our residents.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Mountain Brook to be affixed the 25th day of August of the year of our Lord 2014 and of the Independence of the United States of America, the 238th.

Lawrence T. Oden, Mayor

2014-102

September 2, 2014

Gynecological Cancer Awareness Day

WHEREAS, gynecologic cancer is the fourth largest cancer killer of women in the United States and more than 80,000 will be diagnosed this year alone; and

WHEREAS, the good health and well-being of women in our state are enhanced as a direct result of efforts to spread awareness about gynecologic cancers and their symptoms and treatments; and

WHEREAS, among the health concerns facing today's society are cancers unique to women that claim the lives of too many mothers, daughters, sisters and other loved ones— some of which have few signs or symptoms, and which are often difficult to detect; and

WHEREAS, women's reproductive cancers vary widely, ranging from preventable, to easily detected and treated stages, to the difficult-to-diagnose stage; and

WHEREAS, it is critical for women, physicians and all healthcare providers to recognize the risk factors and symptoms of gynecologic cancers and to remember the importance of early detection in preventing and treating this disease; and

WHEREAS, continued progress in the battle against gynecologic cancer requires vigilant public awareness and support for effective healthcare programs, services, scientific research and education; and to this end, all educators, service providers, researchers and advocacy groups are urged to work together to develop ways to inform more women about gynecologic cancer and to ensure that all women in the State of Alabama have access to appropriate cancer screening services; and

WHEREAS, it is fitting to recognize the worthy goals of this observance and to promote efforts to reduce the incidence of gynecologic cancer among our loved ones, and it is also crucial that all women in the State of Alabama take an active role in learning the symptoms and risk factors associated with all forms of cancer, developing healthy habits, and undergoing regular medical examinations so that any occurrence of this disease may be detected in its early and treatable stages; and

WHEREAS, women must be well-informed about early signs and symptoms in order to benefit from advances made in the treatment of these cancers; and

WHEREAS, it is incumbent upon the citizens of the State of Alabama to work together as concerned people to increase research in understanding the causes, finding effective screening and prevention strategies, and developing improved therapies for gynecologic cancers; and

WHEREAS, groundbreaking research into the causes, detection and treatment of gynecologic cancers is currently being performed in medical centers located in Alabama; and

WHEREAS, the State Capitol will be lit in teal, the designated awareness color for gynecologic cancers, on Tuesday, September 2nd, 2014:

NOW, THEREFORE, I, Robert Bentley, Governor of Alabama, do hereby proclaim September 2nd, 2014 as

Gynecologic Cancer Awareness Day

in the State of Alabama, and encourage all citizens to reflect upon the memory of those lost to these diseases, the bravery of those currently battling these diagnoses, the need for increased awareness, screening and research so that the women of Alabama might be spared from them in the future, and encourage all citizens to work together to raise awareness of gynecologic cancers, and do commend this observance to all our citizens.

Given Under My Hand and the Great Seal of the Office of the Governor at the State Capitol in the City of Montgomery on the 2nd day of September 2014.

Governor Robert Bentley

September is GYN CANCER AWARENESS MONTH

Promoting Organizations:

CanSurvive GYN Cancer Support Group cansurvivebham@gmail.com www.cansurvivesupportgroup.org

Laura Crandall Brown Ovarian Cancer Foundation l.crandall@thinkoflaura.org www.thinkoflaura.org

Norma Livingston Ovarian Cancer Foundation susan@nlovca.org www.nlovca.org

EVENT WEBSITE: www.AStateofTeal.org



Alabama: A State of Teal

The month of September is GYN / Ovarian Cancer Awareness Month. Since the cancer ribbon color for gynecologic cancer is teal, a very effective way to raise awareness is lighting prominent buildings and landmarks in teal and having an awareness ceremony covered by news media.

For the past 2 years, the CanSurvive GYN Cancer Support Group in Birmingham has lit the Alabama State Capitol in teal and had an awareness ceremony in Montgomery. People from all over the state attended. Last year the RSA buildings and the Renaissance Hotel in Montgomery were also lit. CanSurvive plans to light the Capitol again in 2014, but will have the awareness ceremony in Birmingham.

BIRMINGHAM – 2014 GYN Cancer Awareness Lighting Planned Activities

The CanSurvive GYN Cancer Support Group will coordinate the awareness ceremony which will be held on Tuesday, September 2. CanSurvive, the Norma Livingston Ovarian Cancer Foundation, and the Laura Crandall Brown Ovarian Cancer Foundation are working together to arrange teal lighting in prominent buildings of Birmingham.



Why is awareness needed?

- Alabama is 1 of 2 states with highest rates of death from ovarian and cervical cancer.
- Pap smears can catch cervical cancer early. HPV vaccination has the potential to prevent cervical cancer.
- **THERE IS NO EARLY DETECTION TEST FOR OVARIAN CANCER.** It is usually found in stage 3c and has a high recurrence and mortality rate.
- Women need to know the signs & symptoms of GYN cancers.
- Groundbreaking research is happening in the state of Alabama.



FOR IMMEDIATE RELEASE:

Three Local Cancer Groups Collaborate to Turn Alabama Into “A State of **TEAL**”

For Immediate Release - Birmingham, Alabama – May 30, 2014

CanSurvive GYN Cancer Support Group, the Laura Crandall Brown Ovarian Cancer Foundation, and the Norma Livingston Ovarian Cancer Foundation are excited to announce their collaboration by launching “A State of Teal”, an awareness campaign for gynecologic cancers. These include ovarian, cervical, uterine, vaginal, and vulvar cancers.

September is National Gynecologic Cancer Awareness Month and all three organizations are sponsoring a state-wide event on September 2nd to raise awareness of these types of cancer, their impact on Alabama, and the need for research and improved screening tests.

The Alabama State Capitol in Montgomery, along with other buildings and venues across the state, will be lit in teal on September 2nd to commemorate Gynecologic Cancer Awareness Day.

Companies and organizations statewide are joining with CanSurvive, the Laura Crandall Brown Ovarian Cancer Foundation, and the Norma Livingston Ovarian Cancer Foundation to support this awareness campaign. Confirmed supporters include: Birmingham Barons and Regions Field, Alabama Power Company, Alagasco, Energen, City of Birmingham, City of Vestavia Hills, Doubletree by Hilton Birmingham, Alabama Fire College, Birmingham Museum of Art, Linn-Henley Research Library, RSA Dexter Tower, and the Sybil Temple. More commitments are being made daily.

Visit our website at www.AStateOfTeal.org for more information and to view updates to this list. Additional resources may be found on Facebook (<http://www.facebook.com/AStateOfTeal>) and Twitter (<http://twitter.com/AStateOfTeal>).

Contacts: Kelly Rice (Chair), Jennifer Smiley and Doris Moody (www.AStateOfTeal.org/Contact)

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Why teal?



www.astateofteal.org

**Insurance Renewal
City of Mountain Brook**



	One Beacon Expired 2013	One Beacon Expiring Policy 2014	One Beacon Renewal 2015	One Beacon Increased Deductibles	One Beacon Increased Deductibles
Premium	\$ 259,802	\$ 299,507	\$ 264,465	\$ 243,007	\$ 238,007
		15%	-12%	-19%	-21%
Deductibles					
General Liability	\$ 5,000	\$ 5,000	\$ 5,000	\$ 10,000	\$ 10,000
Property	\$ 1,000	\$ 1,000	\$ 1,000	\$ 25,000	\$ 25,000
Law Enforcement	\$ 10,000	\$ 10,000	\$ 10,000	\$ 25,000	\$ 25,000
Auto Liability	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,000
Auto Property	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000

	2012	2013	2014
Losses	\$ 37,299	\$ 12,696	\$ 12,550
Auto (property/liab)	\$ 14,639	\$ 12,696	\$ 12,550
General Liability	\$ 20,000	\$ 0	\$ 0
Property	\$ 2,660	\$ 0	\$ 0
Law Enforcement	\$ 0	\$ 0	\$ 0

* Finance Committee recommendation

2014-103

RESOLUTION NO. 2014-104

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the execution of the following agreements between the City and New World Systems:

1. Exhibit A – Aegis MSP and Mobile server migration services
2. Exhibit B – NCIC parsing services

ADOPTED: This 25th day of August, 2014.

Council President

APPROVED: This 25th day of August, 2014.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on August 25, 2014, as same appears in the minutes of record of said meeting.

City Clerk



July 2, 2014

ADDITIONAL SERVICES AGREEMENT

Chief Ted Cook
Mountain Brook Police Department
100 Tibbett Street
Mountain Brook, AL 35223

Dear Chief Cook:

New World Systems is pleased to provide additional services for an Aegis MSP and Mobile server migration.

The attached form (Exhibit B) is to be reviewed and approved by you and/or your authorized representative. It describes the additional services you have requested along with the related fees.

Other than for the purposes of internal review, we ask that you treat our fees as confidential information. This is due to the competitive nature of our business.

The General Terms and Conditions from our original License Agreement are incorporated and continue to apply. Any taxes or fees imposed from the course of this Agreement are the responsibility of the Customer.

We thank you for your continued business with New World Systems. We look forward to working on this project with you.

ACKNOWLEDGED AND AGREED TO BY:

NEW WORLD SYSTEMS® CORPORATION
(New World)

MOUNTAIN BROOK POLICE DEPT., AL
(Customer)

By: _____
Larry D. Leinweber, President

By: _____
Authorized Signature Title

By: _____
Authorized Signature Title

Date: _____

Date: _____

Each individual signing above represents that (s)he has the requisite authority to execute this Agreement on behalf of the organization for which (s)he represents and that all the necessary formalities have been met.

The "Effective Date" of this Agreement is the latter of the two dates in the above signature block.

PRICING IS VALID THROUGH SEPTEMBER 30, 2014.

EXHIBIT A

EXHIBIT B
ADDITIONAL SUPPORT SERVICES AND FEES

1. Service Fees and Travel Costs

The fixed fee for an Aegis MSP and Mobile server migration will be \$16,500. (Plus all actual and reasonable travel expenses and time incurred by New World divided proportionately between all New World customers visited on a single trip.) The installation and training support services are typically performed at Customer's premises but may be provided at New World national headquarters in Troy, Michigan. Customer agrees to reimburse New World for support trips canceled by Customer less than ten (10) days before the scheduled start date to cover New World's out of pocket costs and lost revenues.

Services to include:

- a) Confirm operating system installation and hardware components are configured properly.
- b) Install SQL Server 2008 R2 application.
- c) Install Aegis server components.
- d) Install and configuration of ESRI components.
- e) Migrate GIS/Mapping data components.
- f) Migrate database components.
- g) Configure Aegis server to operate with database components.
- h) Build test Aegis MSP server.
- i) Build production Mobile Management Server.
- j) Build test Mobile Management Server.
- k) Go-Live Support for transition to new production server.

Additional support services provided by New World outside the scope of this Agreement will be provided at the Customer's daily rate in effect at that time, currently \$1,200 per day.

2. Payments for Services and Travel Costs

Support Services will be billed as follows:

a) Amount invoiced upon the Effective Date (100%)	\$16,500
TOTAL DUE.....	<u>\$16,500</u>

All travel costs including time will be billed weekly for the previous calendar week. Any taxes or fees imposed from the course of this Agreement are the responsibility of the Customer and Customer agrees to remit when imposed. If an exemption is claimed by the Customer, an exemption certificate must be submitted to New World.

ALL PAYMENTS ARE DUE WITHIN FIFTEEN (15) DAYS FROM RECEIPT OF INVOICE.

June 26, 2014**ADDITIONAL SERVICES AGREEMENT**

Captain Greg Hagood
Mountain Brook Police Department
100 Tibbett Street
Mountain Brook, AL 35223

Dear Captain Hagood:

New World Systems is pleased to provide additional services for NCIC Parsing.

The attached form (Exhibit B) is to be reviewed and approved by you and/or your authorized representative. It describes the additional services you have requested along with the related fees.

Other than for the purposes of internal review, we ask that you treat our fees as confidential information. This is due to the competitive nature of our business.

The General Terms and Conditions from our original License Agreement are incorporated and continue to apply. Any taxes or fees imposed from the course of this Agreement are the responsibility of the Customer.

We thank you for your continued business with New World Systems. We look forward to working on this project with you.

ACKNOWLEDGED AND AGREED TO BY:

NEW WORLD SYSTEMS® CORPORATION
(New World)

By: _____
Larry D. Leinweber, President

Date: _____

MOUNTAIN BROOK POLICE DEPT. AL
(Customer)

By: _____
Authorized Signature Title

By: _____
Authorized Signature Title

Date: _____

Each individual signing above represents that (s)he has the requisite authority to execute this Agreement on behalf of the organization for which (s)he represents and that all the necessary formalities have been met.

The "Effective Date" of this Agreement is the latter of the two dates in the above signature block.

PRICING IS VALID THROUGH SEPTEMBER 26, 2014.

EXHIBIT B
ADDITIONAL SUPPORT SERVICES AND FEES

1. Support Services

Up to 5 days have been allocated to provide NCIC Parsing. Actual usage may be higher or lower based on Customer's requirements and use of these support services.

Support services are typically performed at Customer's premises but may be provided at New World national headquarters in Troy, Michigan. Customer agrees to reimburse New World for support trips canceled by Customer less than ten (10) days before the scheduled start date to cover New World's out of pocket costs and lost revenues.

2. Support Service Fees

The days cited above will be provided at the rate of \$1,200 per day. Any additional support services provided by New World outside the scope of this Agreement will be provided as an additional cost at the Customer's daily rate in effect at that time.

Based on the days listed above, the support service cost is **\$6,000**. (Plus all actual and reasonable travel expenses and time incurred by New World divided proportionately between all New World customers visited on a single trip.)

3. Payments for Services and Travel Costs

Support Services will be billed as follows:

a) Amount invoiced upon the Effective Date (100%)	\$6,000
TOTAL DUE.....	<u>\$6,000</u>

All travel costs including time will be billed weekly for the previous calendar week. Any taxes or fees imposed from the course of this Agreement are the responsibility of the Customer and Customer agrees to remit when imposed. If an exemption is claimed by the Customer, an exemption certificate must be submitted to New World. Payments are due within fifteen (15) days from receipt of invoice.

EXHIBIT B

RESOLUTION NO. 2014-105

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 Property Owners ILENE L. AXELROTH and SANFORD B. AXELROTH with respect to a Public Utility easement encroachment for construction and maintenance of a retaining and privacy wall along, over and across a public utility easement which runs along the rear of the Owners' Property at 3525 Mill Springs Road, Mountain Brook, AL.

ADOPTED: This 25th day of August, 2014.

Council President

APPROVED: This 25th day of August, 2014.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on August 25, 2014, as same appears in the minutes of record of said meeting.

City Clerk

STATE OF ALABAMA)

JEFFERSON COUNTY)

AGREEMENT

THIS AGREEMENT, made this ____ day of August, 2014, by and between THE CITY OF MOUNTAIN BROOK, ALABAMA, a municipal corporation ("City") and ILENE L. AXELROTH and SANFORD B. AXELROTH ("Owners"), owners of real property located at 3525 Mill Springs Road, Mountain Brook, Alabama ("Property").

FOR AND IN CONSIDERATION OF the sum of One Dollar (\$1.00) and other good and valuable consideration, the above-named parties hereby agree as follows:

1. The City confers upon Owners permission to construct and maintain a retaining and privacy wall along, over and across a public utility easement which runs along the rear of Owners' Property. The easement is more particularly shown as "CL 15' Easement" on the legal survey attached hereto as Exhibit "A."

2. Said authority, permission and privilege conferred herein shall be for the sole purposes of constructing and maintaining a retaining and privacy wall that shall be situated on, over and across the above-described public utility easement in the general location and configuration as shown on the attached Exhibit "A" as "Proposed Wall."

3. Owners agree and covenant that they shall not claim adversely to the City as a result of the authority, permission and privilege conferred by this Agreement. Further, the authority, permission and privilege conferred by this Agreement shall not be construed as a right to construct or maintain said wall or to locate said equipment on the public utility easement indefinitely or in perpetuity.

4. Owners agree and acknowledge that said public utility easement is not exclusive for City's use and that third parties not made a party to this Agreement, including but not limited to providers of electrical, telephone, and cable service, possess rights and interests related to said easement, and, further, that no such rights and interests are affected by the execution of this Agreement. Owners acknowledge and agree that the City has made no representation or warranty concerning the rights of third parties to said public utility easement and that any permission hereby granted is limited to rights or interests of the City of Mountain Brook.

5. Owners acknowledge and agree that the authority, permission and privilege hereby conferred (a) does not constitute or evidence a grant or conveyance of an equitable, legal or other ownership right or interest in any real estate owned or controlled by the City of Mountain Brook; (b) shall be subordinate for all purposes to the right and interest of the City of Mountain Brook in the use, enjoyment, ownership, and control of the property that is or may be subject to the exercise of that privilege; (c) is limited to the rights owned or controlled by the City of Mountain Brook; and (d) shall not bind or otherwise affect the use of or rights of other third parties in or to the public utility easement. Owners shall exercise the authority, privilege and permission hereby conferred at their sole risk and shall assume sole responsibility for the installation, construction and maintenance of said wall. Owners shall also assume sole responsibility for any and all maintenance and repairs required as a result of installing, constructing and maintaining said wall. Owners' exercise of the authority, permission and privilege hereby conferred shall not impede the City's access to or use of the public utility easement for its intended purposes.

6. Owners acknowledge and agree that the City retains its right to revoke any permission hereby conferred, or to remove or cause to be removed any part or all of the wall that is the subject of this Agreement, or to require Owners to remove same at their expense in the event that such use by Owners interferes with the use of the subject easement for public utility purposes by the City. Nothing herein confers upon Owners the right to have the wall restored by the City or anyone other than Owners at their own expense in the event that the City deems its removal necessary.

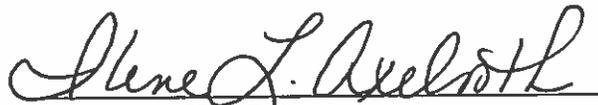
7. Owners further acknowledge and agree that Owners shall defend, indemnify and hold the City harmless from and against all claims, demands, suits, actions, costs, expenses and judgments arising from or based upon Owners' use of the easement for the installation, construction or maintenance of the wall, or for any other purpose.

IN WITNESS WHEREOF, the parties have executed this instrument on this the _____ day of August, 2014.

THE CITY OF MOUNTAIN BROOK

By: _____

Its: _____



ILENE L. AXELROTH



SANFORD B. AXELROTH

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority in and for said county and state hereby certify that _____, whose name is signed to the foregoing Agreement, as _____ of the City of Mountain Brook, Alabama, a municipal corporation, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, he, as such officer and with full authority, executed the same voluntarily, for and as the act of the said City of Mountain Brook, Alabama.

Given under my hand and official seal on this the ____ day of August, 2014.

Notary Public

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority in and for said county and state, hereby certify that Ilene L. Axelroth whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of the foregoing, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 20th day of August, 2014.

Eder R. John

7/24/2015

Notary Public

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority in and for said county and state, hereby certify that Sanford B. Axelroth, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of the foregoing, he executed the same voluntarily on the day the same bears date.

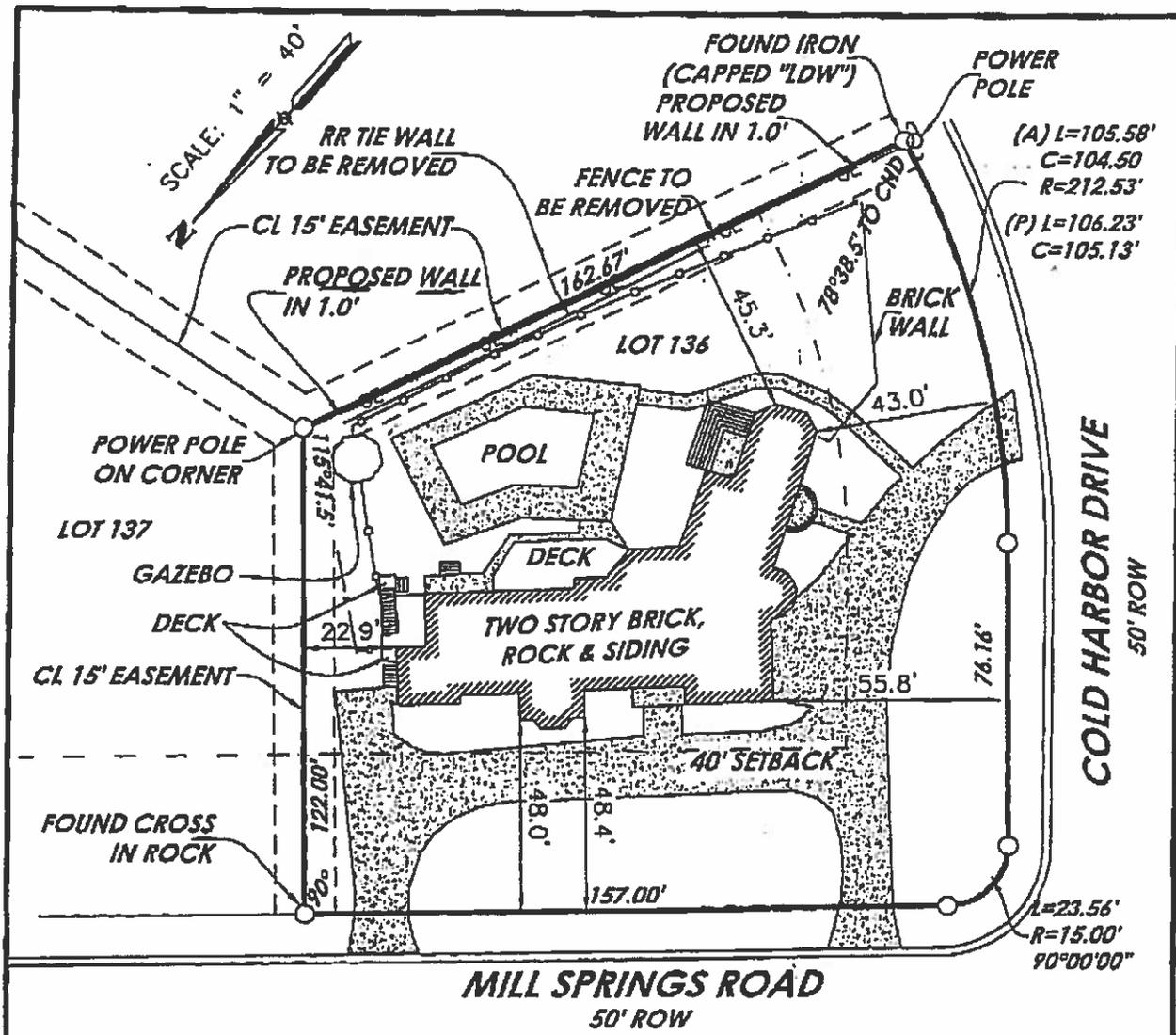
Given under my hand and official seal on this the 20th day of August, 2014.

Eder R. John

7/24/2015

Notary Public

EXHIBIT A



LEGEND			
°	DEGREE	N	NORTH
'	FEET OR MINUTES	E	EAST
"	INCHES OR SECONDS	S	SOUTH
W	WEST	W	WEST
P.O.B.	POINT OF BEGINNING	R	RADIUS
LDW	FOUND OR SET IRON	FH	FIRE HYDRANT
GM	GAS METER	U.P.	UTILITY POLE
		J	JUNCTION BOX
		C/L	CENTER LINE
		—	UTILITY LINE
		—	CHAIN LINK FENCE
		—	WOODEN FENCE
		—	CONCRETE

- NOTES:**
- NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREDY WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS-OF-WAYS, RECORDED OR UNRECORDED. THE PARCEL SHOWN HEREON IS SUBJECT TO SETBACKS, EASEMENTS, ZONING AND RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORDS OF SAID COUNTY.
 - ALL BEARING AND/OR ANGLE, AND DISTANCES ARE DEED AND ACTUAL UNLESS OTHERWISE NOTED: DEED-(D); ACTUAL-(A); PLAT-(P).
 - UNDERGROUND PORTIONS OF FOUNDATIONS, FOOTINGS, OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED UNLESS OTHERWISE NOTED.
 - THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.
 - BEARING REFERENCE IS BASED ON RECORDED PLAT AND SOURCE OF INFORMATION IS RECORDED PLAT AND FIELD EVIDENCE.
 - TYPE OF SURVEY: BOUNDARY SURVEY

