

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
FEBRUARY 25, 2013**

The City Council of the City of Mountain Brook, Alabama met in public session in the temporary City Hall at 6:30 p.m. on Monday, the 25th day of February, 2013. The President of the City Council called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard III
Lawrence T. Oden, Mayor

Absent: Jesse S. Vogtle, Jr.

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

1. AGENDA

1. Contract renewal with Waste Management for garbage, trash, recycling and leaf pick up services for 2013-2016 – Terry White and Mike Mitchell of Waste Management. (This matter will be considered for formal action on March 11, 2013.)
2. Open retirement window for eligible City employees – Steven Boone (Resolution No. 2013-37 was added to the formal agenda.)

Other matters discussed and added to the formal agenda include the following:

3. Application for the issuance of a 240 – Non-Profit Tax Exempt ABC license from The Preschool Partners Foundation (trade name The Food Truck Round Up) for its May 4, 2013 Fundraising event to be held in the Macy's Department Store parking lot 780 Brookwood Village, Mountain Brook, AL (Resolution No. 2013-038).
4. Approve a change order for landscaping with respect to Phase 6 of the Sidewalk Project with stipulation. (Resolution No. 2013-039.)
5. Accept professional services proposal from Nimrod Long & Associates with respect to the Safe Routes to School sidewalk project (Resolution No. 2013-040).
6. Authorize the City Manager to execute a contract, Brasfield & Gorrie change order, and/or purchase order with respect to the construction of the 911 monument base at the municipal complex (Motion No. 2013-041).



Steven Boone, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA
FEBRUARY 25, 2013**

The City Council of the City of Mountain Brook, Alabama met in public session in the temporary City Hall at 7:00 p.m. on Monday, the 25th day of February, 2013. The President of the City Council called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard III
Lawrence T. Oden, Mayor

Absent: Jesse S. Vogtle, Jr.

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

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

1. RECOGNITION OF GUESTS

President Smith recognized Ann August and Joyce Brooks, Director and Chairman, respectively, of MAX, who addressed the Mayor and members of the City Council.

2. CONSENT AGENDA

Council President Smith announced that the following matters will be considered at one time on the consent agenda provided no one in attendance objects:

Approval of the minutes of the February 11, 2013 meeting of the City Council.

Approval of the minutes of the February 20, 2013 special meeting of the City Council.

2013-029	Participate in the Municipal Workers Compensation Fund (MWCF).	Appendix 1
2013-030	MWCF Safety Resolution.	Appendix 2
2013-031	Municipal Workers Compensation Fund 2013 Statement of Commitment.	Appendix 3
2013-032	Appoint Ellen Elsas to serve as a supernumerary member to the Village Design Review Committee, to serve without compensation, with this term of office to end February 1, 2014.	Exhibit 1
2013-033	Appoint James Ernest Grisham, III, as a regular member to the Village Design Review Committee, to serve without compensation, with the term of office to end April 13, 2015.	Exhibit 2
2013-034	Arbor Week Proclamation.	Exhibit 3

- | | | |
|--------------------|--|--------------------------|
| 2013-035 | Approve the conditional use application submitted by Village Dermatology for their operation of a medical office (service use) in the [formerly] Union Carbide building located at 2900 Cahaba Road. | Exhibit 4,
Appendix 4 |
| 2013-037 | Authorize the City Manager to offer continuing medical coverage to eligible employees (namely 20 years of City service at any age or 10 years of City service for ages 60 and over) who elect to retire between April 1, 2013 and November 1, 2013. | Exhibit 5,
Appendix 5 |
| 2013-038 | Recommend to the ABC Board the issuance of a 240 – Non-Profit Tax Exempt license to The Preschool Partners Foundation (trade name The Food Truck Round Up) for its May 4, 2013 Fundraising event to be held in the Macy’s Department Store parking lot 780 Brookwood Village, Mountain Brook, AL. | Exhibit 6,
Appendix 6 |
| 2013-039 | Accept change order number 3 for additional work (landscaping) to be provided by Walker Patton Company, Inc. with respect to the Phase 6 sidewalk project (Appendix A attached hereto) for consideration of \$9,507.12 with the stipulation that the previously priced transplanting of [formerly existing] Leyland Cypress trees is deleted for a savings of \$4,500 resulting in a net cost of \$5,007.12. | Exhibit 7,
Appendix 7 |
| 2013-040 | Accept the professional services proposal submitted by Nimrod Long & Associates for additional design services with respect to the change in scope of the Safe Routes to Schools sidewalk projects for consideration in the amount of \$7,850 based on the estimated time required for such services. | Exhibit 8,
Appendix 8 |
| 2013-041
Motion | Authorize the City Manager to execute a contract, Brasfield & Gorrie change order, and/or a purchase order with respect to the City’s engagement of Stolisma, Inc. (Shea Scully) to design and construct the 911 monument base for the municipal complex (subject to review by the City Attorney). | Appendix 9 |

Thereupon, the foregoing minutes, resolutions and motion were introduced by Council President Smith and their immediate adoption was moved by Council member Carter. The minutes, resolutions and motion were then considered by the Council. Council member Pritchard seconded the motion to adopt the foregoing minutes, resolutions and motion. Council member Pritchard then announced that he will abstain from voting with respect to Resolution No. 2013-040. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith, Council President
 Amy G. Carter, Council President Pro Tempore
 Jack D. Carl
 William S. Pritchard III (abstained from voting on Motion No. 2013-040)

Nays: None

Council President Smith thereupon declared that said minutes, resolutions, and motion (nos. 2013-029 through 2013-035, 2013-037 through 2013-039, and 2013-041) are adopted by a vote of 4—0, and that Resolution No. 2013-040 is adopted by a vote of 3—0 and as evidence thereof she signed the same.

3. PUBLIC HEARING: RESOLUTION (NO. 2013-036) APPROVING AND FINALIZING THE COSTS OF DEMOLITION AND ABATING THE PUBLIC NUISANCE AT 2210 STERLINGWOOD DRIVE, DEMANDING PAYMENT OF CITY'S COSTS OF ABATEMENT, AND AUTHORIZING THE CITY MANAGER TO INITIATE PROCEEDINGS TO PERFECT A LIEN AGAINST SAID PROPERTY DESCRIBED AS LOT 8, SURVEY OF STERLINGWOOD, AS RECORDED IN MAP BOOK 173 AT PAGE 87 IN THE UPROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA (EXHIBIT 9, APPENDIX 10)

Council President Smith introduced the resolution in writing and invited comments and questions from the audience. There being no discussion or comments, Council member Pritchard made a motion that the resolution be adopted as introduced. The motion was seconded by Council President Smith and was carried, as follows:

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

Nays: None

The President of the Council declared the motion carried by a vote of 4—0.

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

Council President Smith announced that the next meeting of the Mountain Brook City Council will be held on Monday, March 11, 2013 at the [temporary] Mountain Brook City Hall located at 3928 Montclair Road, Suite 230, Mountain Brook, Alabama 35213. Please visit the City's web site (www.mtnbrook.org) for more information.

5. EXECUTIVE SESSION AND ADJOURNMENT

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 legal settlement and/or pending litigation. The motion was seconded by Council President Smith. The City Attorney certified that the subject of said executive session was allowed pursuant to the Open Meetings Act. Then, upon the question being put and the roll called, the vote was recorded as follows:

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

Nays: None

President Smith declared that the motion carried by a vote of 4—0 and then asked that the members of the audience be excused. President Smith also announced that the City Council will adjourn upon conclusion of the executive session.



Steven Boone, City Clerk

EXHIBIT 1**RESOLUTION NO. 2013-032**

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Ellen Elsas is hereby appointed to serve as a supernumerary member to the Design Review Committee, to serve without compensation, with this term of office to end February 1, 2014.

EXHIBIT 2**RESOLUTION NO. 2013-033**

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that James Ernest Grisham, III, is hereby appointed as a full member to the Village Design Review Committee, to serve without compensation, with the term of office to end April 13, 2015.

EXHIBIT 3**ARBOR WEEK PROCLAMATION**

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

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

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

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

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

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

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

Now, Therefore, I, Lawrence T. Oden, Mayor of the City of Mountain Brook, do hereby **proclaim** February 24, 2013 through March 2, 2013, as

ARBOR WEEK

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

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

EXHIBIT 4

RESOLUTION NO. 2013-035

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby approves the conditional use application submitted by Village Dermatology to relocate its medical office (service use) to 2900 Cahaba Road (Old Union Carbide building).

APPENDIX 4

EXHIBIT 5

RESOLUTION NO. 2013-037

BE IT RESOLVED by the City Council of the City of Mountain Brook ("City"), Alabama, that the City Manager is hereby authorized to offer to eligible City employees continuing health insurance benefits under the following conditions:

1. Eligibility - All currently engaged employees of the City including the Library, and Parks & Recreation departments who:
 - (a) have at least twenty (20) years of employment service with the City and are eligible to draw retirement benefits from the Retirement Systems of Alabama (RSA), or
 - (b) have at least 10 years of employment service with the City, are at least age 60, and are eligible to draw retirement benefits from the RSA, and
 - (c) retire from service during the period of April 1, 2013 through November 1, 2013, provided that the eligible employee gives written notice at least 31 days prior to their retirement date.
2. Insurance Coverage - Each eligible employee electing to retire must be enrolled in the City's group health insurance plan at the time of their retirement effective date and must meet all eligibility requirements established by the State Employees' Insurance Board (SEIB) for such coverage during retirement. Coverage under the City's group medical insurance plan will continue for the lesser period of:
 - (a) thirteen (13) years from the retirement date,
 - (b) until the Retiree becomes eligible for Medicare benefits (whether by age or disability),
 - (c) the date that the City no longer offers medical insurance to retirees, or
 - (d) until the retiree is determined to be no longer eligible for coverage under the City's group medical insurance plan.

The terms of coverage (benefits, cost for coverage, etc.) will be subject to change as the insurance plan changes for active employees under the health plan. Retirees are subject to health appraisals, lifetime aggregate health payment caps/limitations, and all other provisions currently required of all active employees and health plan participants and any that may be imposed in the future for active employees.

3. Premium Cost - The amount of a Retiree's premium to be paid by the City of Mountain Brook for individual or family coverage (last established by Resolution No. 11-125 dated August 22, 2011) is subject to change at the discretion of the City Council. The retiree's share of the premium is to be paid to the City in advance on or before the first day of each month. By retiring under the provisions of this resolution, the retiree understands that coverage under the City's group medical insurance plan is a privilege contingent upon timely payment to the City of the required premium. The City reserves the right to irrevocably cancel any retiree's medical insurance contract should payment not be received by the City as prescribed above.
4. Employees electing to retire under the provisions of this resolution (or Resolution No. 02-072) must execute the "City of Mountain Brook Medical Insurance Memorandum of Understanding and Participant Acknowledgement" attached hereto as Exhibit A.

APPENDIX 5

EXHIBIT 6**RESOLUTION NO. 2013-038**

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby recommends to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 240 – Non-Profit Tax Exempt License to The Preschool Partners Foundation (trade name The Food Truck Round Up) for its May 4, 2013 fundraising event to be held in the Macy's Department Store parking lot 780 Brookwood Village, Mountain Brook, Alabama.

BE IT FURTHER RESOLVED that the City Clerk is hereby instructed to forward a copy of this resolution to the State of Alabama, Alcoholic Beverage Control Board.

APPENDIX 6

EXHIBIT 7**RESOLUTION NO. 2013-039**

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby accepts change order number 3 for additional work (landscaping) to be provided by Walker Patton Company, Inc. with respect to the Phase 6 sidewalk project (Appendix A attached hereto) for consideration of \$9,507.12 with the stipulation that the previously priced transplanting of [formerly existing] Leyland Cypress trees is deleted for a savings of \$4,500 resulting in a net cost of \$5,007.12.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute such documents that may be determined necessary with respect to said change order number 3.

APPENDIX 7

EXHIBIT 8**RESOLUTION NO. 2013-040**

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby accepts the professional services proposal submitted by Nimrod Long & Associates for additional design services with respect to the change in scope of the Safe Routes to Schools sidewalk projects for consideration in the amount of \$7,850 based on the estimated time required for such services (Exhibit A).

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute such documents that may be determined necessary with respect to engaging Nimrod Long & Associates for said professional services.

APPENDIX 8

EXHIBIT 9**RESOLUTION NO. 2013-036**

WHEREAS, on July 24, 2012, the City Manager of the City of Mountain Brook ("City Manager") mailed a Notice to Remedy under Ala. Code (1975) § 11-40-31 to the owner and interested parties of record of

2210 Sterlingwood Drive, Mountain Brook, AL 35243 informing them that the burned residential structure at said address constituted a public nuisance;

WHEREAS, said property is further described as **Lot 8, Survey of Sterlingwood, as recorded in Map Book 173, page 87, in the Probate Office of Jefferson County, Alabama**, and known by local tax officials as **Parcel ID 28-21-1-5-14.000-RR-0**;

WHEREAS, pursuant to Ala. Code (1975) § 11-40-32, the City Council of the City of Mountain Brook held a hearing on October 22, 2012 to consider the findings of the City Manager in his Notice to Remedy, affirmed those findings without modification, and authorized him to notify the owner and interested parties that such nuisance would need to be abated;

WHEREAS, neither the owner nor any interested party abated the public nuisance within thirty days after the City Council's determination, so the City, as authorized under Ala. Code (1975) § 11-40-32, contracted with a demolition company to have the damaged structures removed;

WHEREAS, pursuant to Ala. Code (1975) § 11-40-33, the City Manager has submitted a report to the City Council of the City's expenses in removing the public nuisance (the "Report"), and this Report is attached hereto as **Exhibit A** and incorporated to this resolution herein;

WHEREAS, pursuant to Ala. Code (1975) § 11-40-33, the City Clerk sent notice to the owner and all interested parties of record of a hearing this date to fix the costs of the abatement of the nuisance, and said hearing was held at the regularly scheduled meeting of the City Council on February 25, 2013 so that the owner or other interested party could object to the costs of abating the public nuisance;

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

1. The City Council hereby approves the City Manager's Report as submitted and fixes the reasonable costs of the demolition of damaged structures and abatement of the public nuisance at 2210 Sterlingwood Drive to be **\$12,881.68**.
2. These costs now fixed at \$12,881.68 constitute a special assessment and a lien against **Lot 8, Survey of Sterlingwood, as recorded in Map Book 173, page 87, in the Probate Office of Jefferson County, Alabama** in that amount.
3. Pursuant to Ala. Code (1975) § 11-40-33, the City's lien against said property shall be superior to all other liens on the property except liens for taxes and shall continue in force until paid.
4. The City Manager is directed to send an invoice with a copy of his Report via certified U.S. Mail to the owner of the property and to demand full payment of \$12,881.68 within thirty days of the mailing.
5. If the City's invoice is not paid in full within thirty days of its mailing, interest at a rate of eight percent per annum shall accrue on any balance unpaid pursuant to Mountain Brook Code of Ordinances § 109-266.
6. If the City's invoice is not paid in full within thirty days of its mailing, a certified copy of this resolution shall be filed in the Probate Office of Jefferson County, Alabama so that the tax officials of Jefferson County can add the special assessment to the tax bill on the property.
7. The City Manager is authorized to take any other measures reasonably necessary to perfect the lien against said property.

APPENDIX 10

Resolution No. 2013-029

Resolution to Participate in the Municipal Workers Comp Fund (MWCF)

Now Comes the City of Mountain Brook (entity name) and they desire to participate in the MWCF for the purpose of being insured for workers compensation risk. After due consideration with appropriate motion being made and seconded the following Resolution was adopted.

RESOLVED, the City of Mountain Brook Board of Directors hereby joins the MWCF for the purpose of obtaining workers compensation Insurance coverage and authorizes its appropriate agent to sign such documents as necessary to complete said coverage. This resolution adopted this 28 day of Feb 2013.

Adopted:

By: A G Carter Title: Council President Pro Tempore

Printed Name: Amy G. Carter Printed Title: Council President Pro Tempore

Approved: Lawrence T. Oden
Witness: Lawrence T. Oden, Mayor

APPENDIX I

Resolution No. 2013-030

Safety Resolution

Whereas, workers compensation costs have increased dramatically during the last few years, and Whereas, good safety practices can result in a reduction of on the job injuries, therefore, Be It Resolved by the Governing Body of the City of Mountain Brook (entity) as follows:

The Applicant to MWCF recognizes the importance of safety in the work place and is dedicated to its commitment to safety consciousness. David G. Kennedy (Individual's Name) is hereby appointed as safety coordinator with the responsibility of implementing an effective safety program for all employees. Adopted and approved this 28 day Feb 2013.

Adopted:

By: A G Carter Title: Council President Pro Tempore

Printed Name: Amy G. Carter Printed Title: Council President Pro Tempore

Approved: Lawrence T. Oden
Witness: Lawrence T. Oden, Mayor

Resolution No. 2013-029

Resolution to Participate in the Municipal Workers Comp Fund (MWCF)

Now Comes the City of Mountain Brook (entity name) and they desire to participate in the MWCF for the purpose of being insured for workers compensation risk. After due consideration with appropriate motion being made and seconded the following Resolution was adopted.

RESOLVED, the City of Mountain Brook Board of Directors hereby joins the MWCF for the purpose of obtaining workers compensation insurance coverage and authorizes its appropriate agent to sign such documents as necessary to complete said coverage. This resolution adopted this 29 day of Feb 20 13.

Adopted:

By: A G Carter Title: Council President Pro Tempore

Printed Name: Amy G. Carter Printed Title: Council President Pro Tempore

Approved: [Signature]
Witness: [Signature]

Lawrence T. Oden, Mayor

APPENDIX 2

Resolution No. 2013-030

Safety Resolution

Whereas, workers compensation costs have increased dramatically during the last few years, and Whereas, good safety practices can result in a reduction of on the job injuries, therefore, Be It Resolved by the Governing Body of the City of Mountain Brook (entity) as follows:

The Applicant to MWCF recognizes the importance of safety in the work place and is dedicated to its commitment to safety consciousness. David G. Kennedy (Individual's Name) is hereby appointed as safety coordinator with the responsibility of implementing an effective safety program for all employees. Adopted and approved this 29 day Feb 20 13.

Adopted:

By: A G Carter Title: Council President Pro Tempore

Printed Name: Amy G. Carter Printed Title: Council President Pro Tempore

Approved: [Signature]
Witness: [Signature]

Lawrence T. Oden, Mayor

Motion No. 2013-031



MUNICIPAL WORKERS COMPENSATION FUND

2013 STATEMENT OF COMMITMENT

Name of Municipality or Agency:

City of Mountain Brook

Fire Battalion Chief-Training & Safety

Name of Safety Coordinator: Currently: David G. Kennedy

Email kennedyd@mtnbrook.orgAddress: 56 Church Street P.O. Box 130009 Mountain Brook AL

Safety Coordinator Phone Number: (205) 802-3833 / (205) 438-2797 Fax Number: (205) 874-0653

APPENDIX 3

The undersigned do hereby commit to the Municipal Workers Compensation Fund, Inc. to endeavor to implement the following safety standards in our municipality or municipal agency.

SAFETY POLICIES

1. Adopt and implement a written safety manual or a statement of safety standards.
2. Establish a Safety Committee to recommend new safety policies, review and update existing safety policies, review accidents and establish methods to help prevent accidents, injuries and damages to equipment.
3. Have quality safety meetings for all employees once a month. At least one of these meetings each year should be a training session on proper lifting techniques and back wellness. Consider integrating health & wellness topics such as smoking, diabetes, management of stress and weight into these meetings. Document attendance, date, time and issues covered. The MWCF video library is an excellent resource for training presentations. A wide array of resources including the complete video library catalog can be found at www.losscontrol.org.
4. Have the designated Safety Coordinator or City Clerk review quarterly reports that are mailed from Millennium Risk Managers. During this review, reports should be analyzed to make sure the records are correct. The Safety Coordinator or City Clerk should present a summary of the quarterly report to the Mayor or other Chief Executive Officer and all department heads.
5. Investigate all job related injuries regardless of the severity, determine the cause, maintain investigation records, and report all job related injuries immediately by completing a First Report of Injury Form at www.almwcf.org.
6. Counsel any employee who has filed two or more workers compensation claims within a 12 month period and document such consultation.
7. Counsel all new employees on how to do job tasks safely and document that this has been done.
8. Designate a doctor or medical group to be used by employees for non-emergency job-related injuries. It is highly recommended that a supervisor or manager accompany injured employees to the medical facility on the initial visit. In life threatening emergencies, employee should be taken to the nearest medical facility.

BOTH PAGES OF FORM MUST BE SUBMITTED TO MWCF NO LATER THAN FEBRUARY 1, 2013 TO BE ELIGIBLE FOR PREMIUM DISCOUNT

Our designated doctor or medical group is:
Bruce W. Romeo, MD MPH CIME, Alabama Comp Alabama Center for Occupational Medicine & Prevention, PC
(Must be completed) 2018 Brookwood Medical Center Drive
 POB Suite G-2
 Birmingham, AL 35209
 (205) 877-2686

9. Recognize those employees with accident-free work records.

TRAINING AND PROCEDURES

10. Issue safety equipment where necessary, and provide proper tools for a job to employees to help prevent accidents and require the use of such safety equipment through a written policy.
11. Adopt a written infectious disease policy and consider providing hepatitis B shots for all police, fire, emergency medical technician, sanitation personnel, or any employee who has a high possibility of exposure.
12. Consider providing CPR/AED and first aid training to employees.
13. Emphasize the significance of good maintenance and housekeeping of equipment, work areas, building and grounds. Documented inspections of all equipment, work areas, building and grounds for safety hazards, including electrical, fire and life safety hazards should be done at least quarterly. Any problems discovered should be corrected immediately and documented.
14. Evaluate all excavations to insure proper trenching and shoring procedures are in place and provide employee training on the proper use of excavating equipment.
15. All part-time, seasonal and temporary employees should comply with the same safety standards and policies as permanent employees.
16. As violence in the workplace is increasing annually, consider implementing a Workplace Violence policy.

MOTOR VEHICLES

17. Establish a written policy instructing operators of motor vehicles to be observant of any malfunction and seek immediate repair when such malfunction is apparent. A record of any action taken should be maintained.
18. Evaluate traffic safety programs using the DOT guidelines when working near roadways and insure conformance with safety guidelines. These guidelines can be obtained by calling the American Assc. of State Highway Officials 1-800-231-3475 and requesting the *Manual on Uniform Traffic Control Devices for Streets and Highways*. The cost is \$120.00 online at <https://bookstore.transportation.org/>.
19. Consider defensive driving courses for those employees who drive vehicles. It is recommended that all drivers attend a defensive driving course every two years. AMIC and MWCF provides a Skid Car Training Program for operators of all municipal vehicles.
20. Have a written vehicle operations policy that details the requirements and responsibilities of safely operating a municipal vehicle, mandates seat belt use for driver and all passengers, and prohibits the use of cell phones including text messaging while driving.

POLICE DEPARTMENTS (WHERE APPLICABLE)

21. Consider requiring that all Police Officers wear bullet resistant vests and wear reflective vests when involved in traffic control duty.
22. Implement a written police and jail procedure manual (where applicable) with rules and regulations updated periodically.

APPENDIX 3

BOTH PAGES OF FORM MUST BE SUBMITTED TO MWCF NO LATER THAN FEBRUARY 1, 2013 TO BE ELIGIBLE FOR PREMIUM DISCOUNT

23. Consider utilizing available law enforcement training aids such as the Fire Arms Training System (FATS) available through MWCF.

24. Consider providing coverage for all volunteer firemen and reserve police officers through MWCF.

Number of non-elected paid employees 236

Lawrence T. Oden

David G. Kennedy, Battalion Chief-Safety & Training

Mayor or Chief Executive Officer (Please Print)

Safety Coordinator (Please Print)

Ⓚ

[Signature]

Ⓚ

David G. Kennedy

Mayor or Chief Executive Officer (Signature)

Safety Coordinator (Signature)

City of Mountain Brook

Municipality or Agency

Date

02/25/2013

A safety meeting to discuss this safety commitment should be held with all department heads as soon as possible after this Statement of Commitment is signed. Document the time, place and attendees at this meeting. MWCF should be notified immediately of any changes in the Safety Coordinator position by calling Donna Wagner at (334) 262-2566.

APPENDIX 3

BOTH PAGES OF FORM MUST BE SUBMITTED TO MWCF NO LATER THAN FEBRUARY 1, 2013 TO BE ELIGIBLE FOR PREMIUM DISCOUNT

3/7/13

City of Mountain Brook Mail - Fwd: Safety Policies clarification



Steve Boone <boones@mtnbrook.org>

Fwd: Safety Policies clarification

1 message

Steve Boone <boones@mtnbrook.org>

Wed, Feb 27, 2013 at 6:09 PM

To: Gaston Sam <gastons@mtnbrook.org>, "Ezekiel Robert (Zeke)" <ezekielr@mtnbrook.org>

I will print and add to the resolution next week when I get back.

Steven Boone

Begin forwarded message:

From: "Terry Young" <ty@southernriskservices.com>
Date: February 26, 2013, 4:39:00 PM CST
To: "Steve Boone" <boones@mtnbrook.org>
Cc: <terry@alalm.org>
Subject: RE: Safety Policies clarification

Steve,

Per our conversation on Monday night Feb 25 th, 2013 at the Mountain Brook City Council Meeting, it was discussed at length that the MWCF Statement of Commitment appeared to be "too restrictive" as to the Safety policies and suggestions. After further clarification, it was confirmed by MWCF, that the SOC – Statement of Commitment form, is merely a suggested list of Safety recommendations. These suggested and are NOT mandated nor required. I hope this clarifies the questions about this form. Thanks.

Terry

APPENDIX 3

3/7/13

City of Mountain Brook Mail - Fwd: Safety Policies clarification

Terry Young CRM CRE
Marketing Manager, MWCF

1-888-736-0210 Toll Free
1-256-295-9155 Fax
1-256-504-3288 Mobile
terry@alalm.org

www.almwcf.org

Municipal Workers Compensation Fund

<https://mail.google.com/mail/u/0/?ui=2&ik=01587315a1&view=pt&q=terry%40alalm.org&qs=true&search=query&th=13d1e21ff7e14cc1>

1/3



CITY OF MOUNTAIN BROOK

Dana O. Hazen, AICP
City Planner
3928 Montclair Road, Suite 230
Mountain Brook, Alabama 35213
Telephone: 205/802-3821
Fax: 205/879-6913
hazend@mtbrook.org
www.mtnbrook.org



Dear City Council,

Village Dermatology is about to celebrate our fifth anniversary! We began at 2901 Cahaba Road in the old Iron Art Building. What an awesome five years! Our practice started with just one dermatologist and only four other employees. We now have 3 dermatologists and just under thirty employees! We are proud to provide quality medical care to Mountain Brook families and patients from surrounding cities. We offer services including medical and surgical dermatology, cosmetic and laser procedures, and aesthetician services. We also sell physician grade skincare products. We are open from 7:30 am through 5:30 pm Monday through Friday. We are hoping to add Saturdays at some point. Because of our enormous growth, we will be relocating, with your permission, across the street to 2900 Cahaba Road, Suites 120 and 200. We are excited to renovate part of the first floor and all of the second floor of the building, with total square footage of just over 11,000 square feet. Advantages to patients will include much better parking, more exam rooms, a separate pediatric waiting room, and not to mention beautiful views of Mountain Brook Village! The improvements we are planning to make to this historic building will make our residents proud! We are already making plans with All Seasons Travel, a current tenant, to work together to make the lobby more "current" and aesthetically pleasing. The owners of the building have committed to improving the exterior of the building as well. We are even planning to add 10-15 parking spaces closer to the main entrance.

In our decision to relocate, the one "must have" was to stay in Mountain Brook Village. We know that the convenience to our patients has been and will continue to be vital to our success. I was so excited to learn about this incredible opportunity. And I ask you, the City Council, to join with me to allow Village Dermatology continued success in our great City of Mountain Brook.

Sincerely yours,

Jenny Sobera, MD
Village Dermatology

MEMO

DATE: February 20, 2013
TO: Mayor, City Council
City Manager
City Attorney
FROM: Dana Hazen, City Planner
RE: 2900 Cahaba Road (Union Carbide building in Mountain Brook Village)
Village Dermatology

Village Dermatology is currently located in Mountain Brook Village at 2901 Cahaba Road. The proposal is to relocate across the street (and "up the hill") in the Union Carbide building.

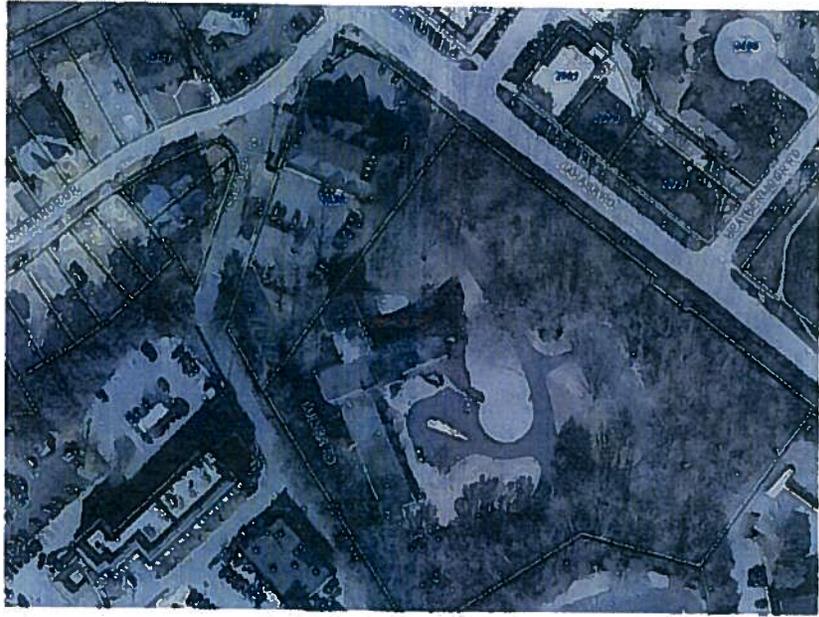
As noted in the attached letter from the applicant, over the past five years Village Dermatology has outgrown its present location (now with 3 dermatologists and 30 employees), perhaps putting some strain on the street parking in the village. With the proposed relocation to the Union Carbide building the employee/patient parking demand would be more appropriately provided in the parking lot of the new location and would free up a portion of the on-street parking on the local streets below.

The Union Carbide office building is "to-code" with respect to parking, having 100 parking spaces for approximately 25,000 square feet. In a field survey conducted on February 20, 2013, it was noted that 61 of the 100 parking spaces were vacant (the building is partially occupied with other tenants). In addition to the existing on-site parking, the applicant notes in her letter to the Council that Village Dermatology intends to add more on-site parking to the site in order to provide additional patron parking closer to the entrance.

The zoning ordinance requires council approval of service uses as a conditional use, and states that any proposed conditional use will be reviewed as to the following:

- Whether the use would disparately impact public parking in the area;
- Whether vehicular or pedestrian circulation would be impacted by the use;
- Whether the use is compatible with surrounding existing uses;
- Whether the hours of operation or peak traffic times would impact existing uses.

Village Dermatology



Existing Location



Proposed Location

APPENDIX 4

City of Mountain Brook Retiree Medical Insurance
Memorandum of Understanding and Participant Acknowledgement

Memorandum

Whereas, the City of Mountain Brook, Alabama ("the City") offers qualifying employees that wish to retire access to the City's group medical insurance plan; and

Whereas, the City of Mountain Brook has adopted Resolution No. 02-072 making such continuing medical insurance offer open-ended (unless repealed by formal City Council action) for those employees of any age with at least 30 years of employment service with the City or for those employees age 60 and over with at least 15 years of employment service with the City; and

Whereas, periodically the City of Mountain Brook considers opening windows of opportunity for employees to retire and participate in the City's group medical insurance plan for employees of any age with at least 20 years of employment service with the City or for those employees age 60 and over with at least 10 years of employment service with the City; and

Whereas, employees that elect to retire and to participate in the City's group medical insurance plan do so with the following understandings and stipulations:

- The duration of retiree medical insurance coverage shall last from the date of retirement until the following (earliest) date or event: a) thirteen (13) years from the date of retirement, b) until the retiree becomes eligible for Medicare coverage whether such entitlement is occasioned upon the retiree's age or disability, c) the date that the City no longer offers medical insurance to retirees, or d) the date that retiree medical insurance coverage is no longer offered by the City's medical insurer.
- Retirees who, by whatever occasion, become eligible for Medicare coverage are required to notify the City of such eligibility so that participation in the City's group medical insurance plan may be cancelled (subject to applicable COBRA or similar laws). Failure by a retiree to notify the City of such Medicare eligibility exposes said retiree to substantial financial loss as coverage under the City's group medical insurance plan is cancelled retroactively to the date of Medicare eligibility regardless of when such eligibility is ultimately discovered or whether the retiree elects at the time of eligibility to opt out of the Medicare program.
- Retirees are required to pay (in advance on or before the first day of each month) a portion of the retiree medical premium. Failure on the part of a retiree to pay such monthly medical insurance premiums, for whatever reason, or retirees who are habitually late in paying their medical premiums to the City is sufficient cause for the City to cancel such retirees' medical insurance coverage. Once a retiree's medical insurance coverage is cancelled, such coverage may not be reinstated.
- The retiree's portion of the medical insurance premium is determined by the City and is subject to change periodically. Generally, retiree premiums are set by the City in September for the upcoming fiscal year (October through September). However, more frequent retiree premium changes may be imposed at the sole discretion of the City Council.

Page 1 of 2

- Currently, the City offers medical insurance coverage through the Local Government Health Insurance Plan (LGHIP) sponsored by the State Employees' Insurance Board (SEIB). Generally, SEIB establishes LGHIP benefits (including, but not limited to, deductibles, co-payments, covered services, hospital and physician networks, etc.) in August with an effective date of implementation on the following January 1. However, the benefits inherent in the LGHIP plan are subject to change at the sole discretion of the SEIB.

As evidenced by my signature below, I hereby profess and proclaim the following:

- I have read and understand the aforementioned summary provisions of the City's group medical insurance plan with respect to my participation as a retiree of the City.
- I understand that it is my sole responsibility to read and understand the administrative rules and other official literature concerning the LGHIP distributed by SEIB and that, should any provision of said literature conflict with any provision contained hereinabove or with any other statements (written or verbal) made by the City or an official thereof, the SEIB policies and regulations shall prevail.
- The City of Mountain Brook shall not be responsible for any financial or other loss that I may suffer as a result of a) my participation in the City's group medical insurance plan made available to me as a retiree or b) the subsequent cancellation of my coverage under said plan for cause as determined by SEIB or the City.

By: _____
(Employee signature)

(Printed name)

Date signed: _____

Effective date of retirement: _____

To: Sam Gaston, City Manager
CC: Mayor and members of the City Council
From: Steven Boone *S. Boone*
Date: 2/20/2013
Re: Retirement Window Analysis

Background
In 2002, the City adopted a resolution (No. 02-072) which allows retirees to continue their participation in the City's group medical insurance plan provided they have at least 30 years of service with the City (any age) or at least 15 years of services if age 60 or older. Such participation is limited to the earlier date of the retiree's becoming eligible for Medicare benefits (whether by age or disability) or 13 years. At present, the monthly cost of such retiree coverage is as follows:

	City	Retiree	Total
Family	\$1,009	\$424	\$1,433
Single	\$647	\$132	\$779

Generally, annually the City Council considers extending this benefit to other employees with 20 years of service (any age) or 10 years of service if age 60 or older. The last such resolution was adopted July 25, 2011 (2011-116) which opened the retirement window from October 1, 2011 through May 1, 2012. Recently, two employees have expressed interest in retiring provided they can secure access to the City's group medical insurance plan.

The net cost (savings) to the City results from the replacement of the retiring employee ultimately with an entry level employee after considering the various internal promotions. Those retiring are generally receiving the maximum annual longevity compensation whereas their replacements are not eligible for longevity compensation for six (6) years. Longevity compensation starts at 1-1/2% of annual compensation (before applying the annual cap) and increases at the rate of 1/2% annually over the ensuing 20 years before attaining the maximum amount of 8-1/2% of annual compensation (again, before applying the annual cap). Following is an illustration of the annual savings for one police officer with family medical coverage carrying said coverage for the maximum duration of 13 years:

Year	Net Retiree Medical Premium	Longevity/Benefit (Savings)	Net Salary/Benefit (Savings)	Annual (Savings)
1	\$12,108	(\$3,400)	(\$24,000)	(\$15,292)
2	12,108	(3,400)	(\$21,700)	(12,992)
3	12,108	(3,400)	(19,400)	(10,692)
4	12,108	(3,400)	(17,000)	(8,292)
5	12,108	(3,400)	(14,400)	(5,692)
6	12,108	(2,825)	(11,800)	(2,517)

February 20, 2013

Year	Net Retiree Medical Premium	Longevity/Benefit (Savings)	Net Salary/Benefit (Savings)	Annual (Savings)
7	12,108	(2,600)	(9,100)	408
8	12,108	(2,400)	(6,200)	3,508
9	12,108	(2,200)	(3,200)	6,708
10	12,108	(2,000)	(0)	10,108
11	12,108	(1,800)	(0)	10,308
12	12,108	(1,600)	(0)	10,508
13	12,108	(1,400)	(0)	10,708
	\$157,404	(\$33,825)	(\$126,800)	(\$3,221)

Note: The above illustration (a police officer) represents a conservative analysis of the aggregate savings over a 13 year period. The annual savings increases for higher ranking/compensated employees. Additionally, the aggregate savings increases for employees over the age of 52 who elect to retire as their participation in the group medical insurance plan will not last for 13 years.

The above analysis takes into consideration only the annual cost (savings) from the retiring employee and their replacement. Beginning in 2008, the City was required to account for retirees' medical coverage in a manner similar to its accounting for the pension plan (namely a footnote to the annual audited financial statements). The City now "accrues" a portion of the retirees' medical cost over the life of their employment (normal cost) and amortizes the unfunded liability over 30 years. Attached are the Other Post-Employment Benefits (OPEB) balance sheet, income statement, and Note 7 from the 2012 audit report further describing the City's retiree medical insurance program.

In spite of the \$2.2 million unfunded liability for retiree medical cost, in my opinion, the City's policy of allowing its retirees to continue their participation in the City's group medical plan is justified for the following reasons:

- Employee morale by a) increasing promotional opportunities and b) allowing employees emotionally ready for retirement the opportunity to do so
- Reduces workers' compensation exposure especially in the more labor intensive positions

EXHIBIT A

EXHIBIT A

APPENDIX 5

City of Mountain Brook, Alabama
Statement of Fiduciary Net Assets
Other Post-Employment Benefits Trust Fund
September 30

	2012	2011
ASSETS		
Certificates of deposit, at fair value	\$ 926,336	\$ 613,673
TOTAL ASSETS	926,336	613,673
LIABILITIES		
Accounts payable and accrued liabilities	0	0
TOTAL LIABILITIES	0	0
NET ASSETS HELD IN TRUST FOR OTHER POST-EMPLOYMENT BENEFITS	\$ 926,336	\$ 613,673

See accompanying notes to basic financial statements.

City of Mountain Brook, Alabama
Statement of Changes in Fiduciary Net Assets
Other Post-Employment Benefits Trust Fund
Year Ended September 30

	2012	2011
ADDITIONS		
Contributions		
Employer	\$ 654,828	\$ 564,016
Plan members	126,308	124,016
Investment earnings	11,782	10,649
TOTAL ADDITIONS	792,898	698,681
DEDUCTIONS		
Benefits	476,136	463,632
Administrative expense	8,000	6,000
TOTAL DEDUCTIONS	484,136	469,632
NET INCREASE	311,762	210,549
Net assets held in trust for other post-employment benefits, beginning of year	613,673	403,024
NET ASSETS HELD IN TRUST FOR OTHER POST-EMPLOYMENT BENEFITS, END OF YEAR	\$ 925,336	\$ 613,573

See accompanying notes to basic financial statements.

City of Mountain Brook, Alabama
Notes to Financial Statements

Additional Information
Following is additional information obtained from the most recent actuarial valuation:

Valuation date	September 30, 2011
Actuarial cost method	Entry age
Amortization method	Level percent open
Remaining amortization period	30 years
Asset valuation method	6-year smoothed market
Actuarial assumptions:	
Investment rate of return	8.00%
Projected salary increases	4.81 - 7.78%
Includes inflation at Cost-of-Living Adjustments	None
Number plan members	220
Number of retired members and beneficiaries	66
Annual retirement allowance	\$ 344,204

7. Post-employment benefits

Plan Description. The City of Mountain Brook's medical benefits are provided to employees upon actual retirement through participation in the Local Government Health Insurance Plan (LGHEP) administered by the State Employees' Insurance Board (SEIB).

The employer pays a portion of the medical coverage for the retirees and dependents for a maximum of thirteen years after retirement or, if earlier, until the attainment of Medicare eligibility. Eligibility for post-retirement coverage is as follows: completion of 30 years of service at any age or 18 years of service at age 60. Periodically, eligibility is extended to employees with 20 years of service and any age or at age 60 and completion of 10 years of service. Complete plan provisions are contained in the official plan documents.

Contribution Rates. Employees do not contribute to their post-employment benefits costs until they become retirees and begin receiving these benefits. The plan provisions and contribution rates are contained in the official plan documents.

Fund Policy. Under GASB 2006, the City of Mountain Brook recognized the cost of providing post-employment medical benefits (the City of Mountain Brook's portion of the retiree medical benefit premiums) as an expense when the benefit premiums were due and thus financed the cost of the post-employment benefits on a pay-as-you-go basis. In 2012 and 2011, the City of Mountain Brook's portion of health care funding cost for retired employees totaled \$384,828 and \$364,016, respectively.

Effective October 1, 2006, the City of Mountain Brook implemented Government Accounting Standards Based Statement Number 46, Accounting and Financial Reporting by Employers for Post-employment Benefits Other than Pensions (GASB 46).

Annual Required Contribution. The City of Mountain Brook's Annual Required Contribution (ARC) is an amount actuarially determined in accordance with GASB 46. The ARC is the sum of the Normal Cost plus the contribution to amortize the Unfunded Actuarial Accrued Liability (UAAAL). A level dollar, open amortization period of 30 years (the maximum amortization period allowed by GASB 43/44) has been used for the post-employment benefits. The actuarially computed ARC is as follows:

APPENDIX 5

City of Mountain Brook, Alabama
Notes to Financial Statements

	2012	2011
Normal Cost	\$ 99,632	\$ 88,471
30-year UAL amortization amount	179,452	187,337
Annual required contribution (ARC)	\$ 274,984	\$ 285,808
Net Post-employment Benefit Obligation (Asset). The table below shows the City of Mountain Brook's Net Other Post-employment Benefit (OPEB) Obligation for fiscal years ending September 30:		
	2012	2011
Beginning Net OPEB Obligation (Asset)	\$ (987,403)	\$ (386,777)
Annual required contribution	274,984	285,808
Interest on Net OPEB Obligation (Asset)	(28,868)	(14,631)
ARC Adjustment	39,696	21,182
OPEB Cost	285,808	282,300
Contribution	(300,000)	(300,000)
Current year retiree premium	(364,828)	(364,016)
Change in Net OPEB Obligation	(367,844)	(301,623)
Ending Net OPEB Obligation (Asset)	\$ (1,038,347)	\$ (687,403)

The following table shows the City of Mountain Brook's annual post-employment benefits (PEB) cost, percentage of the cost contributed, and the net unfunded post-employment benefits (PEB) liability for last year and this year:

Post Employment Benefit	Fiscal Year Ended September	Annual OPEB Cost	Percentage of Annual Cost Contributed	Net OPEB Obligation (Asset)
Medical/Dental	2012	\$ 286,894	229.29%	\$ (1,038,347)
Medical/Dental	2011	282,300	214.86%	(687,403)
Medical/Dental	2010	287,773	182.03%	(386,777)
Medical/Dental	2009	241,344	117.00%	(128,708)

Funded Status and Funding Progress. During fiscal years ending September 30, 2012 and 2011, the City of Mountain Brook contributed \$300,000 and \$300,000, respectively, to its post-employment benefits plan over and above the retiree premium costs. The plan, with accrued interest and unrealized gains/losses, thus had assets of \$285,336 and \$613,673 as of September 30, 2012 and 2011, respectively. Based on the October 1, 2011 actuarial valuation, the most recent valuation, the Actuarial Accrued Liability (AAL) at the end of the year September 30, 2012 was \$3,158,271 which is defined as that portion, as determined by a particular actuarial cost method (the City of Mountain Brook uses the Projected Unit Credit Cost Method), of the actuarial present value of post-employment plan benefits and expenses which is not provided by normal cost.

City of Mountain Brook, Alabama
Notes to Financial Statements

Table with 2 columns: 2012, 2011. Rows include Actuarial Accrued Liability (AAL), Actuarial Value of Plan Assets, (Unfunded) Actuarial Accrued Liability (UAAL), Funded Ratio (Actuarial Value of Assets/AAL), Covered Payroll (active plan members), and UAAL as a percentage of covered payroll.

Actuarial Methods and Assumptions. Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events in the future. The actuarial valuation for post employment benefits includes estimates and assumptions regarding (1) turnover rate; (2) retirement rate; (3) health care cost trend rate; (4) mortality rate; (5) discount rate (investment return assumption); and (6) the period to which the costs apply (past, current, or future years of service by employees). Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future.

The actuarial calculations are based on the types of benefits provided under the terms of the substantive plan (the plan as understood by the City of Mountain Brook and its employee plan members) at the time of the valuation and on the pattern of sharing costs between the City of Mountain Brook and its plan members at that point. The projection of benefits for financial reporting purposes does not explicitly incorporate the potential effects of legal or contractual funding limitations on the pattern of cost sharing between the City of Mountain Brook and plan members in the future. Consistent with the long-term perspective of actuarial calculations, the actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial liabilities and the actuarial value of assets.

Actuarial Cost Method. The ARC is determined using the Projected Unit Credit Cost Method. The employer portion of the cost for retiree medical care in each future year is determined by projecting the current cost levels using the healthcare cost trend rate and discounting the projected amount to the valuation date using the other described pertinent actuarial assumptions, including the investment return assumption (discount rate), mortality and turnover.

Actuarial Value of Plan Assets. Because of the nature of the investments in the trust, the City has used actual market value as the actuarial value of assets. It is anticipated that in future valuations, should more volatile investments be used, a smoothed market value consistent with Actuarial Standards Board Actuarial Standards of Practice Number 8 (ASOP 8), as provided in paragraph number 128 of GASB Statement 48 would be used.

Turnover Rate. An age-related turnover scale based on actual experience has been used. The rates, when applied to the active employee census, produce a composite average annual turnover of approximately 10%.

Post-employment Benefit Plan Eligibility Requirements. It has been assumed that entitlement to benefits will commence three years after the earliest eligibility for retirement. Because of the valuations as originally described under "Plan Description" above, eligibility for retirement has been assumed to be the earlier of: (1) attainment of age 60 with at least fifteen (15) years of service, and (2) completion of thirty (30) years of service of any age. Entitlement to benefits occurs upon the earlier of fifteen years after retirement and the date the retiree becomes eligible for Medicare benefits (whether by age or disability). Medical benefits are provided to employees upon actual retirement.

Investment Return Assumption (Discount Rate). GASB Statement 48 states that the investment return assumption should be the estimated long-term investment yield on the investments that are expected to be used to finance the payment of benefits. Since the ARC is currently being funded and invested with relatively conservative investments, we have performed this valuation using a 4% annual investment return assumption.

City of Mountain Brook, Alabama
Notes to Financial Statements

Health Care Cost Trend Rate. The expected rate of increase in medical cost is based on projections performed by the Office of the Actuary at the Centers for Medicare & Medicaid Services as published in National Health Care Expenditures Projections: 2003 to 2013, Table 3: National Health Expenditures, Aggregate and per Capita Amounts, Percent Distribution and Average Annual Percent Change by Source of Funds: Selected Calendar Years 1980-2013, released in January, 2004 by the Health Care Financing Administration (www.cms.hhs.gov). "State and Local" rates for 2008 through 2013 from this report were used, with rates beyond 2013 graduated down to an ultimate annual rate of 5.0% for 2015 and later.

Mortality Rate. The 1984 Group Annuity Reserving (GAR) table, projected to 2002, based on a blend of 80% of the unisex male mortality rate and 20% of the unisex female mortality rate, was used. This is a published mortality table which was designed to be used in determining the value of accrued benefits in defined benefit pension plans.

Method of Determining Value of Benefits. The "value of benefits" has been assumed to be the portion of the premium after retirement date expected to be paid by the employer for each retiree and has been used as the basis for calculating the actuarial present value of OPEB benefits to be paid. We have used the "unfunded" rates provided as required by GASB 46 for valuation purposes.

Inflation Rate. Included in both the Investment Return Assumption and the Healthcare Cost Trend rate above is an implicit inflation assumption of 2.50% annually.

Projected Salary Increases. This assumption is not applicable since neither the benefit structure nor the valuation methodology involves salary.

Post-retirement Benefit Increases. The plan benefit provisions in effect for retirees as of the valuation date have been used and it has been assumed for valuation purposes that there will not be any changes in the future.

Below is a summary of OPEB cost and contributions for the last three fiscal calendar years.

Table with 3 columns: 2010, 2011, 2012. Rows include OPEB Costs, Contributions (Retiree premium, Total contribution and premium), Change in net OPEB obligation, Ratio of contributions to cost, and Ratio of contributions plus premium to cost.

Contributions and contingencies. The City is charged by the Jefferson County Commission for shared services. The assignments of shared services charged to the City during 2012 and 2011 were as follows:

Table with 2 columns: 2012, 2011. Rows include Property tax commissions, Maintenance of maps and appraisals, Jefferson County Health Department, Birmingham-Jefferson County Transit Authority, Jefferson Board of Jefferson County, and Birmingham-Regional Planning Commission.

CITY OF MOUNTAIN BROOK RETIREE MEDICAL INSURANCE
MEMORANDUM OF UNDERSTANDING AND PARTICIPANT ACKNOWLEDGMENT
(Resolution No. 10-080 Adopted June 14, 2010)

Whereas, the City of Mountain Brook, Alabama ("the City") offers qualifying employees that wish to retire access to the City's group medical insurance plan; and

Whereas, the City of Mountain Brook has adopted Resolution No. 02-072 making such continuing medical insurance offer open-ended (unless repealed by formal City Council action) for those employees of any age with at least 30 years of employment service with the City or for those employees age 60 and over with at least 15 years of employment service with the City; and

Whereas, periodically the City of Mountain Brook considers opening windows of opportunity for employees to retire and participate in the City's group medical insurance plan for employees of any age with at least 20 years of employment service with the City or for those employees age 60 and over with at least 10 years of employment service with the City; and

Whereas, employees that elect to retire and to participate in the City's group medical insurance plan do so with the following understandings and stipulations:

- 1. The duration of retiree medical insurance coverage shall last from the date of retirement until the following (earliest) date or event: a) thirteen (13) years from the date of retirement; b) until the retiree becomes eligible for Medicare coverage whether such entitlement is occasioned upon the retiree's age or disability; c) the date that the City no longer offers medical insurance to retirees; or d) the date that retiree medical insurance coverage is no longer offered by the City's medical insurer.
2. Retirees who, by whatever occasion, become eligible for Medicare coverage are required to notify the City of such eligibility so that participation in the City's group medical insurance plan may be cancelled (subject to applicable COBRA or similar laws). Failure by a retiree to notify the City of such Medicare eligibility exposes said retiree to substantial financial loss as coverage under the City's group medical insurance plan is cancellable retroactively to the date of Medicare eligibility regardless of when such eligibility is ultimately discovered or whether the retiree elects at the time of eligibility to opt out of the Medicare program.
3. Retirees are required to pay (in advance on or before the first day of each month) a portion of the retiree medical premium. Failure on the part of a retiree to pay such monthly medical insurance premiums, for whatever reason, or retirees who are habitually late in paying their medical premiums to the City is sufficient cause for the City to cancel such retirees' medical insurance coverage. Once a retiree's medical insurance coverage is cancelled, such coverage may not be reinstated.

EXHIBIT A

APPENDIX 5

RETIREE MEDICAL INSURANCE MEMORANDUM OF
UNDERSTANDING AND PARTICIPANT ACKNOWLEDGMENT

Page 2

- 4. The retiree's portion of the medical insurance premium is determined by the City and is subject to change periodically. Generally, retiree premiums are set by the City in September for the upcoming fiscal year (October through September). However, more frequent retiree premium changes may be imposed at the sole discretion of the City Council.
5. Currently, the City offers medical insurance coverage through the Local Government Health Insurance Plan (LGHIP) sponsored by the State Employees' Insurance Board (SEIB). Generally, SEIB establishes LGHIP benefits (including, but not limited to, deductibles, co-payments, covered services, hospital and physician networks, etc.) in August with an effective date of implementation on the following January 1. However, the benefits inherent in the LGHIP plan are subject to change at the sole discretion of the SEIB.

As evidenced by my signature below, I hereby profess and proclaim the following:

- 1. I have read and understand the aforementioned summary provisions of the City's group medical insurance plan with respect to my participation as a retiree of the City.
2. I understand that it is my sole responsibility to read and understand the administrative rules and other official literature concerning the LGHIP distributed by SEIB and that, should any provision of said literature conflict with any provision contained hereinabove or with any other statements (written or verbal) made by the City or an official thereof, the SEIB policies and regulations shall prevail.
3. The City of Mountain Brook shall not be responsible for any financial or other loss that I may suffer as a result of a) my participation in the City's group medical insurance plan made available to me as a retiree or b) the subsequent cancellation of my coverage under said plan for cause as determined by SEIB or the City.

By: _____
(Employee signature)

(Printed name)

Date signed: _____

Effective date of retirement: _____

EXHIBIT A



CITY OF MOUNTAIN BROOK

P. O. Box 130009
Mountain Brook, Alabama 35213-0009
Telephone: 205.802.2400
Facsimile: 205.874.0611
www.mtnbrook.org

February 26, 2013

Alabama ABC Board
211 Summit Parkway, Suite 106
Crescent Center
Homewood, AL 35209

Facsimile: (205) 942-3784

Gentlemen:

Attached is a copy of a resolution passed at the April 9, 2012, City Council meeting recommending the issuance of a 240 - Non-Profit Tax Exempt license to:

The Preschool Partners Foundation (trade name The Food Truck Round Up)

The license to be issued is for The Preschool Partners Foundation's fundraising event scheduled for May 4, 2013 in the Macy's Department Store parking lot, 780 Brookwood Village, Mountain Brook, AL 35209.

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

Sincerely,

[Handwritten signature of Steven Boone]

Steven Boone
City Clerk

Enclosure

C: Allene Neighbors
allene.neighbors@gmail.com



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20130221100354208



Type License: 240 - NON-PROFIT TAX EXEMPT State: \$0.00 County: \$0.00
Type License: State: County:
Trade Name: FOOD TRUCK ROUND UP Filing Fee: \$0.00
Applicant: PRESCHOOL PARTNERS FOUNDATION Transfer Fee:
Location Address: PARKING LOT OF 780 BROOKWOOD VILLAGE MOUNTAIN BROOK, AL 35209
Mailing Address: 3637 MONTROSE RD BIRMINGHAM, AL 35213
County: JEFFERSON Tobacco sales: NO Tobacco Vending Machines:
Sale of Products Containing Ephedrine: NO Type Ownership: ASSOCIATION
Book, Page, or Document Info: LR200804,26452 Do you sell Draft Beer: Y
Date Incorporated: 04/10/2008 State incorporated: AL County incorporated: JEFFERSON
Date of Authority: 04/10/2008 Alabama State Sales Tax ID: N/A

Table with 4 columns: Name, Title, Date and Place of Birth, Residence Address. Rows include Allene Neighbors and Lella Hammiter.

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES
Does ABC have any actions pending against the current licensee? NO
Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO
Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO
Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES
Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of cooperation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO
Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO
Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: ALLENE NEIGHBORS Home Phone: 205-936-3754
Business Phone: 205-951-5151 Cell Phone: 205-936-3754
Fax: 205-951-5131 E-mail: ALLENE.NEIGHBORS@GMAIL.COM

PREVIOUS LICENSE INFORMATION: Previous License Number(s)
Trade Name: License 1:
Applicant: License 2:

APPENDIX 6



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION Confirmation Number: 20130221100354208



Table with 4 columns and 3 rows, containing application details and a signature page.

If applicant is leasing the property, is a copy of the lease agreement attached? YES Name of Property owner/lessor and phone number: COLONIAL PROPERTIES TRUST 205-876-4295

Initial each

APN APN APN APN APN APN APN APN APN

Signature page

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

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): Allene Neighbors Signature of Applicant: Allene Neighbors Notary Name (print): Valencia Johnson Notary Signature: Valencia Johnson Commission expires: 1-4-14

Application Taken: 2-21-13 App. Inv. Completed: Forwarded to District Office: Submitted to Local Government: Received from Local Government: Received in District Office: Reviewed by Supervisor: Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20130221100354208



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

What is the applicant(s) primary source of funding?: CHARITBLE DONATIONS

License Covers: OUTDOOR PARKING LOT

Are there any special restrictions, instructions, and/or conditions for this license?:

ONE DAY OUTDOOR EVENT TO RAISE FUNDS FOR A CHARITABLE FOUNDATION IN THE PARKING LOT OF 780 BROOKWOOD VILLAGE, MACY'S UPPER PARKING LOT, MOUNTAIN BROOK, AL ON MAY 4TH, 2013.



February 22, 2013

Mr. Sam Gaston
City Manager
City of Mountain Brook
3928 Montclair Road, Suite 200
Mountain Brook, AL 35213

SUBJECT: Mountain Brook Village Walkway System, Phase 6
CMAQ-9802(921)
Jefferson County

Dear Sam:

This letter is in regards to the required landscaping items on Overcrest Road, Station 406+80 to 408+70 and is to supplement our letter dated January 18, 2013. We are forwarding Walker Patton's pricing that has been revised to match the maximum unit prices allowed by ALDOT.

Pay Item	Qty	Unit	Description	Unit Price	Total
Item 660C-091	3	Each	Shrubs, Osmanthus Fragrans (Tea Olive) (9'-10' Tall)	\$500.00	\$1,500.00
Item 660D-131	8	Each	Trees, Magnolia Grandiflora 'Bracken Brown Beauty' ('Bracken Brown Beauty' Magnolia) (12'-14' tall)	\$563.39	\$4,507.12
Item 660D-212	7	Each	Trees, Cedrus Deodara (Deodara Cedar) (Blue Ice, 10'-12' Tall)	\$500.00	\$3,500.00

Total Add for above landscape items: \$9,507.12
Total Deduct for Item 661C-000, Transplanting Trees, Leyland Cypress, 18 EA: \$4,500.00
Total for Change Order #2: \$5,007.12

We recommend approval for the revised pricing and final processing of Change Order #3 for a grand total of \$5,007.12. The property owner has agreed to grant the City a temporary construction easement for the plantings.

Please forward this letter and attachments with a letter of your approval to ALDOT. If you have any questions, please do not hesitate to call.

Sincerely,

Alicia N. Bailey, P.E.
AL Registration #26339

Celebrating 40 Years of Excellence in Engineering and Surveying

244 West Valley Avenue, Suite 200 - Birmingham, Alabama 35209 - p (205) 940-6420 - f (205) 940-6433
www.sain.com

WALKER PATTON COMPANY, INC.

February 19, 2013

Ms. Alicia Bailey
Sain Associates
244 West Valley Avenue, Suite 200
Birmingham, Alabama 35209

Re: Walkway System in Mountain Brook, Phase 6
ALDOT Project No. CMAQ-9802(921)
Jefferson County
REVISED PRICING

Dear Alicia:

Pursuant to your request, we are pleased to provide revised pricing for additional work items as follows:

Item	Quantity	Unit	Unit Price	Total
660C-091 Shrubs, Osmanthus Fragrans (Tea Olive) (9'-10' Tall)	3	EA	\$500.00	\$1,500.00
660D-131 Trees, Magnolia Grandiflora 'Bracken Brown Beauty' ('Bracken Brown Beauty' Magnolia) (12'-14' Tall)	8	EA	\$563.39	\$4,507.12
660D-212 Trees, Cedrus Deodara (Deodara Cedar) (Blue Ice, 10'-12' Tall)	7	EA	\$500.00	\$3,500.00
Total				\$9,507.12

Please let us know in writing if these items are approved so that we can proceed. In the meantime, please do not hesitate to call if you have any questions.

Sincerely,

Jim W. Masingill, Jr.

JWMJr:kk

2689 Queenstown Road • Birmingham, Alabama 35210
Mailing Address: Post Office Box 130865 • Birmingham, Alabama 35213
(205) 836-9899 • Fax (205) 836-7899

APPENDIX 7

Nimrod Long
And Associates



Lead Planners
Landscape Architects
Urban Designers

February 25, 2013

Mr. Sam Gaston
City of Mountain Brook
P.O. Box 150009
Mountain Brook, AL 35213

RE: Project No. SRTS-SR09(903) & (904)
Safe Routes to School, Plans for Re-bid
City of Mountain Brook, Jefferson County

Dear Sam:

Based on the scope of changes understood from our review meeting with ALDOT last week, NLA will proceed with the revisions to the plans on an hourly basis. Attached is a detailed outline of the tasks and coordination involved for the drawings. Additionally, our work will include producing and delivering the necessary copies of plans to ALDOT. Once final plans are approved ALDOT will require full size mylars that we will have produced and delivered to ALDOT. We will bill costs for drawing reproductions to the City for reimbursement. Below is a summary of estimated hours to complete all tasks.

Projected Time to Complete Adjusted Drawings -		
• Dave Giddens	65 hrs @ \$100.00	\$6,500.00
• Nim Long	10 hrs @ \$135.00	\$1,350.00
		\$7,850.00

Thank you again for the opportunity to serve the City of Mountain Brook.

Sincerely,

Nimrod W.E. Long, III
FASLA, LEED AP

enc. Outline of Tasks

cc: File
08-117-Cov\Re-Bid Cov\3-25-13 Letter to Sam - Additional Services.doc

2212 Morris Ave., First Floor, Birmingham, AL 35202 Tel: 205 325-6872 Fax: 205 324-6120

Safe Routes to School, Re-Bid Outline
Mountain Brook Elementary School - Crestline Elementary
SRTS-SR09(903) & SRTS-SR09(904)

Sheet Task

- 80 Delete drainage structures for Sites Six and Eight
- 93 Delete sheet
- 95 Delete bottom half of sheet
- 96 Delete driveway section 50+34 to 500+71
- 97 Delete sheet
- 98-99 Delete driveways in Site Six
- 100 Re-calculate and revise all Earthwork quantities

GENERAL

Revise Title Blocks of all sheets to state Fiscal Year 2013, and update any new standards for 2013.

APPENDIX 8

February 22, 2013

RE: Safe Routes to School
Mountain Brook Elementary and Crestline Elementary, City of Mountain Brook, AL
SRTS-SR09(903) & SRTS-SR09(904)

OUTLINE TO REVISE DRAWINGS FOR RE-BID

Sheet Task

- 1 Revise Cover Sheet eliminating Sites Six and Eight (Dexter Avenue and Peachtree Street)
- 1A Revise Index to Sheets
- 2-2A Show aggregate under all curbs (No Asphalt)
- 3-3A Revise Summary Quantity Sheet (Delete Sites Six and Eight quantities)
- 3B Delete drainage quantities for Sites Six and Eight
- 3C-3F Re-calculate and revise all quantities in tables for ALL PAY ITEMS
- Plan Sheets
- 10 Revise drawing to show Vine Street only.
- 11-13 Delete these Plan sheets (Dexter Avenue)
- 16 Delete bottom half of sheet (Peachtree Street)
- 26 Revise Utility drawing to show Vine Street only.
- 27-29 Delete these Utility sheets (Dexter Avenue)
- 32 Delete bottom half of sheet (Peachtree Street)
- 50 Revise quantities for traffic control signs
- 53 Revise traffic Control Plan eliminating Sites Six and Eight
- 66 Revise Erosion Control drawing to show Vine Street only.
- 67-69 Delete these Erosion Control sheets (Dexter Avenue)
- 72 Delete bottom half of sheet (Peachtree Street)

2212 Morris Ave., First Floor, Birmingham, AL 35202 Tel: 205 325-6872 Fax: 205 324-6120

BRASFIELD & GORRIE L.L.C.
ESTIMATE WORKSHEET

PROJECT: Mountain Brook Municipal Complex
LOCATION: Mountain Brook, AL
ARCH/ENG: Williams Blackstock Architects
DESCRIPTION: Trade Tower Memorial

PAGE NUMBER: 1
DATE: 02/07/13
SUMMARY BY: BT
PRICED BY: BT
CHECKED BY: RM

ITEM	DESCRIPTION	QTY	UNIT	MATERIAL		LABOR		SUB / EQUIP		TOTAL
				Unit Cost	Material	Unit Cost	Labor	Unit Cost	Sub Price	
1	Machine Excavate pad, footing and conduit (includes stone backfill) - B&G	1	ls	1.00	250.00	336.00	336.00	960.00	960.00	1,546.00
2	Concrete Paver Setting Bed (3") - B&G (2 men @ \$20/hr for 2 hr)	3	cy	95.00	285.00	20.00	80.00	0.00	0.00	365.00
3	Concrete Slab (4") - B&G (2 men @ \$20/hr for 2 hr)	3	cy	95.00	285.00	20.00	80.00	0.00	0.00	365.00
4	Concrete Footing (12") - B&G (2 men @ \$20/hr for 2 hr)	1	cy	95.00	95.00	20.00	80.00	0.00	350.00	525.00
5	Rebar Material and Installation - B&G (2 men @ \$20/hr for 2hr)	1	ls	450.00	225.00	20.00	80.00	0.00	0.00	305.00
6	Formwork Material and Installation - B&G (2 men @ \$20/hr for 3 hr)	70	sf	1.50	105.00	20.00	120.00	0.00	0.00	225.00
7	Brick Pavers Installation - Southern Pavers	220	sf	3.00	660.00	0.00	0.00	9.89	2,175.00	2,835.00
9	Lighting for future - Griffin Electric	1	ls	0.00	0.00	0.00	0.00	1,680.00	1,680.00	1,680.00
10	Daily Cleanup and Dumpster Rem - B&G (2 men @ \$20/hr for 2 hr)	1	ls	0.00	0.00	20.00	80.00	0.00	300.00	380.00
11	Patch waterproofing at conduit entrance to basement below - Alpha	1	ls	0.00	0.00	0.00	0.00	435.00	435.00	435.00
12										
13										
14										
15										
16										
17										
18										
19										
20										
SUB TOTAL					1,905		856		5,900	8,661

Clarifications:

- B&G not responsible for structural stability of trade tower beam during installation or after installation
- Electrical price includes conduit only. No panel or wire size specified.
- Any changes or modifications to landscaping not included because none were shown on drawings
- We exclude the bronze supports
- We exclude the handling or anchoring of the trade tower beam per the note on the drawings
- We exclude 3/4" Silicon bronze plate, rod, materials, hardware to facilitate the fabrication of the memorial base. This is included in the Stoltena, Inc. quote.
- We exclude any design of the tower or its parts
- We do not provide any rigging to set trade tower materials.
- We exclude any freight for the material

Material Tax	9.00%	171
PRT/Insurance (Labor)	48.15%	412
Insurance/Bonds/Permits	1.50%	130
Overhead and Profit	10.00%	937
TOTAL		\$10,312

BRASFIELD & GORRIE L.L.C.
ESTIMATE WORKSHEET

PROJECT: Mountain Brook Municipal Complex
LOCATION: Mountain Brook, AL
ARCH/ENG: Williams Blackstock Architects
DESCRIPTION: Police Memorial

PAGE NUMBER: 1
DATE: 02/07/13
SUMMARY BY: BT
PRICED BY: BT
CHECKED BY: RM

ITEM	DESCRIPTION	QTY	UNIT	MATERIAL		LABOR		SUB / EQUIP		TOTAL
				Unit Cost	Material	Unit Cost	Labor	Unit Cost	Sub Price	
1	Machine Excavate Pad and Footing (includes stone backfill) - B&G	1	ls	1.00	150.00	168.00	168.00	960.00	960.00	1,278.00
2	Concrete Paver Setting Bed (3") - B&G (2 men @ \$20/hr for 2 hr)	1	cy	95.00	95.00	20.00	80.00	0.00	0.00	175.00
3	Concrete Slab (4") - B&G (2 men @ \$20/hr for 2 hr)	2	cy	95.00	190.00	20.00	80.00	0.00	0.00	270.00
4	Concrete Footing (12") - B&G (2 men @ \$20/hr for 2 hr)	2	cy	95.00	190.00	20.00	80.00	0.00	350.00	620.00
5	Rebar Material and Installation - B&G (2 men @ \$20/hr for 2hr)	1	ls	250.00	250.00	20.00	80.00	0.00	0.00	330.00
6	Formwork Material and Installation - B&G (2 men @ \$20/hr for 3 hr)	75	sf	1.50	112.50	20.00	120.00	0.00	0.00	232.50
7	Brick Pavers Installation - Southern Pavers	92	sf	3.00	276.00	0.00	0.00	13.97	1,283.00	1,561.00
8	Lighting for future - Griffin Electric	1	ls	0.00	0.00	0.00	0.00	2,150.00	2,150.00	2,150.00
9	Set Existing Concrete and Granite Base- B&G (2 men @ \$20/hr for 3 hr)	1	ls	0.00	0.00	0.00	120.00	0.00	0.00	120.00
10	Daily Cleanup and Dumpster Rem - B&G (2 men @ \$20/hr for 2 hr)	1	ls	0.00	0.00	20.00	80.00	0.00	300.00	380.00
11	Patch Waterproofing at basement walls	1	ls	0.00	0.00	0.00	0.00	680.00	680.00	680.00
12	Restoration of Police Memorial - Masonry Arts	1	ls	0.00	0.00	0.00	0.00	476.00	476.00	476.00
13										
14										
15										
16										
17										
18										
19										
20										
SUB TOTAL					1,264		808		6,201	8,273

Clarifications:

- B&G not responsible for structural stability of existing concrete base or granite base during installation or after installation
- Any changes or modifications to landscaping not included because none were shown on drawings
- Electrical price includes conduit only. No panel or wire size specified.
- We exclude any design of the memorial
- We exclude and freight for the memorial

Material Tax	9.00%	114
PRT/Insurance (Labor)	48.15%	389
Insurance/Bonds/Permits	1.50%	124
Overhead and Profit	10.00%	890
TOTAL		\$9,789

BRASFIELD & GORRIE L.L.C.
ESTIMATE WORKSHEET

PROJECT: Mountain Brook Municipal Complex
 LOCATION: Mountain Brook, AL
 ARCH/ENG: Williams Blackstock Architects
 DESCRIPTION: Stollans, Inc Pricing

PAGE NUMBER: 1
 DATE: 02/21/13
 SUMMARY BY: BT
 PRICED BY: BT
 CHECKED BY: RM

ITEM	DESCRIPTION	QTY	UNIT	MATERIAL		LABOR		SUB / EQUIP		TOTAL
				Unit Cost	Material	Unit Cost	Labor	Unit Cost	Sub Price	
1	Stollans, Inc Pricing	1	ls	0.00	0.00	0.00	0.00	30,000.00	30,000.00	30,000.00
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
SUB TOTAL									30,000	30,000

Clarifications:

Material Tax	9.00%	0
PKT/Insurance (Labor)	48.15%	0
Insurance/Bonds/Permits	1.50%	450
Overhead and Profit	0.00%	0
TOTAL		530,450

BRASFIELD & GORRIE L.L.C.
ESTIMATE WORKSHEET

PROJECT: Mountain Brook Municipal Complex
 LOCATION: Mountain Brook, AL
 ARCH/ENG: Williams Blackstock Architects
 DESCRIPTION: Signage Allowance Overlay

PAGE NUMBER: 1
 DATE: 03/08/13
 SUMMARY BY: BT
 PRICED BY: BT
 CHECKED BY: RM

ITEM	DESCRIPTION	QTY	UNIT	MATERIAL		LABOR		SUB / EQUIP		TOTAL
				Unit Cost	Material	Unit Cost	Labor	Unit Cost	Sub Price	
1	Architectural Graphics and Design Specialist Subcontract	1	ls	0.00		0.00		45,116.00	45,116.00	45,116.00
2	Breaker Panel Allowance	1	sl	0.00		0.00		15,000.00	15,000.00	15,000.00
3	Life and Safety Director Allowance	1	sl	0.00		0.00		15,000.00	15,000.00	15,000.00
4	Detention Bar Allowance	1	sl	0.00	0.00	0.00	0.00	17,500.00	17,500.00	17,500.00
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
SUB TOTAL									0	0

Clarifications:

1. Subcontract with Architectural Graphics includes all life safety signage, plaques, and detention bar approved by the building committee

Material Tax	9.00%	0
PKT/Insurance (Labor)	48.15%	0
Insurance/Bonds/Permits	1.50%	0
Overhead and Profit	0.00%	0
TOTAL		52,616

City of Mountain Brook

MEMO

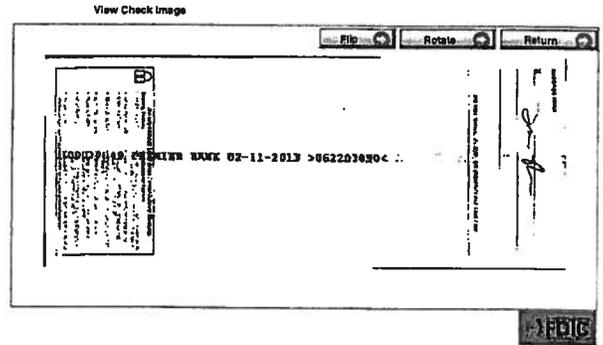
IBERIABANK - (800) 682-32

To: Mayor and City Council
From: Sam S. Gaston, City Manager *Sam*
Date: February 20, 2013
Subject: Demolition Costs for 2210 Sterlingwood Drive

The City has incurred the following expenses to abate the nuisance at the above address

Britt Demolition and Recycling \$12,500.00
 Drainage Repairs by Public Works Dept. 381.68
 \$12,881.68 Total

A copy of the Britt invoice and check and an itemized summary of Public Works' expenses are attached to this memo.



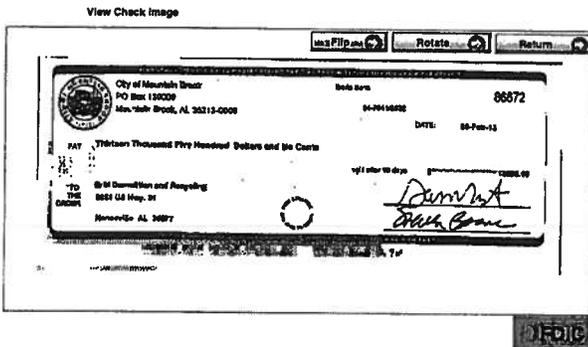
APPENDIX 10

<https://www.netteller.com/iberiabank/Hbdisplaycheck.cfm?CheckSide=1&TIFNumber=0...> 2/19/2013

View Check Image

Page 1 of 1

IBERIABANK - (800) 682-32



ck \$ 13500.00

Vendor Checks

Page: 1 of 1

Page	1	To	8774 Britt Demolition and Recycling
Check No	86872	Check Date	02-Feb-2013
Check Amt	\$13,500.00	Check Type	C
Check		For Use Only	

CD	Accounting	CD	Account	Invoiced	Posted
0	10011006399	D	\$12,500.00		0
1	10020020000	D	\$1,000.00		0

0000 Demo Discontinued
 943247
 0000 Demo Relief



INVOICE

INVOICE # 1
DATE: FEBRUARY 1, 2013

Britt Demolition & Recycling
"Making Room to grow"

8861 Us Highway 31
Hanceville, AL 35077
Phone 256 339 0332 Fax 256 739 5756
brittdemolition@gmail.com



CITY OF MOUNTAIN BROOK
P. O. Box 130009
Mountain Brook, Alabama 35213-0009
Telephone: 205.802.2400
www.mtnbrook.org

LOCATION City of Mountain Brook
2210 Sterlingwood Drive, Mountain Brook, AL
35243

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
Taylor Britt	Emergency Demo	Due on receipt	February 1, 2013

QTY	DESCRIPTION
	Structures are to be demolished in place and leveled to the top of the house's footings unless otherwise noted. The mailbox and its collapsed masonry structure adjacent to Sterlingwood Drive are to be removed. The brick wall and landscaping facing Sterlingwood Drive on the southern face of the house should remain intact for aesthetic and erosion-control purposes. At the southern face of the house, the south garage is to be razed to its concrete slab. The southern, eastern, and northern walls of the house are to be razed to the tops of their footings. The western wall of the house is to be razed to the top of the brick wall or to the concrete slab of the west garage (where there is no brick wall). The brick walls (including the brick walls perpendicular to the weight-bearing wall) should remain intact. The brick stairs going up to the front door are to be removed. The wooden deck in the back of the house is to be removed. The gas grill on the back deck is to be removed. The existing wood and masonry fence enclosing the back yard should remain intact. Vendor shall clear parcel of all demolition debris including fixtures, furniture, appliances, and housewares. Grass is to be planted on any bare ground. Anything on the property reasonably considered unsafe, unsanitary, or an attractive nuisance must be removed, or, in the alternative, a hazard not removed is to be secured by barriers or fencing. The shrubbery, and rose bushes on the western side of the house closest to the house might have debris that falls on them and might have to be removed. Green colored safety Fencing will be placed from the existing wood and masonry fence to protect the property if needed. Permits and sewer plug
	Total Price \$12,500.00

Make all checks payable to Britt Demolition & Recycling
THANK YOU FOR YOUR BUSINESS!

VIA FIRST CLASS U.S. MAIL

February 5, 2013

Jacqueline Nuby
2210 Sterlingwood Drive
Mountain Brook, AL 35243

Jacqueline Nuby
2897 Crowne Ridge Drive
Birmingham, AL 35243

Jacqueline Nuby
P.O. Box 43606
Birmingham, AL 35243-0606

Lester Nuby, Jr.
2210 Sterlingwood Drive
Mountain Brook, AL 35243

Lester Nuby, Jr.
2897 Crowne Ridge Drive
Birmingham, AL 35243

Lester Nuby, Jr.
P.O. Box 43606
Birmingham, AL 35243-0606

Bank of New York Mellon
s/1 to JPMorgan Chase Bank for
Registered Holder of Novastar Mortgage
Funding Trust, Series 2004-1 Novastar
Home Equity Loan Asset-Backed
Certificates

c/o Ocwen Loan Servicing, LLC
1675 Palm Beach Lakes Blvd., Suite 402
West Palm Beach, FL 33401

c/o Ocwen Loan Servicing, LLC
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

Ocwen Loan Servicing, LLC
c/o CSC Lawyers Incorporating Svc., Inc.
150 S. Perry Street
Montgomery, AL 36104

Plymouth Park Tax Services, LLC
P.O. Box 2288
Morristown, NJ 07962-2288

Equest Financial
P.O. Box 980
East Lansing, MI 48826-0980

RE: Costs of abating nuisance at 2210 Sterlingwood Drive, Mountain Brook, AL
Lot 8, Survey of Sterlingwood, as recorded in Map Book 173, page 87, in the
Probate Office of Jefferson County, Alabama, Par. ID 28-21-1-S-14.000-RR-0

Dear Mrs. Nuby:

This letter constitutes Notice that the City Council at its regular meeting at 7 p.m.
on February 25, 2013, in the Temporary City Hall, 3928 Montclair Road, Suite 230,

APPENDIX 10

Drainage Repairs
2210 Sterlingwood Drive
2/7/2013

Rehab drainage system at this address
on 02/07/2013.

LABOR:
Employee

Employee	HOURLY	HOURS	Total
	RATE	WORKED	
Harris, Johnny			
Gey, James	\$ 27.55	1.75	\$ 48.21
Williams, Gary P	23.82	1.75	\$ 41.69
Jay, Mickey	22.7	1.75	\$ 39.73
Harrison, Adam	21.82	1.75	\$ 37.84
Bender, Thomas	20.57	1.75	\$ 36.00
	18.13	1.75	\$ 28.23

EQUIPMENT:

Equipment	Rate	Hours	Total
Pick-up Truck			
Crew-cab Truck F550	14	1	\$ 14.00
Crew-cab Truck F450	35	1	\$ 35.00
Sewer Truck	35	1	\$ 35.00
Cement Sew	52.5	1	\$ 52.50
	13.5	1	\$ 13.50
Total cost of Project			\$ 381.68

Jacqueline Nuby
February 5, 2013
Page two

Mountain Brook, Alabama 35213, shall consider the report and records of the City
Manager in order to determine by resolution the City's costs in abating the public nuisance
at 2210 Sterlingwood Drive.

The City contracted the demolition of damaged structures on the property and the
removal of the debris on December 10, 2012; the work is now completed. Pursuant to Ala.
Code § 11-40-33, the fixing of costs of the abatement by the City Council shall constitute a
special assessment against the above-described property. After determining the costs of
abatement by resolution, the City shall demand payment from you for the amount. If you
do not pay the amount within thirty days, the City shall record the resolution as a lien (for
the fixed amount plus statutory interest) in the office of the Jefferson County Probate
Court.

You, and any person or entity having interest in the property, have a right to attend
this public hearing on February 25, 2013 and to object to the fixing of the costs or the
amounts thereof.

Sincerely,

Steven Boone
City Clerk