

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

The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 6:00 p.m. on Monday, the 25th day of November, 2013. 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
Jack D. Carl
William S. Pritchard III
Jesse S. Vogtle, Jr.
Lawrence T. Oden, Mayor

Absent: Virginia C. Smith, Council President

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

1. AGENDA

1. Traffic/Speed count and sidewalk estimate for area at Montevallo Road and Montevallo Park Place (Appendix 1).

The members of the City Council expressed their general opposition to the notion of authorizing a stop sign on Montevallo Road. The matter of constructing a sidewalk can be revisited at such time that the neighborhood raises the money for construction materials estimated to be \$23,005.

2. REVIEW OF THE FORMAL (7P.M.) AGENDA

1. Resolution authorizing the installation of a street light on an existing pole in the alley located at 3772 Montevallo Road (Appendix 2).

Ms. Mary Evans requested the street light for safety reasons considering there are 25 children who reside in the 23 homes situated along the very dark alley.

The members of the City Council expressed their general opposition to the City installing a street light in any alley. Various members of the City Council suggested to Ms. Evans' that landscape lighting be installed privately or that neighbors get together for such a lighting project.

At the request of the applicant, this matter was removed from the formal agenda (it appears that the adjacent neighbors and applicant reached a consensus as to an alternate solution to Ms. Evan's concerns that do not include a street light).

2. Ordinance authorizing a 3-way stop sign at the intersection of Fairmont Drive and Lorena Lane and provide for punishment for violations thereof.

The stop signs were requested by Mr. John Christian (Appendix 3). Ms. Christian and another neighbor stated that they were not opposed to the stop signs but were more concerned with the general speed of traffic along Fairmont Drive and Lorena Lane and requested that the City install speed bumps and/or consider stop a stop sign at the Baddock Avenue intersection.

The members of the City Council explained that speed bumps are 1) not generally utilized in the City due to their effect on fire and ambulance vehicles and that 2) speed bumps are not considered safe in curves or steep grades.

The members of the City Council requested that the Police Chief conduct a study of the area and offer suggestions for safety improvements. The ordinance authorizing the 3-way stop was removed from the formal agenda pending the Police Department's study.

3. Added to the formal (7 p.m. agenda): A resolution (No. 2013-176) declaring certain Fire Department equipment surplus and authorizing its sale at public [Internet] auction or its disposal of such items not sold at said auction.

Upon conclusion of the City Council's review of the other formal [7 p.m.] agenda issues, Council President Pro Tempore Carter adjourned the meeting.



Steven Boone, City Clerk

MONTEVALLO PARK PLACE SIDEWALK
FROM STONE HURST GREEN TO MONTCREST

500 FT OF SIDEWALK - \$ 5,410.00
 500FT OF CURB AND GUTTER- \$ 8,100.00
 300 FT OF RETAINING WALL \$ 5,325.00
 MISC; FORMING MATERIALS \$ 1,000.00
 MISC; SUPPLIES \$ 1,000.00
 GRAVEL; 217 TONS -\$ 2,170.00

TOTAL FOR MATERIALS: \$ 23,005.00

THESE PRICES MAY CHANGE DUE TO CHANGING PRICES OF RAW MATERIALS
FOR CONCRETE AND SURCHARGES ON FUEL AND DELIVERIES .

THE ESTIMATED TIME ON THIS PROJECT IS 6-8 WEEKS DUE TO WEATHER.

NOTE : THERE ALSO COULD AN ADDITIONAL CHARGE FOR A POSSIBLE UTILITY
LINE RELOCATE FOR A POSSIBLE GAS MAIN ON THAT SIDE OF THE ROAD.

Memorandum

To: Lt. J. Williams
 From: Sgt. J. Rhoads
 Date: 11/21/13
 Re: Traffic Count 4000 Blk Montevallo Road

Per your request I conducted a traffic count in the 4000 Block of Montevallo Road. Data was gathered concerning speed and volume. The following data was gathered:

	Eastbound		Westbound		Total	
Vehicles counted	28,555		26,878		55,433	
Average speed	33 mph		32 mph		33 mph	
	#	%	#	%	#	%
00-25 mph	1,219	4.3	1,479	5.5	2,698	4.9
26-35 mph	19,871	69.6	19,245	71.6	39,116	70.6
36-45 mph	7,319	25.6	6,032	22.4	13,351	24.1
46-55 mph	146	0.5	122	0.4	268	0.4
Peak time	Rush hours		Rush hours		Rush hours	

Volume of vehicles approaching Glencoe Drive (Eastbound): 28,555
 Volume of vehicles approaching Montevallo Park Place (Westbound): 26,878

Conclusion: This traffic study began on Thursday November 14th at 0130 hrs and concluded on Thursday November 21st at 0300 hrs. It included a full week and school was in session. The peak hours during the week days were 0800-0900 and 1600-1800. The peak hours for weekend traffic were 1100-1300.

Note: Speed Limit 30

Cc: Chief T. Cook
 Captain G. Hagood

APPENDIX 1

JAMAR Technologies, Inc.

151 Keith Valley Rd.
 Horsham, PA, USA 19044
 800-776-0940

Site Code: 000000000000
 Station ID:
 4000 Blk Montevello Road
 Latitude: 0' 0.000 Undefined

Start Time	14-Nov-13 Thu	West	East	Total
12:00 AM				
01:00		.	.	.
02:00		.	.	.
03:00		.	.	.
04:00		8	8	16
05:00		12	5	17
06:00		53	27	80
07:00		214	73	287
08:00		403	218	621
09:00		455	168	623
10:00		277	181	458
11:00		257	207	464
12:00 PM		282	332	594
01:00		314	277	591
02:00		289	311	600
03:00		297	300	597
04:00		238	385	623
05:00		267	448	715
06:00		259	530	789
07:00		214	329	543
08:00		146	243	389
09:00		86	139	205
10:00		63	135	198
11:00		39	65	104
Total		4133	4381	8514
Percent		48.5%	51.5%	
AM Peak		09:00	08:00	
Vol.		455	218	09:00
PM Peak		13:00	18:00	
Vol.		314	530	623
				18:00
				789

APPENDIX 1

JAMAR Technologies, Inc.

151 Keith Valley Rd.
 Horsham, PA, USA 19044
 800-776-0940

Site Code: 000000000000
 Station ID:
 4000 Blk Montevello Road
 Latitude: 0' 0.000 Undefined

Start Time	15-Nov-13 Fri	West	East	Total
12:00 AM				
01:00		18	28	46
02:00		10	12	22
03:00		5	9	14
04:00		2	4	6
05:00		5	4	9
06:00		11	10	21
07:00		58	23	81
08:00		231	73	304
09:00		390	219	609
10:00		445	190	635
11:00		294	204	498
12:00 PM		263	224	487
01:00		268	307	575
02:00		327	298	625
03:00		271	359	630
04:00		277	333	610
05:00		242	419	661
06:00		231	483	714
07:00		219	516	735
08:00		241	321	562
09:00		170	191	361
10:00		98	127	225
11:00		85	129	214
12:00		40	103	143
Total		4201	4566	8767
Percent		47.9%	52.1%	
AM Peak		09:00	11:00	
Vol.		445	224	09:00
PM Peak		13:00	18:00	
Vol.		327	516	635
				18:00
				735

JAMAR Technologies, Inc.

151 Keith Valley Rd.
 Horsham, PA, USA 19044
 800-778-0940

Site Code: 0000000000
 Station ID:
 4000 Blk Montevallo Road
 Latitude: 0' 0.000 Undefined

Start Time	16-Nov-13	West	East	Total
12:00 AM	Sat	28	61	
01:00		10	25	89
02:00		15	9	35
03:00		5	5	24
04:00		2	5	10
05:00		5	10	7
06:00		21	6	15
07:00		61	42	27
08:00		159	88	103
09:00		233	146	247
10:00		259	211	379
11:00		308	238	470
12:00 PM		267	300	546
01:00		288	307	567
02:00		287	288	585
03:00		222	302	573
04:00		205	220	524
05:00		180	261	425
06:00		189	243	441
07:00		198	171	432
08:00		117	132	369
09:00		73	108	249
10:00		53	82	181
11:00		82	119	135
Total		3267	3377	201
Percent		49.2%	50.8%	6844
AM Peak		11:00	11:00	11:00
Vol.		308	238	546
PM Peak		13:00	13:00	13:00
Vol.		288	307	595

APPENDIX 1

JAMAR Technologies, Inc.

151 Keith Valley Rd.
 Horsham, PA, USA 19044
 800-778-0940

Site Code: 0000000000
 Station ID:
 4000 Blk Montevallo Road
 Latitude: 0' 0.000 Undefined

Start Time	17-Nov-13	West	East	Total
12:00 AM	Sun	38	62	
01:00		20	24	100
02:00		8	21	44
03:00		7	9	29
04:00		5	10	16
05:00		3	4	15
06:00		12	7	7
07:00		30	18	19
08:00		76	40	48
09:00		129	103	116
10:00		174	116	232
11:00		178	177	290
12:00 PM		195	254	355
01:00		257	286	449
02:00		248	272	523
03:00		232	240	520
04:00		245	226	472
05:00		253	271	471
06:00		210	258	524
07:00		146	190	466
08:00		106	162	336
09:00		73	86	268
10:00		37	59	169
11:00		26	25	96
Total		2708	2898	51
Percent		48.3%	51.7%	5806
AM Peak		11:00	11:00	11:00
Vol.		178	177	355
PM Peak		13:00	14:00	17:00
Vol.		257	272	524

1200

Minute Book 85

JAMAR Technologies, Inc.

151 Keith Valley Rd.
Horsham, PA, USA 19044
800-776-0940

Site Code: 000000000000
Station ID:
4000 Blk Montevallio Road
Latitude: 0' 0.000 Undefined

Start Time	18-Nov-13 Mon	West	East	Total
12:00 AM		12	19	
01:00		7	3	31
02:00		5	2	10
03:00		4	2	7
04:00		2	5	6
05:00		16	4	7
06:00		66	27	20
07:00		216	69	93
08:00		388	228	285
09:00		441	176	617
10:00		262	199	461
11:00		234	184	418
12:00 PM		289	289	568
01:00		287	324	611
02:00		295	295	590
03:00		270	259	529
04:00		269	361	630
05:00		269	476	745
06:00		240	512	752
07:00		228	346	574
08:00		134	213	347
09:00		75	164	239
10:00		48	86	134
11:00		22	50	72
Total		4059	4303	8362
Percent		48.5%	51.5%	
AM Peak		09:00	08:00	09:00
Vol.		441	228	617
PM Peak		14:00	18:00	18:00
Vol.		295	512	752

APPENDIX I

JAMAR Technologies, Inc.

151 Keith Valley Rd.
Horsham, PA, USA 19044
800-776-0940

Site Code: 000000000000
Station ID:
4000 Blk Montevallio Road
Latitude: 0' 0.000 Undefined

Start Time	19-Nov-13 Tue	West	East	Total
12:00 AM		13	29	42
01:00		7	9	16
02:00		0	5	5
03:00		2	2	4
04:00		3	3	6
05:00		18	7	25
06:00		75	15	90
07:00		228	79	307
08:00		419	238	655
09:00		468	172	630
10:00		312	194	508
11:00		267	245	512
12:00 PM		288	309	597
01:00		280	289	569
02:00		288	311	599
03:00		286	291	577
04:00		261	362	623
05:00		261	470	731
06:00		228	497	725
07:00		218	314	532
08:00		144	255	399
09:00		92	159	251
10:00		70	115	185
11:00		36	55	91
Total		4254	4423	8677
Percent		49.0%	51.0%	
AM Peak		09:00	11:00	08:00
Vol.		458	245	655
PM Peak		12:00	18:00	17:00
Vol.		288	497	731

JAMAR Technologies, Inc.

151 Keith Valley Rd.
 Horsham, PA, USA 19044
 800-776-0940

Site Code: 00000000000
 Station ID:
 4000 Blk Montevallo Road
 Latitude: 0' 0.000 Undefined

Start Time	20-Nov-13 Wed	West	East	Total
12:00 AM		14	15	29
01:00		5	11	16
02:00		3	6	9
03:00		1	2	3
04:00		3	2	5
05:00		18	8	26
06:00		60	24	84
07:00		200	69	269
08:00		427	199	626
09:00		437	177	614
10:00		283	201	484
11:00		273	199	472
12:00 PM		284	296	580
01:00		312	281	593
02:00		295	363	658
03:00		275	312	587
04:00		265	373	638
05:00		240	470	710
06:00		250	471	721
07:00		219	405	624
08:00		152	297	449
09:00		117	182	299
10:00		73	129	202
11:00		35	91	126
Total		4241	4583	8824
Percent		48.1%	51.9%	
AM Peak	09:00		10:00	08:00
Vol.		437	201	626
PM Peak	13:00		18:00	18:00
Vol.		312	471	721

APPENDIX 1

JAMAR Technologies, Inc.

151 Keith Valley Rd.
 Horsham, PA, USA 19044
 800-776-0940

Site Code: 00000000000
 Station ID:
 4000 Blk Montevallo Road
 Latitude: 0' 0.000 Undefined

Start Time	21-Nov-13 Thu	West	East	Total
12:00 AM		14	11	25
01:00		0	10	10
02:00		1	3	4
03:00		.	.	.
04:00		.	.	.
05:00		.	.	.
06:00		.	.	.
07:00		.	.	.
08:00		.	.	.
09:00		.	.	.
10:00		.	.	.
11:00		.	.	.
12:00 PM		.	.	.
01:00		.	.	.
02:00		.	.	.
03:00		.	.	.
04:00		.	.	.
05:00		.	.	.
06:00		.	.	.
07:00		.	.	.
08:00		.	.	.
09:00		.	.	.
10:00		.	.	.
11:00		.	.	.
Total		15	24	39
Percent		38.5%	61.5%	
AM Peak	00:00		00:00	00:00
Vol.		14	11	25
PM Peak				
Vol.				
Grand Total		28878	28555	55433
Percent		48.5%	51.5%	
ADT		ADT 7,969	ADT 7,969	

Sam Gaston

From: Jay Williams
Sent: Tuesday, November 05, 2013 9:27 AM
To: Sam Gaston
Cc: Ted Cook, Lt Greg Hagood
Subject: Re: FW: Fairmont Drive

> Global Rental Company, Inc.
> 1730 Vanderbilt Road
> Birmingham, AL 35234
> tel: 205-241-3217
> fax: 205-458-3865
> john.christian@altec.com
> [Embedded image moved to file: pic28255.jpg]

The police department is not opposed to a stop sign at this location.

On Tue, Nov 5, 2013 at 8:43 AM, Sam Gaston <gastons@mtnbrook.org> wrote:
> Do you have a recommendation on this request?

> Sam S.Gaston
> City Manager
> City of Mountain Brook, AL.
> 56 Church Street
> P.O. Box 130009
> Mountain Brook AL. 35213
> (205) 802-3803 Phone
> (205) 870-3577 Fax

-----Original Message-----

> From: John.Christian@altec.com [mailto:John.Christian@altec.com]
> Sent: Tuesday, October 29, 2013 10:01 AM
> To: gastons@mtnbrook.org
> Subject: Fairmont Drive

> Sam,
> My wife (Allison) and I live at 228 Fairmont Drive in Crestline and
> have a
> 4 year old boy and an 8 year old boy. As usual with Crestline, there
> are also many other families with small children that live in our
> area, which encompasses Fairmont and Lorena.
> At the top of Fairmont, there is a blind corner and a blind
> intersection where Fairmont and Lorena meet. There are also numerous
> cars that park on the streets that further obstruct the view of drivers.
> Since there are no stop signs or speed bumps on Lorena or Fairmont,
> much of the traffic through the area tends to be at speeds that would
> not allow for sudden stops. Numerous times, I have seen drivers round
> the blind corners/intersection at high speeds and without looking both
> directions or slowing down.
> Many of the parents in the neighborhood fear for the safety of their
> children when riding bikes, scooters, etc on our streets due to the
> traffic that flows through the area.
> I wanted to contact you to find out if speed bumps could be put on
> Lorena and Fairmont (similar to what is on Glencoe) or if a stop sign
> could be placed at the intersection of Lorena and Fairmont?
> If you have any questions, I can be reached on my mobile phone, 515-8552.

> Thank you,
> John
> John Christian

Lieutenant J.C. Williams
Mountain Brook Police Department
101 Tibbett Street
Mountain Brook Alabama 35213
205-802-3862 Office
williamsj@mtnbrook.org

APPENDIX 3

3 Proposed Stop Signs



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

The City Council of the City of Mountain Brook, Alabama met in public session in the City Hall Council Chamber (Room A108) at 7:00 p.m. on Monday, the 25th day of November, 2013. 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
Jack D. Carl
William S. Pritchard III
Jesse S. Vogtle, Jr.
Lawrence T. Oden, Mayor

Absent: Virginia C. Smith, Council President

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

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

1. MAYORAL APPOINTMENT (NO. 2013-182) TO THE PLANNING COMMISSION

Mayor Oden announced that he is appointing Ms. Cay Alby to the Planning Commission to serve without compensation through November 28, 2017 to fill the unexpired term of Mr. Brian Christine.

2. 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 November 12, 2013 meeting of the City Council.

2013-174	Appoint Richard Simonton to the Board of Zoning Adjustment to fill the unexpired term of Noel Dowling, to serve without compensation, with the term of office to end July 25, 2014.	Exhibit 1, Appendix 1
2013-175	Set a public hearing at 7 p.m. on January 13, 2014 to consider an ordinance adopting the 2014 edition of the National Electrical Code (NFPA 70).	Exhibit 2
2013-176	Declare certain Fire Department equipment surplus and authorize its sale at public Internet auction (or disposal of items not sold at said auction).	Exhibit 3
2013-177	Declare two (2) police cruiser [Crown Victoria] light bars surplus and authorize their sale to the City of Warrior in consideration of \$1.	Exhibit 4, Appendix 2
2013-178	Reaffirm the City's intention to implement safety guidelines with respect to the City's workers' compensation program.	Exhibit 5, Appendix 3
2013-179	Authorize the City Attorney to certify that the City's drug and alcohol testing policy is compliant with the fourth amendment to the U. S. Constitution.	Exhibit 6, Appendix 4

2013-180	Award the bid for two (2) variable message sign trailers for the Police Department.	Exhibit 7, Appendix 5
2013-181	Recommend to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 020 – Restaurant Retail Liquor License to Brick and Tin, LLC located at 2901 Cahaba Road, Mountain Brook, AL 35223.	Exhibit 8, Appendix 6

Thereupon, the foregoing minutes and resolutions were introduced by Council President Pro Tempore Carter and their immediate adoption was moved by Council member Pritchard. The minutes and resolutions were then considered by the City Council. Council member Vogtle 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
Jack D. Carl
William S. Pritchard III
Jesse S. Vogtle, Jr.

Nays: None

Council President Pro Tempore Carter thereupon declared that said minutes and resolutions (nos. 2013-174 through 181) are adopted by a vote of 4—0.

3. CONSIDERATION OF AN ORDINANCE (NO. 1900) AUTHORIZING THE PUBLIC AUCTION OF CERTAIN ABANDONED AND STOLEN PROPERTY (EXHIBIT 9)

Council President Pro Tempore Carter introduced the ordinance in writing and invited comments and questions from the audience. There being no discussion or comments, Council member Pritchard made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended, and that unanimous consent for the immediate consideration of said ordinance be given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Vogtle and was carried, as follows:

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

Nays: None

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

After said ordinance had been considered in full by the Council, Council member Pritchard moved for the adoption of said ordinance. The motion was seconded by Council member Vogtle. Thereupon, Council President Pro Tempore Carter called for vote with the following results:

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

The President Pro Tempore of the Council declared that the ordinance (No. 1900) is hereby adopted by a vote of 4—0 and, as evidence thereof, she signed the same.

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

Council President Pro Tempore Carter announced that the next regular meeting of the City Council will be December 9, 2013, at 7 p.m. in the Council Chamber (Room A0108) of City Hall located at 56 Church Street, Mountain Brook, AL 35213. Also, due to a lack of a quorum for the second meeting date in December, the City Council shall not meet on December 23, 2013.

5. 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. 2013-174

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Supernumerary Board of Zoning Adjustment member Richard Simonton is hereby appointed as regular member of the Board of Zoning Adjustment to fill the unexpired term of Noel Dowling, to serve without compensation, with the term of office to end July 25, 2014.

APPENDIX 1

EXHIBIT 2

RESOLUTION NO. 2013-175

BE IT RESOLVED by the City Council of the City of Mountain Brook that, at the meeting of the City Council to be held on Monday, January 13, 2014, at 7:00 p.m., in the Council Chamber (Room A108) of City Hall located at 56 Church Street, Mountain Brook, AL 35213, the City Council will hold a public hearing regarding an ordinance adopting the 2014 National Electrical Code (NFPA70).

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook that the City Clerk be, and he hereby is, authorized and directed to cause to be published not fewer than fifteen (15) days prior to January 13, 2014, by posting in five (5) conspicuous places within the City of Mountain Brook, as follows: City Hall—56 Church Street, Gilchrist Drug Company—2805 Cahaba Road, , The Invitation Place—3150 Overton Road, and Overton Park, 3020 Overton Road, the following notice concerning both proposed actions in words and figures substantially as follows:

"PUBLIC HEARING

Notice is hereby given that at a regular meeting of the City Council of the City of Mountain Brook to be held on Monday, January 13, 2014, at 7:00 p.m., in the Council Chamber (Room A108) of City Hall located at 56 Church Street, Mountain Brook, AL 35213, the City Council will hold a public hearing regarding a proposal that the City Council adopt an ordinance in words and figures substantially as follows:

'ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 109-56 OF THE CITY CODE ALL INVOLVING THE ADOPTION OF "NATIONAL ELECTRICAL CODE, 2011 EDITION" RELATING TO INSPECTION ACTIVITIES OF THE CITY OF MOUNTAIN BROOK AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODE

WHEREAS, it is the desire of the City Council of the City of Mountain Brook, Alabama, to adopt, in all respects, the International Code Council ("ICC") code relating to electrical construction and installations; and

WHEREAS, the adoption of this Code is pursuant to §11-45-8 Code of Alabama (1975); and

WHEREAS, the adoption of this Code is done to facilitate proper inspection activities by the City of Mountain Brook, Alabama, relating to construction of buildings within the corporate limits of said city and relating to public safety, health and general welfare;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mountain Brook the following:

Section 1. Section 109-56 of the City Code is hereby repealed and replaced with the following:

"Sec. 109-56. Electrical code--Adoption by reference.

The National Electrical Code, 2014 Edition, published by the National Fire Protection Association and available for purchase from the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA or by calling (800) 344-3555, is hereby adopted by reference as though it were copied herein fully, subject to the amendments of the following sections, as the electrical code of the city."

Section 2. This ordinance is cumulative in nature and is in addition to any power and authority which the City of Mountain Brook may have under any other ordinance or law.

Section 3. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect, notwithstanding such holding.

Section 4. The effective date of this ordinance shall be March 1, 2014.'

At the aforesaid time and place, all interested parties will be heard in relation to the changes proposed by said ordinance."

EXHIBIT 3

RESOLUTION NO. 2013-182

**A RESOLUTION AUTHORIZING THE SALE OR DISPOSAL
OF CERTAIN SURPLUS PROPERTY**

WHEREAS, the City of Mountain Brook, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property.

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

Section 1. It is hereby established and declared that the following property owned by the City of Mountain Brook, Alabama is not needed for public or municipal purposes and is hereby declared surplus property:

Count	Description	Model	Serial
--------------	--------------------	--------------	---------------

Count	Description	Model	Serial
1	Hurst and Phoenix extrication equipment : 3 Spreaders, 2 Cutters, 2 Power Units, 2 Rams and 3 lines		
2	One Positive Pressure Ventilation (PPV) fan by Temptest		
3	One backpack blower		
4	Two Ferno stretchers		L-405962 and L-405948

Section 2. That the City Manager, or his designated representative, is hereby authorized and directed to sell the above property by way of public Internet auction or to otherwise dispose of such property that does not sell at said auction.

EXHIBIT 4

RESOLUTION NO. 2013-177

A RESOLUTION AUTHORIZING THE SALE OR DISPOSAL OF CERTAIN SURPLUS PROPERTY

WHEREAS, the City of Mountain Brook, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property.

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

Section 1. It is hereby established and declared that the following property owned by the City of Mountain Brook, Alabama is not needed for public or municipal purposes and is hereby declared surplus property:

Item	Description	Notes
1	Whelen 8000 Series Edge	Serial 43265
2	Whelen Liberty Model SL8GZ1	Serial 19052

Section 2. That the City Manager, or his designated representative, be and he hereby is authorized and directed to convey the above property, as is without warranty, to the City of Warrior, Alabama in consideration of \$1.

APPENDIX 2

EXHIBIT 5

RESOLUTION NO. 2013-178

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby reaffirms the City's intention to implement safety guidelines with respect to the City's workers' compensation program (Exhibit A attached hereto).

APPENDIX 3

EXHIBIT 6
RESOLUTION NO. 2013-179

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes ~~the~~ directs the City Attorney to certify that the City's drug and alcohol testing policy is compliant with the fourth amendment to the U. S. Constitution (see Exhibit A attached hereto).

APPENDIX 4
EXHIBIT 7**RESOLUTION NO. 2013-180**

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby awards the bid for the purchase of two (2) variable message sign trailers for the Police Department to Kustom Signals whose bid has been determined to be the best bid submitted and to conform with the City's expressed specifications.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the City Manager to issue a purchase order and to execute such other documents, for and on behalf of the City, that may be determined necessary with respect to said purchase.

APPENDIX 5
EXHIBIT 8**RESOLUTION NO. 2013-181**

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 020 – Restaurant Retail Liquor License to Brick and Tin, LLC located at 2901 Cahaba Road, Mountain Brook, AL 35223.

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 9**ORDINANCE 1901**

**AN ORDINANCE AUTHORIZING THE PUBLIC AUCTION
OF CERTAIN ABANDONED AND STOLEN PROPERTY**

WHEREAS, the City of Mountain Brook, Alabama, has taken up and stored abandoned and stolen personal property found within the corporate limits or outside the corporate limits but within the police jurisdiction; and

WHEREAS, Section 11-47-116 of the Alabama Code of 1975 authorizes the chief law enforcement officer of the City to sell such property at public auction to the highest bidder for cash and the proceeds of such sale are to be paid to the general fund of the City; and

WHEREAS, the City Clerk is hereby authorized and directed to publish at least twenty (20) days prior to the public auction a notice of the sale of such property by posting this ordinance at the following locations: City Hall, 56 Church Street, Overton Park, 3020 Overton Road, Gilchrist Pharmacy, 2850 Cahaba Road, and The Invitation Place, 3150 Overton Road; and

WHEREAS, the owner of any of the properties identified in Section 1 below may redeem the same at any time prior to its sale subject to their payment to the City of any redemption fees that may be set by the chief law enforcement officer of the City pursuant to Section 11-47-116 (b) of the Alabama Code of 1975.

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

Section 1. Pursuant to Section 11-47-116 of the Alabama Code of 1975, the City Council has determined that the following abandoned and stolen personal property are to be sold at public auction:

Case #	Property Type	Case Type	Item Description
69312/3/4	Evidence	Burglary	1-Apple iPod 30g, white, s/n: 8L619C8XSZ9
69312/3/4	Evidence	Burglary	1-Alpine car stereo amplifier, s/n: RZ0842636
201200021576	Property	Recovered Property	1-Allegro DVD player/VCR
201200021576	Property	Recovered Property	1-Sony stereo receiver
201200021576	Property	Recovered Property	1-Marantz 5-disc changer
201200007532	Property	Recovered Property	1-Tennis bag containing 4-tennis racquets
201300002353	Evidence	Burglary	2-fishing rods/reels, Daiwa brand
201200023042	Evidence	ID theft	1-Dell laptop, s/n: 47N2DV1
201200023042	Evidence	ID theft	1-KitchenAid juicer attachment
201000027550	Property	Recovered Property	1-purse, brand "Longchamp", contents: makeup
201200020265	Evidence	ID theft	1-Boss car amplifier, s/n: 1108038458

Section 2. The following drug paraphernalia property shall be destroyed and disposed of by the chief law enforcement official of the City or his designee:

Case #	Property Type	Case Type	Item Description
201300010812	Property	Recovered Property	3-suitcase-type drug paraphernalia cases, empty

Section 3. Any properties identified in Section 1 above not sold at public auction after three attempts by the City shall be deemed worthless and the chief law enforcement official of the City shall be authorized to dispose of such properties.

Section 4. This ordinance shall become effective when published as required by law and the [initial] public auction of said property shall take place on or after December 15, 2013.

2013-174

M e m o

Date: November 14, 2013
To: Sam Gaston
Steve Boone
From: Carole Epstein
RE: Board of Zoning Adjustment Appointment

Mr. Noel Dowling resigned this past week from the BZA.

Mr. Richard Simonton is currently a Supernumerary. Since Mr. Simonton is an architect (and we need an architect on the BZA), Mr. Higginbotham would like the City Council to consider appointing Mr. Simonton as a full member at the November 25th Council meeting, if possible.

Attached is a draft resolution concerning the appointment and a copy of his resume.

Thank you for your consideration.

RESUME FOR THE CITY OF MOUNTAIN BROOK BOARD OF ZONING ADJUSTMENT

Submitted by:

Richard F. Simonton, AIA, LEED AP
2324 English Village Lane
Mountain Brook, Alabama 35223
(mobile) 205.999.7392
November 14, 2013

PERSONAL HISTORY

I grew up in the Forest Park neighborhood of Birmingham and attended Indian Springs School. Between 1989 and 2008 I have lived in California, Louisiana and Georgia. In the spring of 2008 my family and I decided to return to the Birmingham area and moved to Mountain Brook. I have been married to Tina Simonton for twenty years and we presently have twin boys attending fifth grade at Mountain Brook Elementary. We are members of St. Mary's on the Highlands Episcopal Church.

EDUCATION / PROFESSIONAL

- Bachelor of Architecture from Auburn University; 1989
- Post Graduate study at Louisiana State University in vernacular architecture, cultural geography and community preservation; 1993-1994
- National Council of Architectural Registration Boards (NCARB) Certified Registered Architect in Alabama and Georgia
- Member American Institute of Architects (AIA)
- Councilor on Executive Committee of American Institute of Architects, Birmingham Chapter
- LEED Accredited Professional since 2001
- Founding board member of the Atlanta Chapter of the U.S. Green Building Council
- Principal and Director of Design at Simonton Swaika Black Architects, Inc.

SERVICE

- Den leader with Pack 253 for Webelos II Scouts
- FEMA Certified for Earthquake and Wind/Flood Damage Assessment Response Teams
- Past member of Spalding County Chamber of Commerce
- Invited reviewer for student architectural projects at the Georgia Institute of Technology, Auburn University, and Louisiana State University
- Past board of directors' member for the Center for Landscape Interpretation (a non-profit dedicated to preservation of Louisiana heritage sites).

References:

Mr. Phil Black
Mr. Ken Key
Mr. Tommy Prewitt

APPENDIX 1

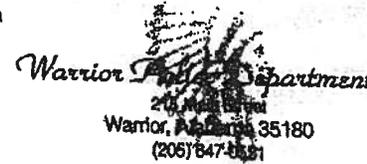
2013-177

11/13/2013 02:03 205-847-2408

CITYOFWARRIOR

#1404 P.002/002

Raymond J. Horn
Chief of Police



Phones:
(205) 647-0521 or
(205) 847-0520
Fax:
(205) 847-4508 or
(205) 647-0551

----- Forwarded message -----
From: Jay Williams <williamsj@mtnbrook.org>
Date: Wed, Nov 20, 2013 at 1:46 PM
Subject: Light bars for Ford Crown Victorias
To: Ted Cook <cookt@mtnbrook.org>

We have two light bars stored at Public Works that were removed from vehicles no longer in our fleet. The City Of Warrior Alabama has expressed an interest in having these pieces of equipment donated to their police department for use on vehicles still in service.

The light bars are as follows

- 1 Whelen 8000 series edge serial number 43265
- 1 Whelen Liberty model SL8GZ1 serial number 19052

The light bars in question will no longer be used by our city since we will no longer purchase Ford Crown Victorias for our vehicle fleet. In my opinion, it would serve the public in general if we donated these pieces of equipment to another jurisdiction where they could be used for public safety.

Thank you for your consideration.

--
Lieutenant J.C. Williams
Mountain Brook Police Department
101 Tibbett Street
Mountain Brook Alabama 35213
205-802-3862 Office
williamsj@mtnbrook.org

Date: November 25, 2013
To: Chief Ted Cook
From: Chief Ray Horn
Reference: Surplus Light Bars

The Warrior Police Department respectfully request that you donate 2 surplus Police Emergency light bars to our department.
If granted, the light bars will be used to repair / replace old units on our patrol cars.

Thank you for your consideration in this matter.

Respectfully

Chief Ray Horn

2013-177

2013-178



MUNICIPAL WORKERS COMPENSATION FUND, INC.

P.O. Box 1270 • 535 ADAMS AVENUE • MONTGOMERY, AL 36102
334-263-2566 • FAX 334-263-0200
CLAIMS 1-888-736-0210

LEON SMITH
Mayor, Oxford
President

PHIL SEGRAVES
Mayor, Guin
Vice President

TOM HENBERSON
Mayor, Center Point
Director

BILLY BLACKWELL
Mayor, Oak
Director

DOH MOORE
Councilmember, Uniontown
Director

KAY SMITH
General Manager

STEVE MARTIN
Operations Manager

DATE: October 28, 2013
TO: Members of MWCF, Inc.
FROM: Ken Smith
MWCF General Manager
SUBJECT: Premium Discounts for the 2014 Fund Year

The Board of Directors of the Municipal Workers Compensation Fund, Inc. (MWCF) met on October 16th and has approved premium discounts for those members that commit to certain safety guidelines, establish a medical protocol and adopt a drug and alcohol testing program that is fourth amendment compliant. The previous document known as the Statement of Commitment has been revised for 2014 and is now titled SAFE WORKPLACE GUIDELINES. A three (3) percent discount will be given for each program. Members that adopt all three programs will receive a ten (10) percent discount instead of the nine (9) percent. For this past year, 56% of MWCF members took advantage of the 10% discount! For those members who have adopted a medical protocol and/or a drug and alcohol testing program in prior years no action needs to be taken to receive the discounts for these programs. However, all members must complete the 2014 Safe Workplace Guidelines and return it by December 1, 2013 to have that discount reflected on the initial 2014-2015 Estimated Billing being mailed in December. We encourage each member to review the enclosed document(s) carefully. Please make a copy for your file and then required forms should be returned to MWCF at the above address or faxed to 334-263-0200 by December 1. No premium discount will be issued after February 1, 2014 for Safe Workplace Guidelines received after that date.

If your municipality or municipal entity does not presently participate in the Drug and Alcohol testing program or have a Medical Protocol on file, that information has also been enclosed for your review.

For more details, see the article in the Fall 2013 issue of Risk Management Solutions mailed to you last month or download at www.mwcf.org.

TRAINING AND PROCEDURES

- 9. Issue safety equipment when 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.
10. 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.
11. Consider providing CPR/AED and first aid training to employees.
12. 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.
13. Evaluate all excavations to insure proper trenching and shoring procedures are in place and provide employee training on the proper use of excavating equipment.
14. All part-time, seasonal and temporary employees should comply with the same safety standards and policies as permanent employees.
15. As violence in the workplace is increasing annually, consider implementing a Workplace Violence policy.

MOTOR VEHICLES

- 16. 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.
17. 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 Assoc. 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 http://bookstore.tranportation.org/.
18. 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.
19. 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 any non-job essential electronic device while driving.

POLICE DEPARTMENTS (WHERE APPLICABLE)

- 20. Consider requiring that all Police Officers wear bullet resistant vests and wear reflective vests when involved in traffic control duty.
21. Implement a written police and jail procedure manual (where applicable) with rules and regulations updated periodically.
22. Consider utilizing available law enforcement training aids such as the Fire Arms Training System (FATS) available through MWCF.
23. Consider providing coverage for all volunteer firemen and reserve police officers through MWCF.

Number of non-elected paid employees 235 +/-

SAM GASTON
Mayor or Chief Executive Officer (Please Print)

Sam Martin
Mayor or Chief Executive Officer (Signature)

City of Mountain Brook, Alabama
Municipality or Agency

David G. Kennedy

Safety Coordinator (Please Print)
David G. Kennedy

Safety Coordinator (Signature)

Date November 26, 2013

A safety meeting to discuss these Safe Workplace Guidelines should be held with all department heads as soon as possible once it has been 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.

BOTH PAGES OF FORM MUST BE SUBMITTED TO MWCF BY FEBRUARY 1, 2014 TO BE ELIGIBLE FOR PREMIUM DISCOUNT

APPENDIX 3



MUNICIPAL WORKERS COMPENSATION FUND

2014 SAFE WORKPLACE GUIDELINES

Name of Municipality or Agency: City of Mountain Brook, Alabama

Name of Safety Coordinator: David Kennedy Email Address: kennedyd@cnbrook.org

Safety Coordinator Phone Number: (205) 802-3833 Fax Number: (205) 874-0453

The undersigned hereby confirms to the Municipal Workers Compensation Fund, Inc., our intent to implement the following safety standards relevant to our municipal entity:

GENERAL SAFETY GUIDELINES

- 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 loss run reports that are mailed to each member quarterly. 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.mwcf.org. Confer with any employee who has filed two more or more claims in a 12 month period as to how their job can be made safer.
6. Provide a safety orientation for all new employees on how to do job tasks safely and document that this has been done.
7. 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.

Our designated doctor or medical group is: Alabama Comp (Dr. Rocco) (Must be completed)

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

BOTH PAGES OF FORM MUST BE SUBMITTED TO MWCF BY FEBRUARY 1, 2014 TO BE ELIGIBLE FOR PREMIUM DISCOUNT

2013-179



MUNICIPAL WORKERS COMPENSATION FUND, INC.

P.O. Box 1270 • 535 ADAMS AVENUE • MONTGOMERY, AL 36102
334-262-2566 • FAX 334-263-0200
CLAIMS 1-888-736-0210

LEON SMITH
Mayor, Oxford
President

PHIL SEGRAVES
Mayor, Guin
Vice President

TOM HENDERSON
Mayor, Center Point
Director

BILLY BLACKWELL
Mayor, Ozark
Director

DON MOORE
Councilmember, Uniontown
Director

KEN SMITH
General Manager

STEVE MARTIN
Operations Manager

DRUG TESTING PROGRAM FOR PREMIUM DISCOUNT

RE: 2014 Post-Accident Drug Testing Program

Dear MWCF Member:

The Municipal Workers Compensation Fund, Inc. (MWCF) is offering a separate three (3%) percent discount to those members who have a post-accident drug testing program and have had such program certified by their attorney to be Fourth Amendment compliant. This certification is necessary due to Federal Court decisions restricting municipalities and municipal entities from conducting post-accident drug testing. In addition to the three (3%) percent discount, the Municipal Workers Compensation Fund, Inc. will pay up to \$32.00 for each lost time post-accident drug test.

To qualify, each MWCF member must do the following:

1. Sign and return the "Participating Commitment for Fourth Amendment Compliant Post-Accident Drug and Alcohol Testing" and
2. Have the municipality or municipal entity's legal counsel certify that the current member's drug and alcohol policy is Fourth Amendment compliant.

If you have received this memo and enclosed Drug Testing Program Form, it indicates that we do not have a current document on file to issue this discount.

To receive the benefit of the discount on your 2014 premium and payment of post-accident drug testing, please sign the enclosed "Participating Commitment" and have your legal counsel sign the "Certification Section" by December 1, 2013 and return to the following:

Municipal Workers Compensation Fund, Inc.
P.O. Box 1270
Montgomery, AL 36102
Or FAX to 334-263-0200

Municipal Workers Compensation Fund

Participating Member Commitment for Fourth Amendment Compliant Post-Accident Drug and Alcohol Testing

The undersigned member desires to commit to the Municipal Workers Compensation Fund that they will endeavor to implement a 4th amendment compliant post-accident drug and alcohol testing program. The undersigned member agrees to certify through said member's legal counsel that said participating member's post-accident drug and alcohol testing program complies with and is not in violation of the 4th Amendment of the United States Constitution. The Municipal Workers Compensation Fund shall grant to the participating member an annual premium discount as determined by the Municipal Workers Compensation Fund's Board of Directors and pay up to \$32.00 on all lost time post-accident drug and alcohol testing for complying with the certification requirement of this program.

Entity Name: City of Mountain Brook, Alabama Date: November 26, 2013
 By: Sam Gaston Title: City Manager
 Printed Name: Sam Gaston Printed Title: City Manager
 Witness: Steven Boone
 Steven Boone, City Clerk

Certification of Fourth Amendment Compliant Drug and Alcohol Testing Program

This is to certify that the drug and alcohol testing program of City of Mountain Brook, Alabama (entity) in my legal opinion complies with the requirements of the 4th Amendment of the United States Constitution.

Legal Counsel: [Signature] Date: November 25, 2013

Form # PADA100

Revision Date 12/2013



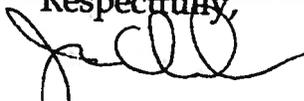
Mountain Brook Police Department
Chief Ted Cook
101 Tibbett Street
Mountain Brook, Alabama 35213
Phone: 205.802.3852
Fax: 205.802.2415

To : Chief Cook
From : Lt. J. Williams
Date : November 19, 2013
Subject : Variable Message Sign Trailers

We recently requested bids on VMS Trailers from three vendors: MPH, Kustom Signals, and Decatur Electronics. We did not receive a bid from Decatur Electronics. Kustom Signals submitted the low bid at \$33,480.00 for two SMART VMS III Trailers, including shipping. MPH bid \$38,240.00 for two MPH Industries Three Line Speed Monitor Full Matrix Message Trailers. Both units meet our bid specifications.

I recommend we accept the low bid from Kustom Signals. The bid amount is below our budgeted amount.

Respectfully,



Lt. J.C. Williams

Copies : Captain G. Hagood, Lt. C. Clark, File

APPENDIX 5



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION Confirmation Number: 20131121142907528



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION Confirmation Number: 20131121142907528



Type License: 020 - RESTAURANT RETAIL LIQUOR State: 02000 County: 02000
Type License: State: County:
Trade Name: BRICK AND TIN Filing Fee: \$50.00
Applicant: BRICK AND TIN LLC Transfer Fee:
Location Address: 2901 CAHABA ROAD MOUNTAIN BROOK, AL 35223
Mailing Address: 14 STONEHURST GREEN BIRMINGHAM, AL 35213
County: JEFFERSON Tobacco sales: NO Tobacco Vending Machines:
Sales of Products Containing Ephedrine: NO Type Ownership: LLC
Book, Page, or Document Info: LR201314 6160 Do you sell Draft Beer: Y
Date Incorporated: 05/20/2013 State incorporated: AL County incorporated: JEFFERSON
Date of Authority: 05/20/2013 Alabama State Sales Tax ID: R008580332

Table with 4 columns: Name, Title, Date and Place of Birth, Residence Address. Row 1: MAURICIO SILVIO PAPAPIETRO, 01/12/1979, BIRMINGHAM, AL, 14 STONEHURST GREEN BIRMINGHAM, AL 35213

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: MAURICIO PAPAPIETRO Home Phone: 205-637-1720
Business Phone: 205-297-8836 Cell Phone: 205-266-0103
E-mail: MAURICIO@BRICKANDTIN.COM
PREVIOUS LICENSE INFORMATION: Previous License Number(s)
Trade Name: License 1:
Applicant: License 2:

If applicant is leasing the property, is a copy of the lease agreement attached? YES
Name of Property owner/lessor and phone number: IRON ART INCORPORATED 205-262-2676
What is lessors primary business? INSURANCE
Is lessor involved in any way with the alcoholic beverage business? NO
Is there any further interest, or connection with, the licensee's business by the lessor? NO
Does the premise have a fully equipped kitchen? YES
Is the business used to habitually and principally provide food to the public? YES
Does the establishment have restroom facilities? YES
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES
Will the business be operated primarily as a package store? NO
Building Dimensions Square Footage: 2700 Display Square Footage:
License Structure: ONE STORY License covers: ENTIRE STRUCTURE
Number of licenses in the vicinity: 6 Nearest: 1
Nearest school: 4 blocks Nearest church: 3 miles Nearest residence: 3 blocks
Location is within: CITY LIMITS Police protection: CITY

Table with 4 columns: Name, Violation & Date, Arresting Agency, Disposition. Includes a vertical label 'APPENDIX 6' on the right side.



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION Confirmation Number: 20131121142907528



CITY OF MOUNTAIN BROOK
P. O. Box 130009
Mountain Brook, Alabama 35213-0009
Telephone: 205.802.2400
Facsimile: 205.879.6913
www.mtnbrook.org

Initials and 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.
In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.
In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.
In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.
In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.
In accordance with Alabama Rules & Regulations 20-X-5-01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.
The undersigned agrees, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.
The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.
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 requested.
Applicant Name (print): Mauricio Papapietro
Signature of Applicant: [Signature]
Notary Name (print): Valencia Johnson
Notary Signature: [Signature]
Commission expires: 1-4-14
Application Taken: 11/21/13 App. Inv. Completed: 11/21/13 Forwarded to District Office: 11/21/13
Submitted to Local Government: 11/21/13 Received from Local Government:
Received in District Office: 11/21/13 Reviewed by Supervisor: Forwarded to Central Office:

November 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 November 25, 2013, City Council meeting recommending the issuance of a 020 - Restaurant Retail Liquor license to:
Brick and Tin, LLC
2901 Cahaba Road
Mountain Brook, AL 35223
If you have any questions, please call me at 802-3825.
Sincerely,
Steven Boone
Steven Boone
City Clerk
Enclosure
c: Mauricio Papapietro (mauricio@brickandtin.com) 205/266-0103