The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 6:15 p.m. on the 26th day of August, 2019. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
        William S. Pritchard III, Council President Pro Tempore
        Philip E. Black
        Lloyd C. Shelton
        Alice B. Womack
        Stewart Welch III, Mayor

Absent: None

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

1. **AGENDA**

   1. Feral cat issues in Crestline—John Allen Roberts of 704 Euclid Avenue (Appendix 1). Also present who were in attendance to express their concern about the feral cats were four neighbors including Jeremy Herskowitz and Alex Mattheyses of 120 Fairmont Drive. It was suggested that Council members Black and Shelton and Police Chief Cook meet to develop a plan to address the issues raised by the residents.

   2. Transit system update—Richard Goldstein

   3. Concerns about low hanging utility lines on Salisbury Road—Robert Walthall (Appendix 2). The City Manager shall continue to press the utility providers to clean-up the low hanging lines and other issues and make contact with the Public Service Commission to seek their assistance in the matter considering the City’s has no authority over the easements or utility providers.

   4. Review of the other matters to be considered at the formal (7 p.m.) meeting. Resolution No. 2019 and Motion Mo. 2019-121 were added to the formal meeting agenda.

2. **ADJOURNMENT**

   There being no further matters for discussion, Council President Smith adjourned the meeting at approximately 7 p.m.

3. **CERTIFICATION**

   I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct synopsis of the discussion from the work session of the City Council of the City of Mountain Brook, Alabama held at City Hall, Pre-Council Room (A106) on August 26, 2019, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that no formal action or votes were conducted at said work session.

[Signature]
City Clerk
Approved by City Council September 9, 2019
ARTICLE I. IN GENERAL.

Sec. 6-1. Noisy animals or fowl.

It shall be unlawful to confine, harbor or keep on a lot, place or premises any animal or fowl that habitually, continuously or intermittently makes or emits sounds or noises of such volume, nature, or extent so as to be a public nuisance by reason of being obnoxious or annoying to the ordinary persons in that neighborhood.

(Code 1966, § 3-1; Ord. No. 50, § 40)

Sec. 6-2. Wild animals.

(a) Keeping or harboring.

(1) Prohibited. It shall be unlawful for any person to keep or harbor at any place within the city any wild animal, regardless of the age or size of such animal, and regardless of whether or not such animal was born and raised in captivity.

(2) Violation. Any person violating the provisions of this section shall, upon conviction, be punished by a fine not to exceed $500.00, or by imprisonment not to exceed 90 days, or by both such fine and imprisonment.

(b) Breeding.

(1) Definition. For purposes of this subsection, the following words and their derivations shall have the meaning given herein:

Wild animal means any animal of a species that in its natural life is usually untamed and undomesticated, including animals that, as a result of their nature or wild condition, cannot be vaccinated effectively or controlled.

(2) Prohibited. Except as otherwise provided in this subsection, it shall be unlawful for any person to knowingly feed, offer food, or in any manner provide food to any wild animal in private or public property within the city limits for the purpose of attracting or harboring such animals. For purposes of this subsection, living food sources such as trees and other live vegetation shall not be considered food for wild animals. This prohibition shall not apply to any of the following:

- The feeding of wild birds or squirrels;
- Employees or agents of the city, county, state, and federal government or veterinarians who, in the course of their official duties, have wild animals in their custody or under their management;
- The feeding of food to domesticated dogs or cats that are household pets and that are owned by or whose care and feeding has been entrusted to the person providing the food;
- The provision of food to non-hazardous and not intended to attract wild animals as defined herein;
- The provision of food in connection with the hunting, trapping, or feeding of wild animals for the purposes of relocating wild animals to nonresidential areas.

(c) Violation. Persons believed to have committed an offense shall be given notice by the city or its duly authorized representative to cease and desist from or cease and desist from any activities that constitute an actual or suspected violation of subsection (b)(2) of this section. Such notice may be sent by United States mail, by personal delivery, or by other customary and generally accepted means of communication.

(d) The recipient of the notice hereof shall, upon written request, be furnished with a copy of the notice, and the person shall be guilty of a misdemeanor.


Sec. 6-3. Impoundment of stray, feral, or abandoned cats and felines.

(a) The City of Mountain Brook may impound any of its residents, including the dog wardens, animal control officers, or person serving in like capacity, or any person the city may designate or employ by the city or with whom the city may contract for such purposes, shall have the authority to take or collect by humane means and impound any cat or member of the feline family that appears to be stray, abandoned, feral, undomesticated, or unowned for based on the behavior or physical condition of the cat, and the absence of any collar, tag, license, or other means of identifying the name, address, or telephone number of the owner of the cat.

(b) If the impounded cat is not redeemed by its owner or placed with a new owner, the city or its representatives shall be authorized to euthanize and/or dispose of the cat in a manner after following the process prescribed by section 6-110 of this Code.

(c) The collection, care, and disposition of any impounded cat shall be subject to state law governing such practices, including but not limited to sterilization requirements set forth in the Code of Ala. 1975, § 3-9-2.

(d) If the impounded cat is determined by reasonable means to be infected with rabies, the cat shall be deemed a public nuisance and a danger to the health and safety of the community and shall be euthanized in a merciful manner.

(e) A cat that is trapped and impounded pursuant to subsection (a) herein may be released into the natural aspect from which it was trapped subject to the following requirements:

- The cat is determined by reasonable means to be feral or undomesticated and not suitable for adoption;
- The cat is determined by reasonable means to be healthy and without disease or infection of any kind, or falling within the purview of subsection 6-2(3) herein;
- The cat is sterilized pursuant to the sterilization limitations set forth in the Code of Ala. 1975, § 3-9-9 and other state law governing such practices;
- The cat is vaccinated for rabies, and
- The cat is marked with ear tags, a clipped ear, or other means to identify that said cat has been sterilized.

(2) The purpose of this section is to authorize and implement the humane trapping, collection, and sterilization and/or disposal of cats that are reasonably believed to be owned or under the care of any person and which, by virtue of such status and other indicia, are deemed to represent an actual or potential threat to the health, safety, and welfare of the public. Nothing herein shall be deemed to prevent the city and its employees or agents from using reasonable discretion in determining when the functions and activities hereby authorized. Nothing herein shall be interpreted or deemed to create or to impose any duty, right, or liability on the public generally or to any member thereof with respect to the collection, care, or disposition of cats impounded under the authority hereof.

(3) Ord. No. 1741, § 1, 8-27-2007)

Secs. 6-4-6-22. Reserved.

ARTICLE II. RABIES CONTROL.

Sec. 6-23. Confinement of animal that has bitten or injured a human being.

It shall be the duty of the owner or person in charge of any dog, cat or other animal, which has bitten or otherwise injured a human being to immediately notify the city clerk of such fact upon learning thereof, and it shall be the duty of such owner or person in charge to securely confine such animal, so as to prevent its escape or escape, for not less than 14 days or until such time as such animal shall have been examined by the county health officer and discharged by him from confinement.

(Code 1966, § 3-18; Ord. No. 59, § 4-3)

Secs. 6-24. Confinement of animal that is rabid or thought to be rabid.

It shall be unlawful for any person to keep, harbor or maintain on or about any place or premises a dog or other animal, which is known to have or reasonably suspected of having rabies, unless such animal is securely confined in such a manner as to effectively prevent contact with or

APPENDIX 1

Sup. No. 1

CB-23
The Mayor has been diagnosed with COVID-19, five days since his last Council meeting. The Mayor is in isolation and his Council members are now working from their respective homes. The Council is taking necessary precautions to ensure the safety of its members and the public.

In other news, the city is implementing a new policy to limit public access to City Hall. The policy requires all visitors to make an appointment in advance and to wear masks while in the building. The City Manager has also issued a statement expressing his support for the Mayor and his family.

The City Council will hold a special meeting on Monday, October 19, to discuss the Mayor’s condition and the new policy. The meeting will be held remotely and the public will be able to watch the meeting online.

The Council also approved a new budget for the fiscal year 2021-2022, which includes funding for a new community center and a new police station. The budget is expected to be finalized during the next Council meeting.

The Council concluded its meeting with a vote of confidence in the Mayor and his family.
The minutes at this address, Robert Weldall, called and said there were some loose hanging leaves behind his house and that they were at 2 1/2 feet. Also, near door to this, there are on the ground, twisted some branches. He wanted it before 3 PM.

Can you check on these lines and get them put back up. Could be unsafe, but he thought they were phone.

Sam S. Dsett
City Manager
City of Shrewsbury, Inc.
90 Church Street
P.O. Box 12669
Shrewsbury Road, N.
000-000 Phone
000-000 Fax
MINUTES OF THE REGULAR OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
AUGUST 26, 2019

The City Council of the City of Mountain Brook, Alabama met in public session in the City Hall Council Chamber at approximately 7:00 p.m. on the 26th day of August, 2019. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
         William S. Pritchard III, Council President Pro Tempore
         Philip E. Black
         Lloyd C. Shelton
         Alice B. Womack
         Stewart Welch III, Mayor

Absent: None

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

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

1. RECOGNITION OF GUEST

Council President Smith recognized Elle Warren from Boy Scout from Troop 86 in attendance for the Communications merit badge.

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 August 12, 2019, regular meeting of the City Council

2019-112 Reappoint Katie Wohlwend to the Villages Design Review Committee to service without compensation through August 23, 2022 (re: Resolution No. 2019-106) Exhibit 1, Appendix 1

2019-113 Recommend to the ABC Board the issuance of a 020 – Retail Restaurant Liquor license to Bobby Carl’s Table, 2031 Cahaba Road Suite A, Mountain Brook, AL 35223 Exhibit 2, Appendix 2

2019-114 Declare certain property surplus and authorizing its sale at public Internet auction Exhibit 3

2019-115 Award the bid for the purchase of a storage building for use by the Police Department at the target range Exhibit 4, Appendix 3

2019-116 Authorize the execution of an agreement between the City and Kادco, LLC with respect to public improvements to be constructed along Poe Drive Exhibit 5, Appendix 4

2019-117 Authorize the display of a plant stand in the right-of-way by Leaf ‘n Petal Exhibit 6, Appendix 5
2019-118  Authorize the establishment of a checking account for the 10 cent state gasoline taxes  Exhibit 7

2019-119  Approve the tentative fiscal year 2020 street resurfacing list  Exhibit 8

2019-120  Award the bid for the purchase and maintenance of chest compression devices (B-20190724-536) submitted by Henry Schein Incorporated  Exhibit 9, Appendix 6

2019-121  Authorize the expenditure of $1,250 payable to Walter Schoel Engineering to review the roundabout project drainage plans

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

Ayes:  Virginia C. Smith, Council President
       William S. Pritchard III, Council President Pro Tempore
       Philip E. Black
       Lloyd C. Shelton
       Alice B. Womack

Nays:  None

Council President Smith thereupon declared that said minutes, resolutions (Nos. 2019-112 through 2019-120) and motion (No. 2019-121) are adopted by a vote of 5—0 and as evidence thereof she signed the same.

3.  PUBLIC HEARING TO CONSIDER AN ORDINANCE REZONING THE PROPERTY ALONG FAIRHAVEN DRIVE REGARDING THE OVERTON VILLAGE TOWNHOMES (APPENDIX 7)

Council President Smith introduced the ordinance in writing and invited comments from the applicant or representative thereof.

Tommy Brigham of 2548 Ashford Place, 35243 representing the applicant Ron Durham, stated that the applicant wishes to continue the public hearing until the September 9, 2019 meeting of the City Council.

There being no further comments or discussion, Council President Smith called for a motion. Council member Black moved that the public hearing be continued until September 9, 2019. The motion was seconded by Council President Smith and was unanimously carried, as follows:

Ayes:  Virginia C. Smith, Council President
       William S. Pritchard III, Council President Pro Tempore
       Philip E. Black
       Lloyd C. Shelton
       Alice B. Womack

Nays:  None

Council President Smith declared the motion carried by a vote of 5—0.

4.  PUBLIC HEARING: CONSIDERATION AN ORDINANCE AMENDING THE LANE PARKE PLANNED UNIT DEVELOPMENT (PUD) MASTER DEVELOPMENT PLAN WITH RESPECT TO DRIVE-THROUGHS (EXHIBIT 10, APPENDIX 8)
Council President Smith introduced the ordinance in writing and invited opening comments from the developers' representatives.

Mel McElroy of 1901 6th Avenue North, Suite 2400, representing the applicant, Evson, Inc.:
- After hearing the comments from the community, elected officials, City Attorney and City Planner Hazen at the August 12, 2019, public hearing, the applicant requests a continuance of the public hearing until September 23, 2019
- The applicants intends to amend the PUD language to clarify or amend the following:
  1) the proposed drive-through in the Treadwell block will not include either food or coffee shop as a permitted use (permitted uses shall include a bank, pharmacy or dry cleaners)
  2) Skipper Consulting is performing further traffic analysis the report of which will be available for the next public hearing

There being no further comments or discussion, Council President Smith called for a motion. Council member Black moved that the public hearing be continued until September 23, 2019. The motion was seconded by Council President Smith and was unanimously carried, as follows:

Ayes: Virginia C. Smith, Council President
       William S. Pritchard III, Council President Pro Tempore
       Philip E. Black
       Lloyd C. Shelton
       Alice B. Womack

Nays: None

Council President Smith declared the motion carried by a vote of 5—0.

5. ANNOUNCEMENTS

The next regular meeting of the City Council will be September 9, 2019, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

The City Council shall conduct an open work session concerning the proposed budget for the year ending September 30, 2020, on August 29, 2019, starting at 8:00 a.m. in the Room A106 of City Hall located at 56 Church Street, Mountain Brook, AL 35213. Just prior to the budget work session, the City Council shall convene in executive session to discuss a matter involving a real estate negotiation.

6. ADJOURNMENT

There being no further business to come before the City Council, Council President Smith adjourned the meeting at approximately 7:05 p.m.

7. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the regular meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A108) on August 26, 2019, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

[Signature]
City Clerk

Approved by City Council September 9, 2019
EXHIBIT 1

RESOLUTION NO. 2019-112

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Katie Wohlwend is hereby reappointed to the Village Design Review Committee, to serve without compensation, through August 23, 2022 (re: Resolution No. 2019-109 adopted August 12, 2019).

APPENDIX 1

EXHIBIT 2

RESOLUTION NO. 2019-113

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 Bobby Carl’s, LLC (trade name: Bobby Carl’s Table), 2031 Cahaba Road, Suite A, 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 2

EXHIBIT 3

RESOLUTION NO. 2019-114

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:

Description

Public Works
- 2006 Ford F-150 XLT VIN#1FTPX14V46NB26864, Asset No. 13343
- 2006 Ford F-150 Lariat VIN#1FTPX14V06NB18258, Asset No. 13344
- 2005 Ford Crown Victoria VIN#2FAFP74W15X138951, Asset No. 13166
- 2003 Chevrolet S-10 VIN#1GCSS19X33188760, Asset No. 1197
- 2008 Dodge Dakota VIN#1D7HW48N58S638744, Asset No. 13632
- 2004 Case 95xt Skid Steer VIN#1C86284-4JAF386284, Asset No. 13028
- 2007 Polaris Ranger VIN#4XARF68A07D045083, Asset No. 13487
- 2006 Ford F-550 VIN#1FFADAW56P57EB21619, Asset No. 13481
Police Department
- 2009 Smart Car VIN#WMEEJ31X79K296220, Asset No. 13851
- 2016 Chevrolet Tahoe VIN#1GNLCDEC6GR338160, Asset No. 14704
- 2014 Chevrolet Tahoe VIN#1GNLC2E04ER210636, Asset No. 14410
- 2014 Chevrolet Tahoe VIN#1GNLC2E08ER212339, Asset No. 14408
- 2006 Dodge Durango VIN#1D8HB38N16F145862, Asset No. 13331
- 2006 Honda Civic VIN#2HGFG12616H560872, Asset No. 14824
- 2014 Chevrolet Tahoe VIN#1GNLC2E01ER213574, Asset No. 14409

Section 2. That the City Manager, or his designated representative, is hereby authorized and directed to sell said property by way of public Internet auction.

EXHIBIT 4

RESOLUTION NO. 2019-115

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the bid for the purchase and installation of a Conex storage building for the Police Department target range (B-20190719-534) submitted by Falcon Structures is hereby accepted having been determined to meet specifications and to represent the best and lowest bid.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the Mayor or City Manager of the City is hereby authorized and directed to issue a purchase order and to execute such other documents that may be determined necessary with respect to said purchase.

APPENDIX 3

EXHIBIT 5

RESOLUTION NO. 2019-116

WHEREAS the City Council previously authorized the expenditure of $20,000 in conjunction with certain public improvements to be installed along Poe Drive in Mountain Brook, Alabama by a private developer (Resolution No. 2019-089, dated June 24, 2019); now, therefore,

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the Mayor or City Manager is hereby authorized and directed to execute, for and on behalf of the City Council, a Development Contract for Improvements Along Poe Drive, in the form as attached hereto as Exhibit A.

APPENDIX 4

EXHIBIT 6

RESOLUTION NO. 2019-117

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the placement by Leaf & Petal of 2817 Cahaba Road of a metal plant display in the right-of-way at the corner of Cahaba Road and Canterbury Road alley (as more fully described in Exhibit A attached hereto) subject to the conditions outlined in said Exhibit A.

APPENDIX 5
RESOLUTION NO. 2019-118

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes establishment of an interest-bearing checking account for the recently enacted 10 cent gasoline tax.

BE IT FURTHER RESOLVED that the City Council of the City of Mountain Brook, Alabama hereby authorizes the execution of an Account Agreement and such documents determined necessary by the financial institution.

EXHIBIT 8

RESOLUTION NO. 2019-119

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby approves the proposed street paving/resurfacing list for fiscal 2020 under the City’s 3-year street resurfacing contract (see Resolution No. 2017-058 adopted May 8, 2017) as follows:

- Glencoe Circle
- Glenview Circle
- Crestview Drive
- Crestwood Drive
- Sheridan Place
- Delmar terrace
- Sheridan Drive
- Crestview Circle
- Oak Canyon Drive
- Oak Canyon Circle

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama that the cost of said paving projects shall be paid from the State of Alabama gasoline tax revenues along with supplemental funds transferred thereto from the General Fund as necessary.

EXHIBIT 9

RESOLUTION NO. 2019-120

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the bid for the purchase and maintenance of chest compression devices (B-20190724-536) for the Fire Department submitted by Henry Schein Incorporated is hereby accepted having been determined to meet specifications and to represent the best and lowest bid.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the Mayor or City Manager of the City is hereby authorized and directed to issue a purchase order and to execute such other documents that may be determined necessary with respect to said purchase.

APPENDIX 6
ORDINANCE NO.  

AN ORDINANCE AMENDING THE LANE PARKE PUD

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

1. Development Standards. The Master Development Plan and the materials submitted by the applicant, as required by Section 129-265 of the Mountain Brook City Code, as approved upon the adoption of Ordinance 1871 dated May 21, 2012 are hereby amended to include the changes specified as attached hereto.

2. Description of Affected Property. The property that is the subject of the rezoning approved by this ordinance is described as follows:

A parcel of land being situated in the Northeast quarter of the Northwest quarter and the Southeast quarter of the Northwest quarter of Section 8, Township 18 South, Range 2 West, more particularly described as follows:

Begin at the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 8, Township 18 South, Range 2 West; being the Point of Beginning; thence run Northerly along the West line of said Quarter - Quarter a distance of 665.12 feet; thence right 91°-08'-04" a distance of 1325.11 feet; thence right 88°-58'-55" a distance of 74.22 feet; thence right 37°-49'-05" a distance of 736.41 feet; thence right 52°-46'-30" a distance of 62.37 feet; thence right 00°-14'-22" a distance of 179.92 feet; thence left 90°-58'-32" a distance of 355.39 feet; thence right 88°-43'-29" a distance of 24.53 feet; thence left 87°-29'-35" a distance of 139.13 feet; thence right 89°-27'-49" a distance of 14.61 feet; thence left 117°-30'-00" a distance of 175.92 feet; thence right 84°-32'-17" a distance of 46.85 feet; thence tangent to a curve to the left having a radius of 1243.26 feet and a central angle of 9°-20'-05" along the curve an arc distance of 202.55 feet; thence right 62°-49'-52" from the tangent of said curve a distance of 329.33 feet; thence tangent to a curve to the left having a central angle of 18°-00'-50" and a radius of 66.12 feet an arc distance of 20.79 feet; thence left 2°-03'-01" to the tangent of a curve to the left having a central angle of 34°-34'-36" and a radius of 60.77 feet, an arc distance of 36.67 feet; thence continue from the tangent of said curve a distance of 45.64 feet; thence right 90°-00'-00" a distance of 119.49 feet; thence right 33°-25'-36" a distance of 245.11 feet; thence right 0°-00'-42" a distance of 377.82 feet to the Point of Beginning.

Said Parcel contains 27.59 acres more or less.

3. Repealer. All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

4. Severability. 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.

5. Effective Date. This ordinance shall become effective immediately upon adoption and publication as provided by law.
WORK EXPERIENCE

KW Design (winter 2014 - present)
Owner & Designer
Specializing in branding systems and custom graphic design services

Crons Inc., Massachusetts Institute of Technology, Fries + Gourmet Popsicles,
Robins & Morton, US Assurance, Here Wynn Newell & Newton,
Ronald McDonald House of Jacksonville, Greater New Orleans Foundation

IT Rockstars (fall 2011 - winter 2014)
Lead Graphic Designer
Print and web design, responsibilities included:
- Complete creative direction from logo and branding systems to user experience design including all web-creative for client projects
- Clients included Express Oil Change, Bookies-A-Million, Iron Tribe Fitness
- Familiarized with and prepared files for development within .NET platform

Panorama Public Relations (summer 2010 - fall 2011)
Creative Director
Print and web design, responsibilities included:
- Designed and directed branding and design for national clients
- Managed design teams for several clients
- Developed visual identity systems for new clients

The Basking Design Group (spring 2009 - spring 2010)
Graphic Designer
Print and web design, responsible for projects distributed nationwide
- Clients included Cerner Pharmaceuticals, Royal Cup Coffee and Vailmount Newmark
- Developed advanced Photoshop techniques and skills

The Samford Crimson (fall 2008 - spring 2010)
Art Director
Infographics and advertising design, page layout

TECHNICAL SKILLS

Strong working knowledge of both Macintosh and PC platforms.
Adobe Photoshop, InDesign, Illustrator, Dreamweaver, Flash, Acrobat, Bridge,
Fireworks; Microsoft PowerPoint and Word.

Knowledgeable and capable of HTML, CSS, and Wordpress.
BID TABULATION AND RECOMMENDATION
BID NUMBER B-20190719-534
CITY OF MOUNTAIN BROOK
CONEX STORAGE BUILDING

Four bids were received on August 15, 2019 by 10:00 am at Mountain Brook City Hall.

Falcon Structures $15,455.00
Decatur Container Sales and Rental $18,230.00
Mobile Mini $16,602.00
Mobile Mini Alternate Bid $16,832.00

It is my recommendation to award the bid to Falcon Structures.

Lt. Jason Carmack
Patrol Division Commander
Mountain Brook Police Dept.

It is my recommendation to award the bid to Falcon Structures.

It is my recommendation to award the bid to Falcon Structures.

J:\Minutes & Agendas\Council\2019\20190826 Minutes.doc August 26, 2019
APPENDIX 4
resulting from (i) any acts, omissions, conduct or condition of either the General Contractor or the Developer in performing or failing to perform the Work, (ii) the General Contractor's or the Developer's breach of any representation, warranty, covenant, agreement or undertaking set forth in or implied by this Contract, (iii) any violation of laws or regulations, (iv) any claims or demands, actions, suits, losses, expenses or liabilities of any kind, nature or description against or in respect of the Work, or (v) any claim for personal injury or death resulting from the Work or any part thereof.

13. Indemnification. In the event of any claims, suits, actions, losses, expenses or liabilities arising out of or in any manner relating to the Work, the Developer shall indemnify, defend and hold harmless the General Contractor and its respective officers, directors, agents, employees, officers, agents, employees, consultants, contractors, suppliers, subcontractors, and all persons, firms or corporations acting on behalf of the General Contractor against any and all claims, suits, actions, losses, expenses or liabilities.

14. Governing Law. This Agreement shall be interpreted, construed and governed by the laws of the State of Alabama.

15. Severability. If any provision of this Contract is determined to be void, invalid or unenforceable, such provision shall be deemed severable and the remaining provisions shall remain in full force and effect.

16. Entire Agreement. This Contract contains the entire agreement between the parties and supersedes all prior negotiations, understandings, agreements or representations relating to the subject matter hereof.
Chief Mullins,

Bids were submitted to the City by both Henry Schein Incorporated and Stryker Sales Corporation for BID # B-20190724-536 (Supply and Maintain Automated Chest Compression Devices). After careful review of both bids, it is my recommendation that the City award the contract to Henry Schein Incorporated based on a total bid of $28,977.00 and ability to meet the specifications without exceptions. Stryker Sales Corporation's total bid was an additional $6,225.00 ($35,202.00 after trade-in of two old Zoll devices). Stryker's bid was also without exceptions.

Stacey L. Cole  
Deputy Chief / Emergency Operations  
Mountain Brook Fire Department  
Office: (205) 902-3831  
Cell: (205) 438-2369  
Email: Coles@mbf俱k.org
I would like to begin by thanking you for your time and attention. As you are aware, the Overton Village Development is currently under review by the City of Nashville. I am writing to express my support for this project and to share some of my thoughts on its potential impact.

Overton Village is a mixed-use development that includes residential, commercial, and recreational spaces. The project is expected to bring new life to the area, creating jobs and attracting residents to the neighborhood. As a resident of the area, I believe that the Overton Village Development will be a valuable addition to our community.

However, it is important to consider the potential impact of this development on traffic congestion. As the population grows, we must ensure that our infrastructure can accommodate the increased demand. The project should include plans for additional parking and public transportation options to reduce traffic congestion.

I encourage the city to work with the developers to ensure that the Overton Village Development is developed in a way that is sensitive to the needs of our community. This includes the provision of adequate traffic management measures to mitigate any negative impacts.

In conclusion, I believe that the Overton Village Development has the potential to significantly enhance our community. Let us work together to ensure that it is developed in a way that benefits everyone.

Sincerely,
[Your Name]
Proven Conditions - 2017

Land Uses:
- Previously planned land uses (2006) and modified planed land uses (2017) are listed below:

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Condominiums</td>
<td>62 units</td>
</tr>
<tr>
<td>Office Space</td>
<td>6,400 sq ft</td>
</tr>
<tr>
<td>Specialty Stores</td>
<td>16,200 sq ft</td>
</tr>
<tr>
<td>Proposed Land Uses (2017)</td>
<td>41 units</td>
</tr>
</tbody>
</table>

Trip Generation:
- The trip generation estimates were determined for the proposed 2017 conditions based on data contained in the Trip Generation Manual, 2012 Edition, as published by the Institute of Transportation Engineers (ITE). Morning and afternoon peak hour trip generation estimates for the 2017 conditions are presented in Table 2. Also, trip generation of the proposed 2006 study conditions are presented in Table 3 for comparison.

<table>
<thead>
<tr>
<th>Table 2: Proposed 2017 Trip Generation Estimates (ITE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Condominiums</td>
</tr>
<tr>
<td>Office Space</td>
</tr>
<tr>
<td>Specialty Stores</td>
</tr>
<tr>
<td>Proposed Land Uses (2017)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 3: Proposed 2006 Trip Generation Estimates (ITE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Condominiums</td>
</tr>
<tr>
<td>Office Space</td>
</tr>
<tr>
<td>Specialty Stores</td>
</tr>
</tbody>
</table>

As included in Tables 2 and 3, the proposed revised 2017 development land uses would generate substantially more traffic compared to the previous 2006 conditions.

Traffic Impact Study

Overton Village
Mountain Brook/Vestavia Hills, Alabama

Prepared by: Leitman, Ware & Bick
Prepared for: Overton Village

July 2006

APPENDIX 7
BACKGROUND INFORMATION

The proposed mixed use development is to be located in four buildings. Building One and Four would be located north of Overton Road between Pine Drive and Pathfinder Drive. Building Three would be located on the west side of Pathfinder Drive north of Overton Road. Access to Building One and Four will be from an access drive that extends between Pine and Pathfinder. Access to Building One will be from directly from Pathfinder Drive. The site plan is illustrated in Appendix A.

Study Area Boundaries

In the vicinity of the proposed development, Overton Road is a two-lane roadway with a posted speed limit of 30 miles per hour. Pathfinder Drive is a local street located on the west side of Overton Road. Pine Drive is a local street located on the east side of Overton Road. The proposed development is located near the eastern property line. Pine Drive and Pathfinder Drive intersect Overton Road and Pathfinder Drive intersect Overton Road near the north spring line intersection approximately twenty-five hundred feet apart and will be referred to as the study intersection.

EXISTING TRAFFIC CONDITIONS

Existing Traffic Volumes

Tolling movement traffic counts were conducted at the intersections of Overton Road and Pine Drive and Overton Road and Pathfinder Drive on Thursday June 29, 2006 from 7:30 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. Existing peak hour tolling movement traffic volume are summarized in Table 1. Complete tolling movement count data is provided in Appendix B.

APPENDIX B

Tolling movement count data is provided in Appendix B.
## FUTURE TRAFFIC CONDITIONS

### Trip Generation Estimates

Traffic volumes expected to be generated by the proposed road use development were estimated according to information outlined in Trip Generation, Seventh Edition, published by the Institute of Transportation Engineers. Trip generation estimates were based on the land use of residential concentration, offices, and specialty retail. Morning and afternoon peak hour trip generation estimates and travel times are summarized in Table 1.

### Capacity Analysis

Capacities are summarized in Table 2. Capacity analysis for future conditions are provided in Appendix D. As noted in Figure 2, the northbound approach to the intersection of Overton Road and Pine Drive and the southbound approach to the intersection of Overton Road and Pine Drive will continue to experience unacceptable levels of service during the afternoon peak period. Additionally, the southbound approach to the Overton Road and Pine Drive intersection will experience unacceptable levels of service during the afternoon peak period.

### Left-Turn Lane Warranty Guidelines

The need for left-turn lanes at the study area intersections were evaluated using methods outlined in the Intersection Dimensions Design Guide, Report 279, published by the Transportation Research Board. According to the design guide, the following guidelines are used for the addition of a left-turn lane:

- **Left-turn lanes should be considered at all median cross-overs or divided, high-speed highways.**
- **Left-turn lanes should be provided at all unsignalized, i.e., through approaches of primarily high-speed rural highway intersections.**
- **Left-turn lanes are recommended for approaches to intersections for which the combination of through, and turning volumes exceeds the warrants outlined in TID Report 279.**
- **Left-turn lanes on divided or secondary approaches should be provided based on the analysis of capacity and operations of the unsignalized intersection.**

### Table 1

#### Trip Generation Estimates

<table>
<thead>
<tr>
<th>Category</th>
<th>Morning Peak Hour</th>
<th>Afternoon Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specialty Retail</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 2

#### Capacity Analysis

<table>
<thead>
<tr>
<th>Category</th>
<th>Morning Peak Hour</th>
<th>Afternoon Peak Hour</th>
</tr>
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<tbody>
<tr>
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<td></td>
</tr>
<tr>
<td>Specialty Retail</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Appendix D

The analysis of future conditions was based on the following estimated future traffic volumes and provision of an additional left-turn lane on Overton Road at the intersection of Pine Drive. Results of the analysis are summarized in Table 1 and Figure 2.
CONCLUSIONS

Based upon the analyses and evaluations presented in this report, the following conclusions can be stated:

1. Access to buildings One, Two, and Four of the mixed-use development will be from an access road that will extend from Fox Drive to Fairhaven Drive. Access to building Three will be directly from Fairhaven Drive.

2. Existing conditions traffic analysis indicates the northbound approach to the Overton Road and Fox Drive intersection and the southbound approach to Overton Road and Fairhaven Drive is currently experiencing unacceptable levels of service during morning peak period.

3. The proposed mixed-use development is expected to generate approximately 75 new trips during the morning peak hour and 166 new trips during the afternoon peak hour.

4. Analyzes indicate that accommodates the proposed planned unit development, an outbound and a local lane should be constructed on Overton Road at its intersection with Fox Drive.

5. Future conditions capacity analysis indicates the study area intersections would operate at acceptable levels of service during the morning peak period with the proposed development traffic volume in place and the proposed roadway improvement in place. The northbound approach to the Overton Road and Fox Drive intersection and the southbound approach to the intersection of Overton Road and Fairhaven Drive will continue to experience unacceptable levels of service during the afternoon peak period. Additionally, the southbound approach to the Overton Road and Fox Drive intersection will experience unacceptable levels of service during the afternoon peak period. The unacceptable levels of service at

APPENDIX 7
ORDINANCE NO.

AM ORDINANCE AMENDING THE LAKE PARKS PUD

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

1. Amendments to Zoning. The City Council hereby amends the Ordinance as amended by Resolution No. 2019-02 adopted on December 12, 2019, as follows:

2. Zone Designation. The property shall be designated as "Zone F/1", as shown on the development plan attached to this Ordinance and approved by the City Council on February 25, 2021.

3. Certificate of Acceptance. The certificate of acceptance shall be issued by the City Engineer and the Development Director.

4. Effective Date. This Ordinance shall take effect immediately upon its approval.

ADOPTED: The 30th day of August, 2021.

[Signature]

Planning Commission Application

PART I

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]

Planning Commission Application

PART II

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]

Applicant:

Address:

Zip:

Telephone:

E-mail:

City:

State:

County:

Zip:

[Signature]

Appendix 8

Planning Commission Application

PART III

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]

Planning Commission Application

PART IV

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]

Planning Commission Application

PART V

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]

Planning Commission Application

PART VI

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]

Planning Commission Application

PART VII

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]

Planning Commission Application

PART VIII

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]

Planning Commission Application

PART IX

CERTIFICATION

I, the undersigned, do hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief.

[Signature]
APPENDIX 8

DRIVE-THRU QUEUE TRAFFIC STUDY

Lone Parke PUD
Mountain Brook, Alabama

Presented for:
Evoxon, Inc.
2017 Lake Park Blvd
Mountain Brook, Alabama 35242

Presented by:
Skimmer Consulting, Inc.
1001 personas Blvd Suite 120
Birmingham, Alabama 35209

June 10, 2019

Lone Parke PUD Drive Through Analysis
Mountain Brook, Alabama

EXISTING

Facility

Existing studies for drive Through analysis for Coffee Shops are limited to case studies involving maximum

queue lengths for coffee shops located in various locations and types. The data for the site is limited to

recording the maximum observed queue length in a 1-hour period. Analysis of the data is

summarized in the following graphs.

Figure 1: Drive Through Locations

1. Drive Through (Coffee, Fast Casual, Gas Station, Etc.)
2. Drive Through (Fast Casual Restaurant)
3. Fast Casual Restaurant
4. Fast Casual Restaurant

Previous studies for drive through queues for Fast Casual Restaurants were located in literature reviews.

Max Queue Length Data Collection

Existing queue length studies were determined to be insufficient for the purpose of this report. In

order to provide a complete picture of the queues, not only the length of the maximum queue must

be determined, but also the peak duration of those queues, which exceed the maximum queue length.

This data will be collected by a tracking system that will monitor the queue length over a

period. This system will provide a comprehensive picture of the queue lengths at the site. The

data will be collected at the peak duration of the queues, which will be used to determine

queue lengths and to calculate peak durations for comparison.

Figure 2: Drive Through Queue

1. Drive Through (Coffee, Fast Casual, Gas Station, Etc.)
2. Drive Through (Fast Casual Restaurant)
3. Fast Casual Restaurant
4. Fast Casual Restaurant

August 26, 2019
During the morning peak period, it is proposed that the queue will never exceed the storage and during the afternoon peak period it is proposed that the queue will exceed the storage for three (3) minutes with the storage renewed by one (1) vehicle during these three (3) minutes.

In other words, there is no potential to cause a congestion to traffic flow on an incremental for an (1) minute each weekday, with the possibility of both directions of traffic becoming impacted for up to three (3) minutes each weekday.

**Cost-Capital Recapture**

The queue length data collected for the Faber Corp. Recapture shows that the maximum storage of four (4) vehicles is proposed to be frequently exceeded during the time periods analyzed. However, the projected queue lengths never exceed the available storage including the parking area behind AVE, 23, and 23, 25, in other words, it is proposed that the through traffic for the Faber Corp. Recapture would never impact traffic flow on Faber Road.
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