

**MINUTES OF THE SPECIAL OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
MAY 13, 2020**

[Pursuant to a proclamation issued by Governor Kay Ivey on March 18, 2020, elected officials are allowed to deliberate remotely by means of Internet or telephone conference and the public was invited to listen to, observe, or participate in the meeting by such means.]

The City Council of the City of Mountain Brook, Alabama met in public session by way of Internet teleconference at 6:00 p.m. on the 13th day of May, 2020. 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

Absent: Stewart Welch III, Mayor

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. CONSIDERATION OF AN ORDINANCE (NO. 2068) ESTABLISHING TIME RESTRICTIONS FOR SELECTED ON-STREET PUBLIC PARKING IN VARIOUS VILLAGES OF THE CITY TO FACILITATE TAKE OUT RESTAURANT AND CURB-SIDE RETAIL SERVICE (EXHIBIT 1, APPENDIX 1)

The ordinance was introduced in writing by Council President Smith who then invited comments.

Dana Hazen, City Planner:

- The proposal is being considered in an effort to assist restaurants and merchants by providing additional short-term parking to facilitate curbside pick-up service and to better protect public health
- Parking spaces will be temporarily marked and can be relocated, if desired
- The parking spaces will generally be located in the middle of block as opposed to the end to minimize patrons from walking up and down the block to access their pick-up and to be easier to find by motorists
- Violations shall generally be \$25 and there is a provision for an increasing fine for repeat offenders

There being no comments or questions, President Smith called for a motion. Council member Black 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 to the immediate consideration of said ordinance is given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Womack. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

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

After said ordinance had been considered in full by the Council, Council member Shelton moved for the adoption of said ordinance. The motion was seconded by Council member Black. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

The Council President Smith declared that the said ordinance (No. 2068) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

2. CONSIDERATION OF A RESOLUTION (NO. 2020-072) AWARDING THE BID FOR IMPROVEMENTS AT THE ATHLETIC COMPLEX (FIELDS 3 THROUGH 7) (EXHIBIT 2, APPENDIX 2)

The resolution was introduced in writing by Council President Smith who then invited comments.

Council President Pro Tempore Pritchard:

- This is a time sensitive project as the work needs to be completed before school resumes in August
- Fields 3-6 will be paid by the City and Field 7 by the Board of Education
- The bids came in where the architects projected
- The low bid was submitted by Morris-Shea Bridge Co., who has done similar projects for the City
- If awarded, the next step will be to finalize the contract and hopefully have executed before the end of May

There being no comments or questions, President Smith called for a motion. Council President Pro Tempore Pritchard made a motion for adoption of the resolution. The motion was seconded by Council member Black. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

The Council President Smith declared that the said resolution (No. 2020-072) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

3. ANNOUNCEMENTS

The next regular meeting of the City Council will be Tuesday, May 26, 2020, at 7:00 p.m. with the location and means to be determined and announced at a later date.

4. ADJOURNEMENT

There being no further business or matters for discussion, Council President Smith adjourned the meeting at approximately 7:10 p.m.

5. 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 by Internet teleconference on May 13, 2020, 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.

City Clerk
Approved by City Council May 26, 2020

EXHIBIT 1**ORDINANCE NO. 2068**

**AN ORDINANCE ESTABLISHING TIME RESTRICTIONS FOR THE
ON-STREET PUBLIC PARKING LOCATED IN MOUNTAIN BROOK,
CRESTLINE AND ENGLISH VILLAGES**

WHEREAS, the City of Mountain Brook has been operating under a State of Emergency issued by the Governor of the State of Alabama and the City of Mountain Brook due to the COVID-19 pandemic; and

WHEREAS, COVID-19 is a highly contagious communicable disease spread by contact between people and activities of residents and patrons of City businesses have been restricted so as to minimize such contact through “social distancing”; and

WHEREAS, while COVID-19 impacts people of all ages, from children to the elderly, the greatest impact, in terms of severity, has been to the elderly and those with underlying medical conditions; and

WHEREAS, on this date, by order of the Governor and State Health Officials, the restrictions that were in place are being eased to permit the operation of most commercial establishments, including restaurants which, prior to today, had been restricted to “take out only” operation; and

WHEREAS, while most establishments may resume operation under careful social distancing guidelines, contactless commercial transactions remain the safest and most effective way to effectuate the social distancing, which is still believed to be necessary to manage the spread of COVID-19; and

WHEREAS, most of the City’s commercial enterprises in its historic villages are without dedicated private parking and rely on shared public parking to support operations; and

WHEREAS, in order to facilitate the use of “take out” services for restaurants and contactless “pick up” of other commercial goods, the City wishes to provide a parking zone on each block in Mountain Brook Village and Crestline Village for contactless delivery of services so those who want to utilize the services of commercial operations in those areas but want to maintain social distancing through contactless delivery will have a place to do so; and

WHEREAS, the City understands that continued productivity and economic activities are necessary to the welfare of business owners, employees, families and the entire Mountain Brook community and is committed to the economic health of its business owners and the health of the community; and

WHEREAS, during these unprecedented times, the City finds that temporary identification of “take out parking” and regulation of the use of spaces in those areas to be appropriate and necessary to allow the economic vitality of the community to continue, as well as to protect the health and safety of patrons.

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

Section 1. The parking spaces located on the following streets and identified as “Take Out Zones” on the attached parking maps shall be designated as “Take Out Only” and shall be used only for the delivery of food or other commercial goods directly to the automobiles parked therein:

CHURCH STREET –
OAK STREET –
CULVER ROAD-
CAHABA ROAD-
MONTEVALLO ROAD-
JEMISON LANE-

Section 2. Vehicles parked in any “Take Out Zone” must be occupied and the occupants thereof must be waiting on the delivery of commercial services. Vehicles that are unoccupied or are parked in such areas for any other reason shall be in violation of this ordinance.

Section 3. Any person violating the provisions of Section 1 or 2 of this ordinance shall, upon conviction thereof, be punished within the limits and as provided by Section 50-107 of the Code of the City of Mountain Brook.

Section 4. 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.

Section 5. 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.

Section 5. Effective Date. This ordinance shall become effective immediately upon adoption and publication as provided by law. The provisions of this ordinance shall expire ninety (90) days from the date of passage unless otherwise extended or made permanent by the City Council.

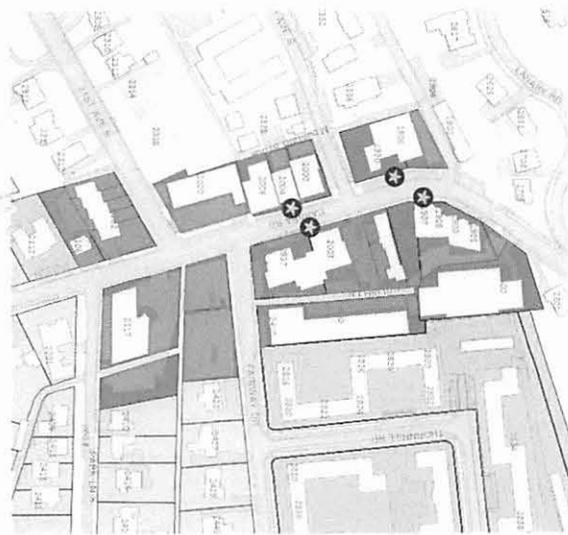
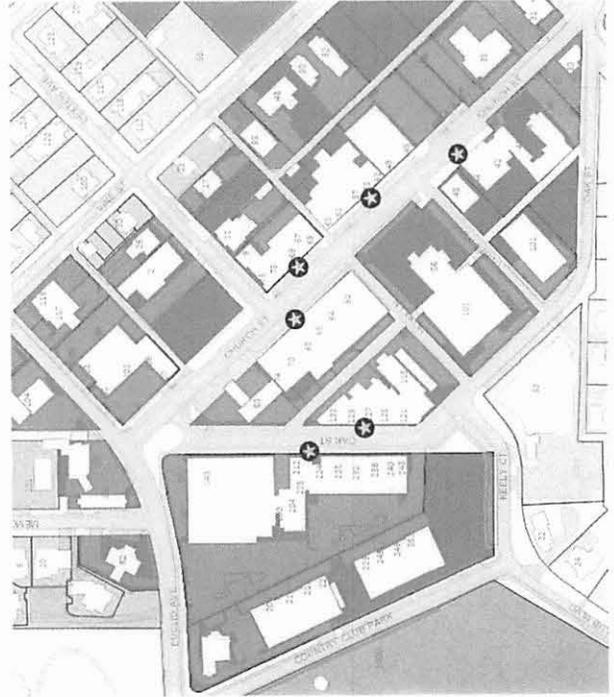
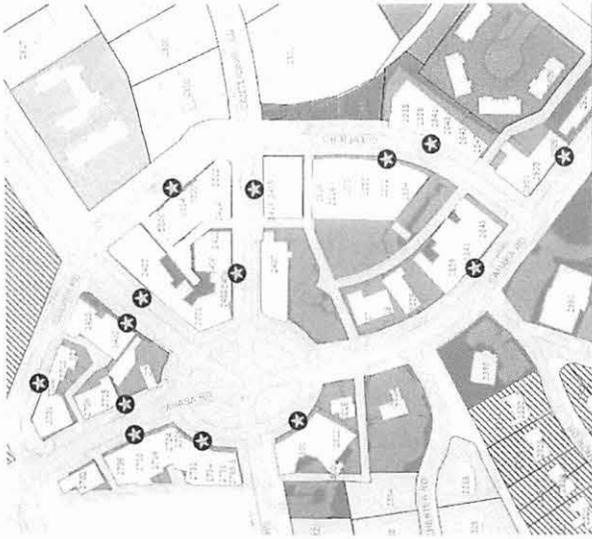
APPENDIX 1

EXHIBIT 2

RESOLUTION NO. 2020-072

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby awards the bid, in the amount of \$1,785,000, to Morris Shea Bridge Co., for improvements to fields 3 through 7 at the Athletic Complex.

APPENDIX 1



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