MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
SEPTEMBER 28, 2020

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

The City Council of the City of Mountain Brook, Alabama met informally by way of Internet video conference at 5:30 p.m. on the 28th day of September, 2020. The Council President called the pre-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 Attorneys Whit Colvin and Steve Stine, City Manager Sam Gaston, and City Clerk Steven Boone.

1. AGENDA

1. Update on School's COVID-19 preparations/plans—Richard Barlow, School Superintendent

   Barlow:
   - The School System is relying heavily on the Jefferson County Health Department Officer, Alabama Department of Public Health and the State Department of Education (to a lesser degree) as it develops its pandemic policies and practices
   - Teachers are conducting both the virtual and traditional instruction which requires a lot of work
   - Mitigating strategies have been implemented and seem to be having a positive impact
   - Covid-19 numbers have been extremely low which he attributes to distancing, masking and hygiene
   - Some students are thriving while others are struggling
   - Those that are struggling are encouraged to have their parents contact the teacher for support
   - Struggling students are often asked to come into the school on their virtual days for more individualized attention
   - A Mental Health Services Coordinator was hired about 3-weeks ago who is working with teachers and administrators to identify issues and plans of action to address those issues
   - The Schools are already working on plans for when traditional classes resume system-wide
   - Every system in the schools has been modified due to the pandemic. These modifications continue to be a work-in-progress.
   - In response to Pritchard's question as to what else the City can do to assist, Barlow thanked the City for its support and asked that City officials continue to reassure callers that the School System is doing the best it can and continues to explore opportunities for improvement. Also, remind the community to support the educators.
Regarding PPE, sanitizers, etc., the School System continues to purchase what it needs and is working on a CARES Act reimbursement request offered to the Schools by the City for costs already incurred.

In response to a question by Mayor Welch, the 6-15 rule was established by the CDC which stipulates that if anyone comes within 6 feet of someone testing positive for COVID-19 for a period of 15 minutes they must quarantine for 14-days. During quarantine, students are attending classes virtually. Contact tracing can be challenging but can be effective in stemming the spread of the virus.

In response to a question by Council member Shelton, Jefferson County-specific infection rate statistics have not been readily available. Friday afternoon was the first time such statistics were provided by the Jefferson County Health Department.

The PTOs are being encouraged to support the teachers.

2. Library Board appointment—Lindsay Gardner (Resolution No 2020-165 was added to the formal meeting agenda.) Kirk Forrester will fill the seat vacated by Penny Paige.

3. Beech Circle closure traffic study—Richard Caudle of Skipper Consultants (Appendix 1).

Caudle:

- The traffic counts indicate that 355 cars/trips daily have been diverted to side streets since the pre-closure counts.
- Beech Circle travel speeds were measured most recently in August 2020. Traffic volume is still lighter than usual due to the pandemic. Traffic counts did not increase significantly within the surrounding network.
- Only 1-2% of vehicles were observed traveling more than 30 miles per hour
- Two additional 25 mile per hour speed limit signs are recommended
- It does not appear that motorists driving over the bollards have been a big issue. The City is attempting to locate one UPS driver that reportedly drives over the bollards routinely.
- Caudle does not believe another traffic count later will yield significantly different results (maybe a reversion back to pre-pandemic volumes)

The members of the City Council agreed with Skipper’s recommendation to install two additional 25 mile per hour speed limit signs along Beech Circle to reinforce the existing speed limit.

4. Request for another review of the crosswalk at Overbrook Road and Pine Crest Road—Sam Gaston (Appendix 2).

Caudle:

- In August 2015, this area was studied. From the crosswalk northward, the sight visibility is limited.
- Pedestrians (generally children) routinely cross the street diagonally which is against the law
- There is not enough pedestrian volume to warrant a signal
- There is not an immediate need for change
- The Trotters would like the City to install some type of additional control
- To that end, a pair of push buttons to activate flashing lights could be installed.
- The school zone could be expanded although it already exceeds the recommended area. Favors a flashing signal [when needed] over an extended 15 mile per hour school zone.

Chief Cook is reluctant to extend the school zone.
Richard Caudle shall present a professional services agreement/proposal for the Council’s consideration on October 12, 2020, along with the Montevallo Road at Canterbury Road crosswalk scope of work.

5. HVAC Purification System Bids—Steven Boone and Steve Stine (Appendix 3). Council member Black expressed his reservations that such a comprehensive installation across a variety of equipment types and manufacturers has the potential for numerous technical failings that only a professional engineer could predict, anticipate, and design. Often, a design professional may recommend NOT doing something the owner desires to do because of their understating of the technical issues and the value (or lack thereof) of spending money on a given project. Black acknowledged this project is potentially funded by CARES Act, and the deadline involved, but having spent a lot of time around commercial mechanical systems and their design professionals, has reservations about proceeding within such a limited time span and without proper design considerations. This project may be more complex than can be handled by a one-page performance specification. Also, equipment delivery lead times may impact the ability to finish this on time.

Black suggested delaying the bid opening one week and issuing an addendum requiring the bidders have a mechanical engineer provide a stamp that the systems will function as intended. Boone is to continue researching the matter and a subcommittee comprised of Council member Black, City Attorney Stine, Steven Boone and Sam Gaston will work to address the concerns raised in a timely manner.

[Note: The invitation to bid was cancelled on September 29, 2020.]

6. Live Fire Training facility at the Fire Training Tower area—Chief Mullins (Appendix 4). The units will be purchased and installed by Fire Department personnel. These units will help the City retain is current Class 2 ISO rating. During recruit classes, the City must utilize the facilities of Hoover to conduct live burn training exercises. This proposal is scheduled to be considered at the next Planning Commission meeting. The Fire Chief will request a purchase order to proceed provided the Planning Commission approves the proposal.

7. Review of the other matters to be considered at the formal (7 p.m.) meeting.

a. Also added to the formal meeting agenda was Resolution No. 2020-166, awarding the bid for the low slope roof replacement at the O’Neal Library

2. EXECUTIVE SESSION AND ADJOURNMENT

There being no further business or matters for discussion, Council President Smith made a motion that the City Council convene in executive session to discuss a real estate matter and that the City Council shall not reconvene upon conclusion of the executive session. The City Attorney then certified that the subject matter of the executive session is permissible under the Open Meetings Act. The motion was seconded by Council President Pro Tempore Pritchard. 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
Abstained: None

Council President Smith then adjourned the meeting at approximately 6:30 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 by way of Internet teleconference on September 28, 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 no formal action or votes were conducted at said work session.

[Signature]
City Clerk Approved by
City Council October 12, 2020
Overlook Road at Pine Creek Road

The City of Mountain Brook, in conjunction with Century United Methodist Church, is proposing the construction of a traffic signal on the intersection of Overlook Road and Pine Creek Road in the intersection of Pine Creek Road. The report presents the results of a preliminary traffic analysis, regarding the proposed crossing. The traffic count is determined by the distance measurements and the appropriate requirements for signing and stopping the proposed crossings based on the distance measurements.

Volume Count

As part of a previous project, Skipper Consulting, Inc., performed a pedestrian road at Overlook Road near the Mountain Brook High School. The 90th percentile travel speed was 15 mph. For the purpose of this analysis, the design speed of 30 mph was used for Overlook Road.

Traffic Distance Measurement

Skipper Consulting, Inc., performed distance measurement at the intersection of Overlook Road at Pine Creek Road on August 20, 2019. The eight distance measurements which were measured included:

- Distance for a pedestrian standing on the sidewalk of Overlook Road, looking to the north and south on Overlook Road. The distance is determined as the absolute distance. These measurements are shown in Figure 1.

- Distance for a driver approaching the proposed crossing, both northbound and southbound on Overlook Road. The distance is determined as the stopping distance. These measurements are shown in Figure 2.

Figure 1. Intersection Sight Distance for Pedestrians

Figure 2. Stopping Sight Distance for Vehicle Drivers

Appendix 2
Recommendations

Based on the findings of this report, it has been demonstrated that a pedestrian crossing of Overbrook Road at the intersection of Fire Cross Road can be accommodated in a safe manner. This report has also demonstrated that, while sight distance is not a concern at the location where a crossing is planned, the speed of vehicles on Overbrook Road may warrant consideration. In certain cases, a speed of 35 miles per hour will be similar to stop signs existing at the intersection, and pedestrians will view it as a stop sign. Based on the findings of this report, the following recommendations are presented to the City of Mountain Brook:

1. The proposed pedestrian crossing should be located on the south side of the intersection.
2. The crossing should be marked with high visibility crosswalk lines.

3. A W1-2 warning sign should be installed on Overbrook Road northbound and southbound on Overbrook Road, along with a W1-16P 25-MPH advisory sign post, and a minimum of 300 feet in advance of the crossing. A W1-2 warning sign should also be posted on Overbrook Road northbound and southbound at the intersection with W1-16P 25-MPH advisory post for a minimum of 200 feet to alert the oncoming vehicle to enter the crosswalk and not enter the roadway or move at least 10 feet to avoid being struck by approaching traffic. As demonstrated in Figure 5, the minimum required distance for pedestrians exceeds the minimum required distance by only 10 feet.

4. A sign indicating the crosswalk is not recommended unless and until traffic and pedestrian crossing volumes warrant signage according to the Manual on Uniform Traffic Control Devices.

5. The City should actively control the intersection at the right-of-way along the on-ramp of 320 Overbrook Road in order to minimize distance limitations.

Slipper Consulting, Inc.
To: Sam Gaston, City Manager  
From: Steven Boone  
Subject: HVAC air purification system invitation to bid  
Date: September 25, 2020  

On September 18, the City issued an invitation to bid for the installation of air purification systems to be installed in the HVAC units of six (6) municipal buildings (all that are not already equipped). The bids will be opened October 8 with an anticipated bid award on October 12. It is specified in the invitation to bid that the units shall be rated to kill up to 95% of mold, bacteria and viruses including Covid-19.

The invitation to bid included language that the contractor must complete the installation prior to December 31, 2020, and that notice to proceed will not be issued until the City is notified that the project costs will be reimbursable under the CARES Act being administered by Jefferson County. To date, it appears that the CARES Act approval process could take up to one month or longer based on prior submissions. Obviously, the timeline will be very tight.

I see no reason this project would not be approved for CARES Act funding, however, there is always that chance. This project cost is not included in the 2021 budget. If the Council is agreeable to assume the risk that the CARES Act funding will be denied and therefore responsible for 100% of the cost of the systems, I suggest the contractor be released to place the order and start the installation immediately after the bid award in order to ensure the project can be completed by the December 31 CARES Act expiration date. I would hate to see the project approved for CARES Act funding but the contractor delayed so that completion by the deadline is not possible thereby exposing the City to the possibility of being required to refund the money.

Obviously, we will know more about the timeline once the bids are received and we can discuss with the contractor 1) the lead time for delivery of the units and 2) the estimated time required to install all of the units. No decision is necessary at this time but the Council should be prepared to at the October 12 meeting.
To: Mountain Brook Planning Commission  
From: David Kennedy, Battalion Chief-Safety and Training  
Date: September 16, 2020  
Subject: Live Fire Training Building

Dear Commission Members:

The Mountain Brook Fire Department is excited to present for your consideration - and hopefully affirmation - a drill field project that we have planned and discussed for a few years and now are wanting to make happen. I have attached an aerial view of the location as well as a design layout and sample picture that closely resembles what the final burn building will look like. We already have the concrete pad in place and are ready for the next phase. The next phase will consist of the installation of three full-size Conex boxes and one half-size Conex box which will be the first floor as well as two other full-size Conex boxes which would be the second floor. Upon completion the next step would be the installation of the outside and inside stairwells as well as guard rails. The boxes will be bolted to the concrete pad and then welded together. This project is used by Fire Departments across the country for "Live Fire" firefighter training (which is required by ISO and other Fire Department regulatory agencies). The Conex box is a "Railroad Car" and the steel that it is made of is ideal for Live Fire training as it builds up heat and holds heat quickly without any deterioration to the structure itself.

In closing I want to say that we look forward to a training building of this nature and that we are looking forward to presenting our project to you at the Planning Commission meeting.

Respectfully Submitted,

David Kennedy, Battalion Chief Safety and Training

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**Planning Commission Application**

**PART I**

**Project Data**

- **Address of Subject Property**: 3601 East Street
- **Zoning Classification**: Residential A
- **Name of Property Owner(s)**: City of Mountain Brook
- **Name of Planning Commission**: City of Mountain Brook
- **Number of Phone**: 205-802-3838
- **Email**: kennedyd@mountbrook.org

**PART II**

**Check type of approval/recommendation requested**

- Conditional use permit in Residence A, Sec. 129-31 (b)(c) & 129-32
- Private Streets in the Estate Residential District, Sec. 129-78
- Fence, wall or landscaping in conjunction with reduced rear setback in Res-D, Sec. 138-84
- Parking between building frontage and rear line in Local Business, Sec. 129-194 (a)
- Street improvements in front of building in Local Business, Sec. 129-194 (a)(1)
- Buffer design for parking space in front of buildings in Local Business, Sec. 129-194 (c)(6)
- Drive-up or drive-through facilities, Sec. 129-194 (c)
- Development plan for rezoning to Mixed Use, Sec. 129-211
- Development plan for parcel in Recreational District, Sec. 129-252
- Recreational District reduced setback of less than 200 feet, Sec. 129-259
- Master development plan for rezoning to F.O.D., Sec. 129-265
- Deviation from approved development plan for F.O.D., Sec. 129-266
- Use exemption for installation of utility structures and/or equipment, Sec. 129-292
- Exception to height limitations for fences in multi-family residential districts, Sec. 129-333
- Screening of parking areas, Sec. 129-337
- Stormwater facilities not specifically funded in Sec. 129-392
- Shoreline, Sec. 129-432
- Master Development Plan Residential Infill District (RID), Sec. 129-429 & 129-411
- Development plan for Residential D, Sec. 129-513 (e)
- Development plan for Residential E, Sec. 129-535 (e)
- Building materials (equal better or alternate), Sec. 129-556 (f) and (g)
- Master Development Plan for Very High Transit (VHT) District, Sec. 129-576
- Subdivision - Preliminary Plat, Sec. 3.3 of the Subdivision Regulations
- Subdivision - Final Plat, Sec. 3.6 of the Subdivision Regulations
- Rework (small subdivisions and "clean-up" rework), Sec. 3.7 of the Subdivision Regulations
- Other (fill in)

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**Plans**

See applicable Section of the Zoning Ordinance for submittal requirements pertaining to your particular application. Applicable Code Section may be found in Part II, list of application types. Contact City Planner with any specific questions as to required plans submittal.
MINUTES OF THE JOINT, REGULAR OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK AND THE
MOUNTAIN BROOK EMERGENCY COMMUNICATIONS (911) DISTRICT
SEPTEMBER 28, 2020

[Pursuant to a proclamation issued by Governor Kay Ivey on March 18, 2020, elected officials are allowed to meet 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 elected officials met by way of Internet video conference and allowed the public to listen, observe and participate by the same means.]

The City Council of the City of Mountain Brook, Alabama and Board of Directors of the Mountain Brook Emergency Communications District met by way of Internet video conference at 7:00 p.m. on the 28th day of September, 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
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. PRESENTATION

Mayor Welch read aloud the Downs Syndrome Awareness proclamation (No. 2020-160, Exhibit 1) to Ms. Anna Ruth McCallley and daughter, Francis.

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 September 14, 2020, regular meeting of the City Council

Approval of the minutes of the September 21, 2020, special meeting of the City Council

2020-160 Downs Syndrome Awareness proclamation Exhibit 1

2020-161 Establish the employees’ and retirees’ monthly premiums for medical insurance effective for employee payroll checks dated December 11, 2020, and retiree premiums due on January 1, 2021 Exhibit 2, Appendix 1

2020-162 Increase the salary schedule for all classified, unclassified and part-time employees by one-half of one percent (1/2%) effective October 13, 2020, and increase the compensation for contract security services for the City’s Public Works facilities (Resolution No. 2013-146), the City Prosecutor, and Municipal Exhibit 3
Judges by one half of one percent (1/2%) effective October 1, 2020

2020-163 Resolution of the Board of Commissioners of the E911 District adopting the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021

2020-165 Appoint Kirk Forrester to The O'Neal Library Board, to serve without compensation, her term to end September 28, 2024

2020-166 Award the bid in the amount of $119,000.00 to Alabama Roofing & Sheet Metal, Inc., for the installation of a low slope roof at the O'Neal Library building (#B-20200825-673) being the lowest and best bid and determined to be in compliance with the bid specifications, and authorize the execution of a contract and/or such other documents that may be determined necessary related thereto

Thereupon, the foregoing minutes, proclamation and resolutions were introduced by Council President Smith and a motion for their immediate adoption made by Council member Shelton. The minutes, proclamation and resolutions were then considered by the City Council. Council President Pro Tempore Pritchard seconded the motion to adopt the foregoing minutes, proclamation and resolutions. 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

Abstained: None

Council President Smith thereupon declared that said minutes, proclamation (No. 2020-160) and resolutions (Nos. 2020-161 through 2020-163, 2020-165 and 2020-166) were adopted by a vote of 5—0 that and as evidence thereof she signed the same.

3. CONSIDERATION OF A RESOLUTION (NO. 2020-164) APPROVING THE STACKING STUDY FOR A BANK DRIVE-THROUGH IN BLOCK 8 OF LANE PARKE (EXHIBIT 6, APPENDIX 5)

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

Mel McElroy, 1901 6th Avenue North, representing Evson, Inc. and Lane Park Retail, LLC:
• The applicant is presenting and requesting approval of a stacking study that will allow a bank drive-through in Block 8 of the Lane Parke development
• Last year, the City approved an additional drive-through under the condition that anytime a drive through was requested, a traffic and stacking study be presented for the Council’s consideration and approval
• A prospective banking tenant has prompted the current request

Richard Caudle of Skipper Consulting:
• The proposed drive-through is a single lane/window and will also contain the overnight drop box and ATM machine
• The current proposal will allow the stacking of two vehicles within the actual drive-through. Additionally, seven vehicles could be stacked before obstructing Culver Road.
• Over the years, bank drive-through queuing requirements have decreased
• Skipper observed similar bank drive-throughs in the metropolitan area and performed studies. These studies indicated that during the lunch rush the two vehicle que would be exceeded by one vehicle for about two minutes. The same is expected to occur just prior to closing time.
• The que may back into the [employee] parking area for about seven minutes during the day but never get close to obstructing Culver Road
• The data was collected in the second week of March just prior to the pandemic shutdowns

Mary Beyer of Crawford Square Real Estate Advisors:
• The proposed bank is about 2,200 square feet (about the size of Reliant Bank in Crestline Village)
• The teller window location is intentionally positioned for the stacking to work
• There are a total of four drive-throughs allowed in the PUD (Regions Bank, a coffee shop, the current proposed bank and one other in Block 5); however, no others are contemplated at this time.

There being no comments or questions, President Smith called for a motion. Council member Black made a motion for the adoption of said resolution. 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 that the said resolution (No. 2020-164) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

4. CONSIDERATION OF AN ORDINANCE (NO. 2078) AMENDING THE LANE PARKE PUD MASTER DEVELOPMENT PLAN TO ALLOW SERVICE USES (EXHIBIT 7, APPENDIX 6)

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

Mel McElroy:
• Applicant seeks to add five additional potential conditional uses to the PUD (barber shops, beauty shops/hair salons, interior design studios, nail salons and neuromuscular therapists—all listed in the Local Business District standards)
• Interest from a couple of tenants within these categories has been shown but because they are not permitted, they have been turned away
• The PUD was originally approved using a shared parking model based on certain assumptions about the types and mix of uses and arrives at a parking requirement based on an expressed formula.
• The PUD provides that if uses differ from the initial parking study then an updated parking study is required to be submitted along with the conditional use application
• Everyone wants to see Lane Parke move forward and this change will facilitate that goal

Dana Hazen, City Planner:
• If the PUD modification is approved and the developer brings a conditional use application before the Council with a parking study that satisfies the requirements, the City should follow the model outlined in the Local Business District section and approve the conditional use application for consistency
• If a conditionally approved tenant changes, as long as the subsequent tenant is of the same type of business, then another conditional use application will not be necessary. If, however, suppose a
hair salon changed to another hair salon but with a different number of chairs, a conditional use application would be required.

Council member Black:
- Views this as necessary for the City to help the developer with its leasing in order to get the Phase 2 development built. Once built, the City will be in a better position to pursue the desired mix of businesses.

Council members Shelton and Womack:
- Expressed their concerns that the City will end up with a village with a lot of service businesses

Mary Beyer:
- Crawford wants to market this property appropriately but before they can do that they must get it out of the ground. This change will facilitate that happening.
- Views the current state of Phase 2 area as much less desirable for the community than the services proposal being considered
- There is no desire to stuff this development with a bunch of service uses
- Business operators must see something to pique their interest

Black:
- It is unlikely the development could lease up with these service uses

Hazen:
- Does not think there is enough parking to allow these types of higher-parking demand uses

Caudle (26:40):
- Skipper did not conduct the initial Lane Parke parking study
- Service tenants do generally require more parking than retailers
- The shared use parking model recognizes that certain uses hit their peak parking demand at different times during the day. Therefore, it would be difficult to make a blanket statement that service uses will require more parking than retail without a detailed parking study.

Council President Pro Tempore:
- Does not like this proposal but thinks it is necessary in order for the development to move forward
- Thinks the developer and business recruiters understand that overloading the space with service uses will be self-defeating

Mayor Welch
- Thinks the City must do whatever it takes to get this development moving forward

President Smith
- Does not like this proposal at all
- Once complete, this is supposed to be part of Mountain Brook Village. Some of the uses proposed are already available in the area.

Sam Heidi with Crawford Square:
- Some of these conditional uses are complimentary to the other uses already in the area as well as hotel guests and others are unique
- The owner has the power to tell employees where to park
- The service businesses will allow the developer to construct and lease the remaining 45,000 square feet
- Does not view this request as anything out of the ordinary

Council member Womack:
- This development was so controversial and so well vetted making these changes more concerning
Mel McElroy:
- Neuromuscular therapy is like a massage muscular therapy clinic for patients

Mary Beyer interprets this more like a Massage Envy.

Dana Hazen agrees—like a Massage Envy or like what is offered at the Grand Bohemian.

There being no comments or questions, President Smith called for a motion. Council member President Pro Tempore 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 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 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 the motion passed by a vote of 5—0.

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

Ayes:  Virginia C. Smith
       William S. Pritchard, III
       Philip E. Black

Nays:  Lloyd C. Shelton
       Alice B. Womack

The Council President Smith declared that the said ordinance (No. 2078) is hereby adopted by a vote of 3—2 and, as evidence thereof, she signed the same.

5. CONSIDERATION OF AN ORDINANCE (NO. 2079) AUTHORIZING THE PLACEMENT OF A STOP SIGN ON BRIAR OAK CIRCLE (NORTHBOUND) AT ITS INTERSECTION WITH BRIAR OAK CIRCLE (EXHIBIT 8, APPENDIX 7)

The ordinance was introduced in writing by Council President Smith who then invited comments. There being no comments or questions, President Smith called for a motion. Council member President Pro Tempore 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 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 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 the motion passed by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council President Pro Tempore Pritchard moved for the adoption of said ordinance. The motion was seconded by Council member Shelton. 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. 2079) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

6. CONSIDERATION OF AN ORDINANCE (NO. 2080) ADOPTING THE CITY’S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 (APPENDIX 8)

The ordinance was introduced in writing by Council President Smith who then Council member Shelton to make some comments.

Shelton:
• The budget started out with a $1.4 million deficit
• The budget being considered shows a $205,000 General Fund surplus thanks to the efforts of the department heads
• Total revenues are $40.4 million compared to total expenses and transfers of $40.2 million
• In the Capital Projects Fund shows a deficit of $2.9 million due largely to significant investments in bridges and ball fields
• The budget includes a 5.5% increase in medical insurance and a 1/2% pay increase for employees
• The City will continue to over fund the pension plan in the amount of $350,000

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 Shelton. 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 President Pro Tempore Pritchard moved for the adoption of said ordinance. The motion was seconded by Council President Smith. 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. 2080) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

7. CONSIDERATION OF AN ORDINANCE (NO. 2081) INCREASING THE SALARY OF THE CITY MANAGER BY ONE-HALF OF ONE PERCENT (1/2%) EFFECTIVE OCTOBER 13, 2020, AND AMENDING THE RELATED EMPLOYMENT AGREEMENT (EXHIBIT 9, APPENDIX 9)

The ordinance was introduced in writing by Council President Smith who then invited comments. There being no comments or questions, President Smith called for a motion. Council member Shelton 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 President Pro Tempore Pritchard. 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 Black moved for the adoption of said ordinance. The motion was seconded by Council President Pro Tempore Pritchard. 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. 2081) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

8. ANNOUNCEMENT

The next regular meeting of the City Council is September 28, 2020, at 7:00 p.m. (means and location to be announced).
9. ADJOURNMENT

There being no further business or matters for discussion, Council President Smith adjourned the meeting at approximately 7:45 p.m.

10. 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 September 28, 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.

\[Signature\]
City Clerk Approved by
City Council October 12, 2020

EXHIBIT 1

PROCLAMATION NO. 2020-160
DOWN SYNDROME AWARENESS

WHEREAS, Down syndrome is the most frequently occurring chromosomal disorder and is the leading cause of intellectual and developmental delay in the United States; people with Down syndrome deserve fundamental human and civil rights; and

WHEREAS, approximately one in every 691 children are born with Down syndrome, representing an estimated 5,000 births per year in the United States with approximately 85 of those annual births occurring here in Alabama, there are approximately 250,000 individual citizens with Down syndrome in the United States; and

WHEREAS, today through the efforts of parents, activists, advocacy organizations, and self-advocates; people with Down syndrome are offered early intervention services, attend school, procure appropriate health care, choose to live at home or independently; receive transition services and vocational training; have meaningful relationships, volunteer opportunities, maintain a job, experience a life of inclusion and rewarding maturity; and

WHEREAS, yet despite significant increases in lifespan and intellectual opportunities over the past decade, there is still much work to be done regarding the rights to equality, inclusion, education, medical care, research, employment and support for people with Down syndrome; and

WHEREAS, through public awareness, the City of Mountain Brook supports the initiatives of organizations working to ensure people with Down syndrome have adequate services, are valued by society, and can lead fulfilling and productive lives in our community;

NOW, THEREFORE, I Stewart H. Welch III, Mayor of the City of Mountain Brook, Alabama, do hereby proclaim

October 1st as DOWN SYNDROME AWARENESS DAY and
October as DOWN SYNDROME AWARENESS MONTH
EXHIBIT 2

RESOLUTION NO. 2020-161

WHEREAS, the City’s monthly Local Government Health Insurance Plan (LGHIP) medical/dental insurance premiums as established by the State Employees’ Insurance Board (SEIB) effective January 1, 2021, are as follows:

<table>
<thead>
<tr>
<th>Premium Type</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>BCBS of Alabama</td>
<td></td>
</tr>
<tr>
<td>Active employee - 5.5% increase</td>
<td></td>
</tr>
<tr>
<td>Single (dental)</td>
<td>$521</td>
</tr>
<tr>
<td>Family (dental)</td>
<td>$1,272</td>
</tr>
<tr>
<td>Retiree (without Medicare coverage) - 5.5% increase</td>
<td></td>
</tr>
<tr>
<td>Single (dental)</td>
<td>$1,078</td>
</tr>
<tr>
<td>Family (dental)</td>
<td>$1,986</td>
</tr>
<tr>
<td>Family (dental) (spouse w/ Medicare)</td>
<td>$1,276</td>
</tr>
</tbody>
</table>

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that (notwithstanding the provisions enumerated in Resolution No. 2014-084 adopted on July 14, 2014) the monthly medical/dental insurance premiums will be shared by the City, employees, and retirees as follows effective a) for employees with the payroll period ending December 7, 2020 (payroll checks dated December 11, 2020) and b) January 1, 2021 for retirees:

<table>
<thead>
<tr>
<th>Employee Premiums – BCBS of Alabama</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee / Retiree</td>
<td>City</td>
</tr>
<tr>
<td>Employee (single coverage)</td>
<td>$0</td>
</tr>
<tr>
<td>Employee (family coverage)</td>
<td>$370</td>
</tr>
<tr>
<td>Retiree (single/no Medicare coverage)</td>
<td>$185</td>
</tr>
<tr>
<td>Retiree (family/no Medicare coverage)</td>
<td>$590</td>
</tr>
<tr>
<td>Retiree (family/dependent with Medicare)</td>
<td>$590</td>
</tr>
</tbody>
</table>

APPENDIX 1

EXHIBIT 3

RESOLUTION NO. 2020-162

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that effective October 13, 2020, the salaries of all employees (classified and unclassified/full-time and part-time) of the City of Mountain Brook, Alabama, including employees of The O’Neal Library Board, Parks and Recreation Board shall be increased by one-half of one percent (0.5%) over the current salary schedule.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that effective October 1, 2020, the following shall also be increased by one-half of one percent (0.5%):

1) The compensation for contract security services for the City’s Public Works facilities, as previously authorized upon the adoption of Resolution No. 2013-146 on October 14, 2013.
2) The compensation rate of the City Prosecutor shall be $140.70 per hour (plus out-of-pocket expenses). (Last updated June 10, 2019, Resolution No. 2019-081, $140.00/hour).
3) The compensation rate of the Municipal Judges shall be $1,155.75. (Last updated June 10, 2019, Resolution No. 2019-081, $1,150/month).
EXHIBIT 4

RESOLUTION NO. 2020-165

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Kirk Forrester is hereby appointed to The O'Neal Library Board, to serve without compensation, her term to end September 28, 2024.

APPENDIX 3

EXHIBIT 5

RESOLUTION NO. 2020-166

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 $119,000.00 to Alabama Roofing & Sheet Metal, Inc., for the installation of a low slope roof at the O'Neal Library building (#B-20200825-673) being the lowest and best bid and determined to be in compliance with the bid specifications; and

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama that either the Mayor or City Manager are hereby authorized and directed, for and on behalf of the City, to execute a contract and/or such other documents that may be determined necessary related thereto subject to review and approval by the City Attorney.

APPENDIX 4

EXHIBIT 6

RESOLUTION NO. 2020-164

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby approves the stacking study for a bank drive through in Block 8 of Lane Parke.

APPENDIX 5

EXHIBIT 7

ORDINANCE NO. 2078

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; 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.

---

**APPENDIX 6**

**ORDINANCE NO. 2079**

**AN ORDINANCE TO PROVIDE FOR STOP SIGN ON BRIAR OAK CIRCLE (NORTHBOUND) AT ITS INTERSECTION WITH BRIAR OAK CIRCLE AND TO PROVIDE FOR PUNISHMENT THEREOF**

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

**Section 1.** It shall be unlawful for the driver of any vehicle to cause or allow such vehicle traveling in a northerly direction on Briar Oak Circle to enter its intersection with Briar Oak Circle when there is standing at such intersection a “Stop” sign facing in the direction of such driver without having first brought such vehicle to a complete stop within ten (10) feet of said intersection.

**Section 2.** Any person violating the provisions of this ordinance shall be punished by a fine not to exceed $500.00, or by imprisonment not to exceed 180 days, or both.

**Section 3.** All ordinances or portions of ordinances conflicting with this ordinance are hereby repealed.

**Section 4.** If a court or competent authority finds that any provision of this ordinance is invalid, illegal, or unenforceable, that provision or part-provision shall, to the extent required, be deemed to be deleted, and the validity and enforceability if the other provisions of this ordinance shall not be affected.

**Section 5.** This ordinance shall become effective when published as required by law.

---

**APPENDIX 7**
ORDINANCE NO. 2081

AN ORDINANCE TO INCREASE THE SALARY OF THE CITY MANAGER OF THE CITY OF MOUNTAIN BROOK, ALABAMA

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

Section 1. Effective October 13, 2020, the salary of the City Manager of the City of Mountain Brook shall be increased to sixty-eight hundred fifty-four and 10/100 dollars ($6,854.10) bi-weekly.

Section 2. The Mayor is hereby authorized to execute an [amended] employment agreement to reflect the revised base salary described in Section 1 above, in the form as attached hereto as Exhibit A, between the City and City Manager.

Section 3. All ordinances and resolutions concerning the salary and employment agreement of the City Manager which have been adopted previously are hereby repealed.

Section 4. This ordinance shall become effective when published by posting the same as required by law.

APPENDIX 9
Dear Unit Administrator,

At its Board meeting on September 1, 2020, the Local Government Health Insurance Board (LGHIP) voted to make the following changes to the Local Government Health Insurance Plan:

Effective January 1, 2021:
- Increase the medical and dental monthly premium $5.50 for active employees and Non-Medicare retirees.
- Increase the in-plan copay from $5 to $7.
- Increase the generic drug copay from $10 to $15.
- Increase the generic drug copay from $20 to $25.
- Extend the 2021 wellness screening period to October 31, 2021.
- A screening conducted during August 1, 2020 – October 31, 2020 will count for both 2021 and 2022 wellness screening periods.

Effective January 1, 2022:
- Eliminate the $10 wellness premium discount.
- Change the annual wellness screening period to November 1 – October 31.
- Increase the Wellness Program participation percentage from 20% to 90% in order to be classified in the Preferred premium category.

Effective Immediately:
- For units offering review coverage, an additional option will be offered to qualify for the Preferred premium category. Assuming all other criteria are met, units with less than 3% of its employees covered as retirees will be eligible for the Preferred premium category. If it reports all its eligible retirees were offered LGHIP retiree coverage and proof is provided they either enrolled or declined coverage, to qualify for the Preferred premium category, units will have until November 30 each year to provide acceptable documentation to the Board.

LGHIP Unit CLASSIFICATION:

In 2021, your unit has been classified in the "Preferred" rate category.

A 2021 rate schedule is enclosed.

Your unit qualifies for the wellness premium discount of $10 per active employee per month for 2021. Your unit is meeting the discount because at least 90% of your active employees participated in the LGHIP Wellness Program during the screening period of August 1, 2020 – July 31, 2021. This discount is not reflected in the rate schedule, but will appear on your unit's invoice beginning in December to pay for January's premiums.

(Continued on next page)
RESOLUTION NO. 2020-163

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE MOUNTAIN BROOK EMERGENCY COMMUNICATIONS (E911) DISTRICT ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021

BE IT RESOLVED by the Board of Commissioners of the Mountain Brook Emergency Communication District ("District"), that the following is the adopted budget for the District for the fiscal year beginning October 1, 2020, and ending September 30, 2021 as adopted by the City Council of the City of Mountain Brook upon its adoption of Ordinance No. 2080 on September 28, 2020:

(For Reference Only)

<table>
<thead>
<tr>
<th>Ledger No.</th>
<th>Account Description</th>
<th>9/30/2021 9/30/2020</th>
<th>Budget Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>531-3205-0100</td>
<td>Fines &amp; Forfeitures (Act 03-229)</td>
<td>$ (1,900.00) $ 2,000.00</td>
<td></td>
</tr>
<tr>
<td>531-3404-4050-3401</td>
<td>E-911 Surcharges (Mobile)</td>
<td>$ (381,200.00) $ (355,000.00)</td>
<td></td>
</tr>
<tr>
<td>531-3407-4400</td>
<td>Other Investment Earnings</td>
<td>$ (1,300.00) $ (1,200.00)</td>
<td></td>
</tr>
<tr>
<td>531-3113-0307</td>
<td>Bank Fees</td>
<td>$ 400.00 $ 300.00</td>
<td></td>
</tr>
<tr>
<td>531-1199-0407</td>
<td>Insurance and Bonding</td>
<td>$ 1,250.00 $ 0.00</td>
<td></td>
</tr>
<tr>
<td>531-3110-6210</td>
<td>Development/Training</td>
<td>$ 31,000.00 $ 25,000.00</td>
<td></td>
</tr>
<tr>
<td>531-3110-6300</td>
<td>Supplies/Exp-General</td>
<td>$ 4,200.00 $ 4,500.00</td>
<td></td>
</tr>
<tr>
<td>531-3110-6464</td>
<td>Service Contrs/Comm Equip</td>
<td>$ 29,162.00 $ 24,000.00</td>
<td></td>
</tr>
<tr>
<td>531-3110-6610</td>
<td>Utilities-Telephone</td>
<td>$ 48,100.00 $ 46,400.00</td>
<td></td>
</tr>
<tr>
<td>531-3116-6910</td>
<td>Transfers-City General Fund</td>
<td>$ 260,000.00 $ 258,000.00</td>
<td></td>
</tr>
<tr>
<td>531-3116-6941</td>
<td>Transfers-Capital Projects Fnd</td>
<td>$ 0.00 $ 0.00</td>
<td></td>
</tr>
<tr>
<td>531-3190-6941</td>
<td>Transfers-Capital Projects Fnd</td>
<td>$ 32,000.00 $ 0.00</td>
<td></td>
</tr>
</tbody>
</table>

E911 Revenues $ (284,700.00) $ (258,200.00)
E911 Expenses $ 368,412.40 $ 358,200.00
Excess of (Revenue) Over Expenditures $ 15,712.00 $ 0.00
(Fund Balance), Beginning of Year $ (237,711.00) $ (237,711.00) (1)
(Fund Balance), End of Year $ (221,999.00) $ (237,711.00)

BE IT FURTHER RESOLVED by the Board of Commissioners of the Mountain Brook Emergency Communications District that the District Administrator is hereby authorized and directed, for and on behalf of the District, to distribute funds for the payment of budgeted expenditures including and not limited to salaries and benefits, payroll taxes, service and other contracts, debt service, utilities, supplies and such other obligations incurred by the District in the normal course of public safety operations.

(1) As reported in the audited financial statements of the City of Mountain Brook as of and for the year ended September 30, 2019.


Virginia C. Smith, Chair

CERTIFICATION

I, Steven Boone, District Clerk of the Mountain Brook Emergency Communications District, certify the above to be a true and correct copy of a resolution adopted by the Board of Commissioners of the Mountain Brook Emergency Communications District at its meeting held on September 28, 2020, as same appears in the minutes of record of said meeting.

District Clerk

APPENDIX 2
As a mother of four young children ages ten to two, our family has benefited deeply from the library's offerings. My toddler and I are regular customers of Mother Goose storytime, my kindergartner loves the weekly Library Out Loud meetings and we all get excited about the Summer Reading Kickoff and Halloween Flicks, not to mention the regular visits to check out new books. Additionally, as a person who works from home but often finds home to be a place too quiet to actually work, I have logged many hours in the library carrels, thankful to have a quiet place with good Wi-Fi to work. As a "book person," a longtime book editor, book reviewer, and current magazine writer/editor, I believe strong libraries are vital to communities as places that change lives—learning, knowledge, and skills and catalyze the exchange of ideas. Finally, as a member of the O'Neal family, I'm grateful for the contribution made to my great-grandfather who seeded the resources for this wonderful institution and feel invested in its continued success. It would be an honor to serve.
Re: Roofer Follow-up
1 message
Mon, Sep 28, 2020 at 3:48 PM

Steve Boone <boones@mtnbrook.org>

To: Joe Morgalls <jmorgalls@williamsonassoc.com>, Mike Allen <m-allen@williamsonassoc.com>
Cc: Lindsay Gardner <lgardner@oneallibrary.org>, Steve Boone <boones@mtnbrook.org>

Joe,

Thanks so much for the recommendation. When I spoke to Steve earlier this afternoon, he said that he should be able to add this to the council agenda tonight.

Lindsay

From: Joe Morgalls <jmorgalls@williamsonassoc.com>
Sent: Monday, September 28, 2020 3:45 PM
To: Lindsay Gardner <lgardner@oneallibrary.org>, Steve Boone <boones@mtnbrook.org>
Cc: Mike Allen <m-allen@williamsonassoc.com>
Subject: Roofer Follow-up

Lindsay, I spoke with Tony Saunders of Alabama Roofing & Sheet Metal today about his bid. We reviewed what he would be installing, per the specs, and what we discussed on the roof end in the addendum, and it appears that he has all items covered in his price.

Based on that discussion, I feel comfortable in recommending that you proceed with the award to the low bidding contractor, Alabama Roofing & Sheet Metal.

Please contact me with any questions you have.

Joe Morgalls
Williamson & Associates, Inc.
6100 Lake Forrest Drive, Suite 375
Atlanta, GA 30328
404-256-2388 - Office
404-256-1467 - Fax
404-861-1065 - Cell

Bid Tabulation
Low Slope Roofing Replacement Project
O'Neal Library
B-2020-0826-673
9/24/2020 10:00 am

Tecta America $140,875.00

Alabama Roofing $119,000.00

https://mail.google.com/mail/u/0?ik=0158735a18&view=pt&search=all&permmsgid=msg-f%3A1e7f9111912507675827cmsg-f%3A1e7f91121280154... 1/1

APPENDIX 4
MINUTE BOOK 91

Analysis of Proposed Drive-Through Queue

- Graphs on Pages 4-5 of the Stacking Study appear most relevant.

Excerpt from Page 5 of Stacker Stacking Study:

“Analysis of Queue Length

The longest queue for the bank drive-through is projected to be three vehicles. Based on the data collected, it is estimated that the queue for the proposed bank drive-through will exceed the available primary storage of two vehicles for a maximum of five minutes during the midday period and two to three minutes during the afternoon period. Or, in other words, the vehicle queue would extend into the parking area behind Stop D3 for approximately seven to eight minutes on a typical weekday. The anticipated queue for the proposed drive-through bank is not projected to exceed 7 vehicles, and this is not projected to impact traffic flow on Culver Road.”

LANE PARKER PUD

BANK DRIVE-THROUGH QUEUE TRAFFIC STUDY

LANE PARKER PUD

Mountain Brook, Alabama

Prepared for:
Evson, Inc.
107 Pelicanas Drive
Homewood, Alabama 35209

Prepared by:
Skipper Consulting, Inc.
3644 Vann Road, Suite 100
Birmingham, Alabama 35235

August 14, 2020

Mountain Brook, Alabama

APPENDIX 5

LANE PARKER PUD Bank Drive-Through Analysis

Mountain Brook, Alabama

Introduction

This report documents a traffic analysis to support the use of a drive-through site in the Lane Parker PUD in Mountain Brook, Alabama, in order to allow for the construction of a bank with a drive-through window. The bank is proposed to have a single drive-through lane which would serve the window and an ATM. The proposed bank location is within the PUD and orientation of the drive-through lane is shown in Figure 1.
MINUTE BOOK 91

LANE PARKER PUD BANK DRIVE-THROUGH ANALYSIS
MOUNTAIN BROOK, ALABAMA

Drive-Through Storage

The drive-through lane for the Bank has the ability to store two (2) vehicles beginning at the window. Another five (5) vehicles can be stored in the parking area along the rear of shops D1, D2, and D3 before the queue begins to block traffic flow on Culver Road.

Existing Queue Length Studies

Existing queue-length studies for banks were located through a literature search. Three studies were identified. The first study was performed for six banks in Minnesota and an undetermined number of banks in Kansas by Sock Consulting in 2011 and 2012. All sites had between two and seven drive-through windows and a drive-through ATM. The data in the report is limited to reporting the maximum observed queue during a 24-hour period. A graphical depiction of the data is shown below.

Figure 3.1.3 – Drive-Through Bank Maximum Queue Frequency – Minnesota + Kansas Data
Source: Drive-Through Queue Generation, Mike Sock, P.E., et al

The data collected in Minnesota and Kansas was analyzed to yield the following design parameters:

- Average Maximum Queue = 1.76 vehicles
- 80th Percentile Queue = 4 vehicles
- Maximum Queue = 10 vehicles

Skipper Consulting, Inc.

Page 2

LANE PARKER PUD BANK DRIVE-THROUGH ANALYSIS
MOUNTAIN BROOK, ALABAMA

New Queue Length Data Collection

Existing queue-length studies available were determined to be insufficient for the purposes of this report. In order to provide a complete picture of the queues, not only the length of the maximum queues must be determined, but also the duration (in minutes) of each queue which exceeds the storage available needs to be known in order to make sound decisions regarding the proposal. Therefore, in order to provide a complete picture of queue lengths, Skipper Consulting, Inc. undertook new research to determine queue lengths for bank drive-throughs. The sites selected for detailed data collection were selected based on the number of drive-through windows. Two sites for new queue-length research were selected:

- Bryant Bank, located on 28th Avenue South in Homewood. The drive-through has one lane, which provides access to a teller window, ATM machine, and night deposit. Data was collected on Wednesday, March 18, 2020 from 10:00 a.m. to 1:00 p.m., and then from 3:00 p.m. to 5:00 p.m. The drive-through teller window closed at 5:00 p.m.
- Cadence Bank, located on State Route 113 in Mentonebrook. The drive-through has two lanes. The left lane provides access to a teller window and night deposit. The right lane provides access to a pneumatic delivery tube to the teller window and an ATM machine. Data was collected on Thursday, March 19, 2020 from 10:45 a.m. to 1:30 p.m., and then from 3:30 p.m. to 4:00 p.m. The drive-through teller window closed at 4:00 p.m.

Data collection was performed by observing the queues during the periods identified above, with the queue data collected minute-by-minute. The results of the queue-length data collection are depicted in the following graphs.

Analysis of Queue Length

The longest queue for the bank drive-through is projected to be three vehicles. Based on the data collected, it is estimated that the queue for the proposed bank drive-through will exceed the available primary storage of two vehicles for a maximum of five minutes during the midday period and two to three minutes during the afternoon period. Of course, the vehicle queue would extend into the parking area behind Shop D3 for approximately seven to eight minutes on a typical weekday. The anticipated queue for the proposed drive-through bank is not projected to exceed 7 vehicles, and thus is not projected to impact traffic flow on Culver Road.

Skipper Consulting, Inc.

Page 4
LANE PARKE
Boulder Brook Villas

PUD AMENDMENT APPLICATION

The Project Owner previously submitted an application for the rezoning of the Property from Local Business District and Residence D District to a Planned Unit Development District in accordance with Article XVI of the City Code, which application was, following public hearings, approved by the City Council. The amendment was adopted by Ordinance 1871 dated May 21, 2012 (as amended from time to time, the "Approved PUD") In case of the terms and conditions noted herein shall have the meanings
given to them in the Approved PUD.

The current owners of the Property subject to the Approved PUD are hereby

amended by submitting an application to Planning Commission and the City Council (the "PUD

Amendment Application") for the approval of certain amendments to the Approved PUD, which will make the permitted conditional uses in the Planned Unit Development

District. The amendment shall be made by the Planning Commission and the City Council to the

First, the owners request that the

PUD Amendment is hereby submitted to the Planning Commission and the City Council, the City Council will consider the application at a

A copy of Exhibit A (as attached hereto), the names and addresses of all property owners whose property lies within 500 feet of the Property, as certified by

Jefferson County Tax Assessor's Office, are listed in Exhibit B (as attached hereto).

Accordingly, the owners hereby submit the information included herein to the City Council pursuant to the application requirements of Article XVI of the City Code in order to amend the Approved PUD.

P-20-20

Petition Summary

Request for approval of an amendment to the approved Lane Parke PUD, specifically to amend the uses permitted by the conditional use, city council approval to include the following: barber shops, beauty shops, hair salons, interior design shops, nail salons, and nummular therapeutic.

Recent Background

On September 8, 2020, the planning commission recommended approval of this request to the city council.

Analysis

Lane Parkes has a very specific set of development standards and permitted uses. These standards are set forth in the PUD document. Page 10 of the PUD document has a specific list of uses that are permitted by right and some that are permitted at the discretion of the city council, via the conditional use process.

The request at this time is to amend page 10 of the PUD document to add personal service uses (6-10 below) to the list of uses that may be permitted on a case-by-case basis at the discretion of the city council (conditional use process).

The following table may be used to compare the current PUD:

<table>
<thead>
<tr>
<th>Use</th>
<th>Existed Prior</th>
<th>Existed Prior</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barber Shops</td>
<td>X</td>
<td></td>
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<tr>
<td>Beauty Shops</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Hair Salons</td>
<td>X</td>
<td></td>
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<tr>
<td>Interior Design Shops</td>
<td>X</td>
<td></td>
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<tr>
<td>Nail Salons</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Nummular Therapies</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Contact

It has been the experience of the city that personal service establishments such as hair and nail salons seek the availability of street parking in the villages. In 2008 the city had 21 personal service salons in the three villages. A door-to-door study of those salons revealed as many as 30 people at a time occupying salons as small as 2,000 to 3,000 square feet; each of these people presumably parked on the street. A retail establishment of similar size was found to have between 2-7 occupants at any given time. It was apparent that these salons disproportionately affected the parking availability in the villages when compared to their retail counterparts.
This led to the council adopting an ordinance in 2008 that amended the parking requirements for personal service establishments, increasing the on-site parking requirement from one parking space per 200 square feet of 2 parking spaces per chair or station (one for each patron and one for each style/technician).

At the time of this parking amendment, the city council was aware that village properties with non-conforming on-site parking would not be further assessed with sales, whose contribution to revenue was minimal, and whose presence led to the erosion of viable retail establishments due to increasing parking scarcity.

On the basis of these 2008 ordinance changes the Lane Parks PUD was submitted; the original version included personal service sales as a permitted use. The council properly struck these uses from the approved version PUD for the reasons noted above.

Current Request for Change in PUD

The application to amend the PUD to add personal service sales back into the list of uses allowed by conditional use approval of city council. By comparison to the Local Business District, it should be noted that Section 130-193 for the Local Business District states that the council may only consider a conditional use for a sales if on-site parking is not to include. It can waive required on-site parking through the conditional use process. So it may be concluded that the council lacks the power of parking sale and sales to

Given the fact that the parking demand for sales is much greater than that of retail, the parking study for the PUD will need to be reevaluated to include sales into the shared parking analysis on a case-by-case basis. To this end it is understood by the applicant that may not be reviewed by the approved parking assumptions would require an update to the parking study for each such request for conditional approval of a service use.

Affected Regulations

Article XVI, Planned Unit Development District, Section 130-296, Additional Requirements and Provisions

APPLICATION

NAME: 5655 Lane Parks Road

LOCATION: Planned Unit Development

OWNERS: Brown, Inc.

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

Notice is hereby given that, at its meeting of Monday, September 28, 2020, the city council of the City of Mountain Brook, Alabama, will consider the application of [Brown, Inc.], a request for approval of an amendment in the approved Lane Parks PUD, specifically to amend the uses permitted by conditional use, city council approval to include the following: bar, shops, beauty shops, hair salons, interior design shops, nail salons, and aesthetics therapists.

Proposed PUD changes (with respect to the permitted conditional uses) are available for review during regular business hours at City Hall or by going to: www.mountainbrook-gc.gov - Council - September 28, 2020 - City Council - Supporting Documents - Lane Parks PUD amendment

The city council will hold a public hearing in connection with the consideration of the application, at which time interested members of the public will be afforded an opportunity to speak or make inquiries regarding the application (see website instructions to join the zoom meeting).

ORDINANCE NO.

AN ORDINANCE AMENDING THE LAN PARKS PUD

BE IT ORDAINED by the City Council 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 130-295 of the Mountain Brook City Code, as approved upon the adoption of Ordinance 130-287 dated May 21, 2012, are hereby amended to include the changes specified as attached herein.

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 lying situated in the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 8, Township 11 South, Range 3 West, more particularly described as follows:

[Parcel boundaries and dimensions provided]

3. Certifications. The applicant certifies that it has conformed to all applicable laws and regulations and that the proposed change is consistent with the Master Development Plan and the approved site plan.

4. Effectiveness. This ordinance shall become effective immediately upon adoption and publication as provided by law.

BE IT FURTHER RESOLVED that all persons called for in this ordinance are hereby notified that the proposed ordinance as the zoning ordinance and public meeting are set forth above is hereby published and provided in the manner specified by Article XXV of the Mountain Brook City Code.

September 28, 2020

Steve Brown, City Clerk
September 16, 2020

Dear Resident,

The City of Mountain Brook has received a request for a stop sign on Briar Oak Circle at the intersection of this section of the street from Overton Road with the dual cul-de-sacs. [See attached map.]

The City Council will consider this request at its September 28, 2020 meeting which will start at 7:00pm. Due to the COVID-19, City Council meetings are held by Zoom. Please check our website at www.mtnbrook.org > Government > Agendas & Minutes > Agenda packet [9/28/20] on Friday afternoon, September 25th, for information on the log-in for the Zoom meeting if you would like to comment on this proposed stop sign request during the Council meeting on September 28th.

If you cannot participate on September 28th, but would like to offer your comments in advance of this meeting, please feel free to contact me at 803-3803 or gaston@mountainbrook.org.

Sincerely,

Sam S. Gaston
City Manager
Sam Gaston

From: Dee Brightwell, Director of Development
242 Inverness Center Drive
Birmingham, Alabama 35242
T: 205-800-0000
C: 205-777-9132
www.ourbvalley.com

To: City of Mountain Brook Council
City of Mountain Brook, Alabama

Re: Request to reduce speed limit to 15 miles per hour and add a stop sign on Briar Oak Circle.

The residents who reside on Briar Oak Circle request the City of Mountain Brook lower the recently posted speed limit from 20 MPH to 15 MPH. In addition to the reduced speed limit, we request the City install a stop sign on Briar Oak Circle (see picture below) in order to slow the traffic coming around the corner to the cul-de-sac.

Sincerely,
Resident of Briar Oak Circle

Attached are the relevant addresses and signatures:

---

Richard Caudle, P.E. (registered in AL and MS)
Skippers Consulting, Inc.
3644 manor road Suite 100
Birmingham, Alabama 35235
richard@skippersinc.com
(205) 615-8835 fax (205) 615-8835
Cell (205) 794-4037 Former (205) 594-4700

From: Sam Gaston <sgaston@rbcubook.org>
Sent: Wednesday, September 9, 2020 11:13 AM
To: Dee Brightwell <dgbrightwell@ourbvalley.com>
Cc: rbcubook.org
Subject: Petition for reduced speed limit and stop sign - Briar Oak Circle
Attachments: Petition to City of Mountain Brook - Speed limit and stop sign.pdf

Sam,

I have attached a petition signed by everyone on Briar Oak Circle to have the speed limit lowered from 30 to 15 miles per hour and add a stop sign before the street T’s into the cul-de-sac off Briar Oak Circle. See picture for placement of stop sign.

Everyone is in agreement about the lowering of the speed limit and the adding of the stop sign.

I hope this item can be brought up and sponsored at the next council meeting. Since we are all in agreement, we hope this can be done quickly.

Please let me know the person I need to drop off the original petition.

This is a life and safety issue for the parents of kids on this street. Teenagers use our street every week to hang out even though they are not visiting anyone who lives on the street and also have run over two slow down watch for children signs as well since June in the location of the requested stop sign.

Thank you,

Dee Brightwell
Director of Development
242 Inverness Center Drive
Birmingham, Alabama 35242
T: 205-800-0000
C: 205-777-9132
www.ourbvalley.com

---

APPENDIX 7

Sam Gaston

From: Richard Caudle <richard@skippersinc.com> on behalf of Richard Caudle
Sent: Wednesday, September 9, 2020 1:24 PM
To: Sam Gaston, Ted Cook, Donald Vaughn
Subject: RE: Petition for reduced speed limit and stop sign - Briar Oak Circle

Yes, in addition to reducing the speed limit to 15 miles per hour and replacing the existing speed limit sign, I think adding a stop sign in the location shown below would also be appropriate.

---

J:\Minutes & Agendas\Council\2020\20200928 Minutes.doc

September 28, 2020
### APPENDIX 8

#### ORDNANCE NO. 2020

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021**

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, that the following is the adopted budget for all major funds of the City for the fiscal year beginning October 1, 2020, and ending September 30, 2021:

<table>
<thead>
<tr>
<th>Funds Available:</th>
<th>General Operations</th>
<th>Park Board</th>
<th>Library Board</th>
<th>Capital Projects Board</th>
<th>Other Governmental (5%)</th>
<th>All Other Governmental (5%)</th>
<th>Total Fund Available</th>
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</thead>
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<td>Revenues:</td>
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<td>(Surplus) deficit</td>
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<td>(302,810)</td>
<td>(8,260)</td>
<td>(2,872,994)</td>
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#### Expenditures:

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<th>Expenditures:</th>
<th>Legislation and management</th>
<th>Planning, Building &amp; Sustainability</th>
<th>Intergovernmental</th>
<th>Unassigned benefits</th>
<th>County</th>
<th>Fire</th>
<th>Inspections Services</th>
<th>Police</th>
<th>Street and Sanitation</th>
<th>Parks and Recreation</th>
<th>Libraries</th>
<th>Debt service payments</th>
<th>Operating transfer in component unit</th>
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</table>


**BEST FURTHER ORDAINED** by the City Council of the City of Mountain Brook, Alabama, that the City Manager of the City is hereby authorized and directed, for and on behalf of the City, to disburse funds for the payment of budgeted expenditures including, but not limited to salaries and benefits, payroll taxes, service and other contracts, debt service, utilities, supplies and such other obligations incurred by the City in the normal course of municipal, police, fire and recreational operations.

**ADOPTED:** The 28th of September, 2020.

**APPROVED:** The 28th of September, 2020.

**CERTIFICATION**

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Mountain Brook at its meeting held on September 28, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on September 29, 2020, in the following public places as required by law:

- City Hall, 56 Church Street
- Gilchrist Pharmacy, 2354 Cahaba Road
- Overton Park, 200 Overton Road
- Cahaba River Way, 3100 Overton Road

City Clerk

[Signature]

**MINUTE BOOK 01**

September 28, 2020
### Statement of Budgeted Revenues, Expenditures, and Changes in Fund Balance (Fund Financial Statements)

**City of Mountain Brook, Alabama**

**Year Ended**

#### General Fund

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<th>Revenues:</th>
<th>Budget 2021</th>
<th>2020</th>
<th>Actual 2020</th>
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<td>Intergovernmental</td>
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<td>Charges for services</td>
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<td>$41,912,832</td>
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#### Expenditures:

- General government
- Public safety
- Street & sanitation
- Library
- Debt service

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<th><strong>Total Expenditure</strong></th>
<th>$36,405,986</th>
<th>$39,352,208</th>
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</table>

#### Excess (deficiency) of revenues over expenditures

| **Excess (deficiency) of revenues over expenditures** | $5,013,456 | $(317,376) |

#### Other Financing Sources (Uses):

- Proceeds from the issuance of debt
- Operating transfers in
- Operating transfers in - component unit
- Proceeds from the sales of assets
- Donations

| **Total Other Financing Sources** | $(4,027,935) | $3,185,841 |

#### Excess (Deficit) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses

| **FUND BALANCES, END OF YEAR** | $19,111,580 | $(3,726,169) |

---

### 2021 General Fund Revenue Budget

#### Major Revenue Categories

- Real estate: 46%
- Sales and use tax: 28%
- Personal property (auto): 4%
- Business licenses: 7%
- Construction: 4%
- Utility & franchise: 6%
- Fines: 2%
- All other: 9%

---

**APPENDIX 8**

---

**Minutes & Agendas/Council2020/20200928 Minutes.doc**

September 28, 2020
2021 General Fund Expense Budget

- Administration 5%
- Planning 1%
- Intergovernmental 2%
- Benefits 2%
- Finance 4%
- Fire 20%
- Police 20%
- Inspections 1%
- Street & Sanitation 19%
- Recreational 4%
- Capital 9%
- Library 9%
- Debt Service 2%

2021 General Fund Expense Budget

- Labor 59%
- Garbage Contract 7%
- County Services 3%
- Debt Service Transfer 1%
- Capital and Other Transfers 10%
- Retiree Medical 1%
- All Other 19%
### General Operations (Fund 10) Budget Summary

City of Mountain Brook, Alabama

**Year Ended**

<table>
<thead>
<tr>
<th>Revenues</th>
<th>Actual 2018</th>
<th>Budget 2020</th>
<th>Projected 2021</th>
<th>Budget 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$40,318,361</td>
<td>$40,257,040</td>
<td>$40,166,342</td>
<td>$39,877,190</td>
</tr>
</tbody>
</table>

#### Expenses and Transfers:

**General Government**
- Legislation & Management: $4,170,504
- Planning: $2,285,918
- Intergovernmental: $567,990
- Benefits (Unassigned): $1,335,070
- Intralnd Transfers-Park Board: $1,267,799
- Intralnd Transfers-Library Board: $3,044,089
- Intralnd Transfers-Other: $3,148,064

**Finance**
- Administration: $776,063
- Revenue: $441,798
- Accounting: $389,590
- Network Administration: $429,980

**Public Safety**
- Fire: $8,197,166
- Administration: $1,168,356
- Prevention: $256,991
- EMS Transportation: $484,280
- Suppression: $8,047,654

**Inspections**
- Police: $4,681,947
- Administration: $2,847,821
- Patrol: $4,137,658
- Detectives: $1,911,200

**School Resource Officers**
- $445,479

**Public Works**
- Administration: $1,325,651
- Garbage & Trash Removal: $2,875,694
- Heavy Construction: $1,078,280

**Traffic & Right-of-Way**
- $1,467,540

**Maintenance**
- $180,434

**Total Expenses and Transfers**
- $28,329,415

**Surplus (Deficit)**
- $4,989,845

---

### Schedule of Historical General Fund Revenues by Source

City of Mountain Brook, Alabama

**Year Ended September 30**

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
<td>$13,512,645</td>
<td>$13,667,794</td>
<td>$13,996,315</td>
<td>$14,434,048</td>
<td>$15,155,023</td>
<td>$15,370,910</td>
<td>$16,179,115</td>
<td>$16,029,020</td>
<td>$16,777,000</td>
</tr>
<tr>
<td>Licenses and permits</td>
<td>$13,512,645</td>
<td>$13,667,794</td>
<td>$13,996,315</td>
<td>$14,434,048</td>
<td>$15,155,023</td>
<td>$15,370,910</td>
<td>$16,179,115</td>
<td>$16,029,020</td>
<td>$16,777,000</td>
</tr>
<tr>
<td>Total</td>
<td>$27,025,290</td>
<td>$27,335,535</td>
<td>$28,492,630</td>
<td>$28,868,096</td>
<td>$30,307,046</td>
<td>$30,740,820</td>
<td>$32,558,230</td>
<td>$32,058,040</td>
<td>$33,554,000</td>
</tr>
</tbody>
</table>

---

### APPENDIX 8

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September 28, 2020
# MINUTE BOOK 91

## PAGE 20 OF 205

Combining Statement of Budgeted General Fund Revenues, Expenditures, and Changes in Fund Balance
City of Mountain Brook, Alabama
Year Ended

### 2011 Budget

<table>
<thead>
<tr>
<th></th>
<th>General Fund</th>
<th>General Operations</th>
<th>Park Board</th>
<th>Drug Asset Forfeitures</th>
<th>Community Fund</th>
<th>Emergency Reserves</th>
<th>Phase 3</th>
<th>Police</th>
<th>Fire &amp; Rescue</th>
<th>Financial</th>
<th>Court</th>
<th>Criminal</th>
<th>Operating</th>
<th>Library</th>
<th>Endowment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taxes</td>
<td>$33,918,300</td>
<td>$33,918,300</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Licenses and permits</td>
<td>4,332,990</td>
<td>4,332,990</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>527,075</td>
<td>527,075</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Charges for services</td>
<td>710,785</td>
<td>710,785</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fines and forfeitures</td>
<td>423,300</td>
<td>423,300</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Grants</td>
<td>16,662</td>
<td>16,662</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Investment Earnings</td>
<td>280,730</td>
<td>280,730</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>261,520</td>
<td>261,520</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Total Revenues:** $40,419,042

|                |                |                    |           |                        |                |                   |         |       |               |          |       |          |          |         |           |
| Excess (deficiency) of revenues over expenditures | $5,013,944 | $5,423,894 | (942,933) | 0 | 0 | 0 | 5,200 | (47,528) | 0 | (2,326,497) | (479,100) |

### Other Financing Sources (Uses):

- Proceeds from the issuance of debt
  - Operating transfers in
  - Operating transfers out
  - Operating transfers in component unit
  - Donations

### Total Other Financing Sources:

- **Excess (deficiency) of Revenues and Other Financing Sources Over Expenditures:** $205,100

### Expenditures:

- General government
- Public safety
- Street & sanitation
- Recreational
- Library
- Debt service

### Total Expenditures:

|                |                |                    |           |                        |                |                   |         |       |               |          |       |          |          |         |           |
| Excess (deficiency) of revenues over expenditures | $19,113,903 | $16,035,212 | $125,000 | $5,201 | $10,970 | $2,739,017 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | $8,662 | $1,930 |

### FUND BALANCES, END OF YEAR

|                |                |                    |           |                        |                |                   |         |       |               |          |       |          |          |         |           |

### 2021 Budget

<table>
<thead>
<tr>
<th></th>
<th>Capital Projects</th>
<th>Intragovernmental Projects</th>
<th>Grant Funded</th>
<th>Capital</th>
<th>GEAF</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues:</strong></td>
<td>$1,192,532</td>
<td>$1,062,532</td>
<td>$2,000,000</td>
<td>$230,000</td>
<td></td>
</tr>
<tr>
<td><strong>Expenditures:</strong></td>
<td>$136,086</td>
<td>$6,050,074</td>
<td>$2,470,000</td>
<td>$2,888,411</td>
<td></td>
</tr>
</tbody>
</table>

### Other Financing Sources (Uses):

- Proceeds from the issuance of debt
- Operating transfers in
- Operating transfers out
- Operating transfers in component unit
- Proceeds from the sale of assets
- Donations

### Total Other Financing Sources:

- **Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures:** $2,495,064

### Expenditures and Other Financing Uses:

- Fund balance, beginning of year $16,468,183
- $12,932,984 | $(173,742) | $2,470,000

### FUND BALANCES, END OF YEAR $11,939,189 | $4,539,271 | $159,185 | $11,730,438

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J:\Minutes & Agendas\Council\2020\20200928 Minutes.doc
September 28, 2020
## Statement of Changes in Fiduciary Net Position
Other Post-Employment Benefits Trust Fund

### Year Ended September 30

#### Actual 2020 2020 Projected 2021

<table>
<thead>
<tr>
<th>ADDITIONS</th>
<th>Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>215-3405-4310</td>
<td>$ 654,303 $ 707,007 $ 834,159 $ 508,000</td>
</tr>
<tr>
<td>215-3407-4211</td>
<td>132,077 140,000 132,000 140,000</td>
</tr>
<tr>
<td>215-3407-4403</td>
<td>159,137 20,000 21,400 20,000</td>
</tr>
<tr>
<td>TOTAL ADDITIONS</td>
<td>953,517 977,007 988,589 958,000</td>
</tr>
</tbody>
</table>

#### DEDUCTIONS

| 215-1115-0130 Benefits | 480,000 542,000 582,000 640,000 |
| 215-1120-0000 Administrative expenses | 159,137 20,000 21,400 20,000 |
| TOTAL DEDUCTIONS | 639,137 662,000 702,000 660,000 |

#### NET INCREASE

| 2,554,380 2,595,495 2,596,485 2,558,047 |

#### NET POSITION HELD IN TRUST FOR OTHER POST-EMPLOYMENT BENEFITS, END OF YEAR

| $ 3,552,445 $ 3,672,445 $ 3,590,047 $ 3,672,047 |

Note: Effective October 1, 2005, OASDI-45 required local governments to account for their other post-employment benefit plans (OPEB) similar to the method of accounting for its defined benefit pension plans. The City's OPEB plan includes retiree medical insurance. On July 27, 2006, the City Council authorized the creation of an Internal Revenue Code Section 115 trust (Reservation No. 04-091) and began depositing funds into the trust to offset its obligation for retiree medical benefits. Following is a summary of the City's deposits into the Sec. 115 trust since its creation, and trust balances, external secured asset (AAL) and unfunded external secured asset (UAA) as of September 30:

<table>
<thead>
<tr>
<th>September 30</th>
<th>2021 Budgeted</th>
<th>2020 Projected</th>
<th>Hospital Net Positionか</th>
<th>External Trust Net Positionか</th>
<th>AAL</th>
<th>UAA</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021 Budgeted</td>
<td>0 $ 505,000 $ 505,000</td>
<td>$ 3,472,047</td>
<td>$ 7,005,000</td>
<td>$ 3,235,000</td>
<td>40.8%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2019</td>
<td>500,000 542,000 582,000 640,000</td>
<td>953,517 977,007 988,589 958,000</td>
<td>639,137 662,000 702,000 660,000</td>
<td>2,554,380 2,595,495 2,596,485 2,558,047</td>
<td>3,552,445 3,672,445 3,590,047 3,672,047</td>
<td>40.8%</td>
<td></td>
</tr>
</tbody>
</table>
EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT made by and between SAM GASTON ("Gaston") and the CITY OF MOUNTAIN BROOK, ALABAMA ("City").

WHEREAS, Gaston has satisfactorily served as City Manager for the City since June 1991; and

WHEREAS, Gaston and the City have agreed that the terms and conditions of Gaston's continued employment shall be memorialized and set forth in a formal contract of employment in order to promote clarity and avoid misunderstanding;

PREMISES CONSIDERED, Gaston and the City agree to the following terms and conditions:

1. Appointment as City Manager. Gaston shall serve as City Manager of the City of Mountain Brook, Alabama, and, in such capacity, shall perform such tasks and duties as may be prescribed and/or defined by the governing body or by applicable ordinance or statute. Gaston shall devote all of his productive time, ability and attention to the business of the City during the terms of his appointment and shall not engage in any other employment or pursuit that would conflict or interfere with his duties and responsibilities as City Manager, without consent approval.

2. Term of Appointment. The term of Gaston's appointment shall be as provided by law.

3. Consideration. Notice. Gaston's appointment and the City's obligations hereunder may be terminated by (i) operation of law; (ii) termination thereof by the governing body without cause during his term of appointment; (iii) termination thereof by the governing body for cause during his term of appointment; and (iv) Gaston's voluntary resignation.

The City may at its option terminate Gaston's appointment at any time for cause. For purposes of this Agreement, termination "for cause" shall include, but not be limited to, any act of theft, embezzlement, immorality, conduct, sexual harassment, use of illicit drugs, or intoxication while acting as an employee of the City; (ii) the commission for any crime involving moral turpitude; (iii) the willful neglect by Gaston of his duties hereunder; or (iv) the breach of any material term or condition of this Agreement by Gaston after written notice. Upon any such termination by the City for cause, Gaston shall only be entitled to the compensation and benefits provided in this Agreement (including accrued but unused vacation and sick leave) accrued on a prorated basis up to and including the date of such termination, and shall be entitled to no further compensation subsequent to such date except as may be required by law. Any terminations for cause by the City shall not prejudice its rights to seek any other remedies or remedies to which it may be entitled under law.

The City may also, at its option, terminate this Agreement at any time without cause. In the event of any termination by the City of this Agreement without cause prior to the expiration of Gaston's term as provided by law, the City shall be fully obligated to pay to Gaston his full salary and fringe benefits, including but not limited to any accrued but unused vacation and sick leave, for the four (4) month period immediately following said date of termination. In exchange for said payments by the City, Gaston agrees to make himself available to provide consulting services to the City as may be reasonably requested during said four (4) month period.

Gaston shall provide the City at least sixty (60) days' advance written notice of his resignation. Upon termination of his employment, Gaston shall be paid for any accrued but unused sick leave and/or unused vacation days in accordance with generally applicable city policy.

4. Compensation and Benefits. Employment. Gaston shall receive as base compensation the sum of one hundred seventy-eight thousand two hundred sixty and 67/100 dollars ($178,265.67) per annum, which shall be paid in regular increments according to the payroll system and schedule then in effect for the City. Gaston shall also receive and be eligible for the same across-the-board raises and fringe benefits (including but not limited to health, dental, disability, and life insurance, longevity pay, vacation, and sick leave) as are accorded or made available to city employees generally provided, however, that nothing herein shall be construed to confer upon or benefit to or any employee or Gaston.

Gaston's job performance shall be evaluated periodically at the discretion of the City Council. Upon receipt of satisfactory performance evaluation, Gaston shall be entitled to such increases in base compensation for the duration of the term of his appointment as the governing body may deem appropriate.

In addition to the foregoing, and in keeping with past practice, the City shall furnish to Gaston as automobiles that may be used by Gaston for city-related functions, activities, and purposes, and for transportation between work location(s) and his personal residence. The City shall pay or provide for all gasoline, oil, maintenance, and insurance expenses associated with operation of the automobiles. The City shall also pay for or reimburse Gaston for all actual and reasonable out-of-pocket expenses, fees, or fines incurred by Gaston in performing or attending city-related functions and activities, including but not limited to membership in and attendance at annual or semi-annual conferences sponsored by the ACMEA, the APA, and the ICHMA.

5. Notice. Any notice, consents, requests, approvals, and other communications provided for herein shall be validly given, made, or served if written and delivered personally or by registered or certified mail, postage prepaid, as follows, viz:

TO: GASTON: Sam S. Gaston
5312 Mountain Park Circle
Indian Springs, AL 35124

TO: CITY:
City of Mountain Brook
By: The Mayor
P. O. Box 12005
Mountain Brook, AL 35213-0009

6. Modification. This Agreement cannot be changed, modified, or amended in any respect except by a written instrument signed by both parties.

7. Entire Agreement. This Agreement supersedes all other agreements previously made between the parties relating to its subject matter. There are no other understandings or agreements, as all prior agreements are hereby merged into this Agreement.

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

Page 2 of 3
[This page is blank intentionally.]