

**MEETING AGENDA OF THE
MOUNTAIN BROOK CITY COUNCIL**

**CITY HALL COUNCIL CHAMBER (ROOM A108)
56 CHURCH STREET, MOUNTAIN BROOK, AL 35213**

MARCH 11, 2019, 7:00 P.M.

1. Leadership Mountain Brook presentations: a) dog park, b) public art, c) Crestline mural, and d) City entrance signage.
2. Arbor Week Proclamation.
3. Approval of the minutes of the February 25, 2019, regular meeting of the City Council.
4. Consideration: Resolution reappointing Kimm Eckhoff to the Jefferson County Intellectual and Developmental Disabilities Authority, Inc. (term will expire April 1, 2025).
5. Consideration: Resolution ratifying the execution of the Municipal Workers' Compensation Fund Deductible Addendum – 2019 effective February 1, 2019.
6. Consideration: Resolution authorizing the renewal/extension of the Waste Management of Central Alabama garbage, trash and recycling contract (October 1, 2019 through September 30, 2022).
7. Public hearing: Consideration of the placement of a yield sign on Camellia Drive at its intersection with Montgomery Drive.
8. Announcement: The next regular meeting of the City Council will be March 25, 2019, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.
9. Comments from residents.
10. Adjourn.

LEADERSHIP MOUNTAIN BROOK



CITY IMPROVEMENT PRESENTATIONS

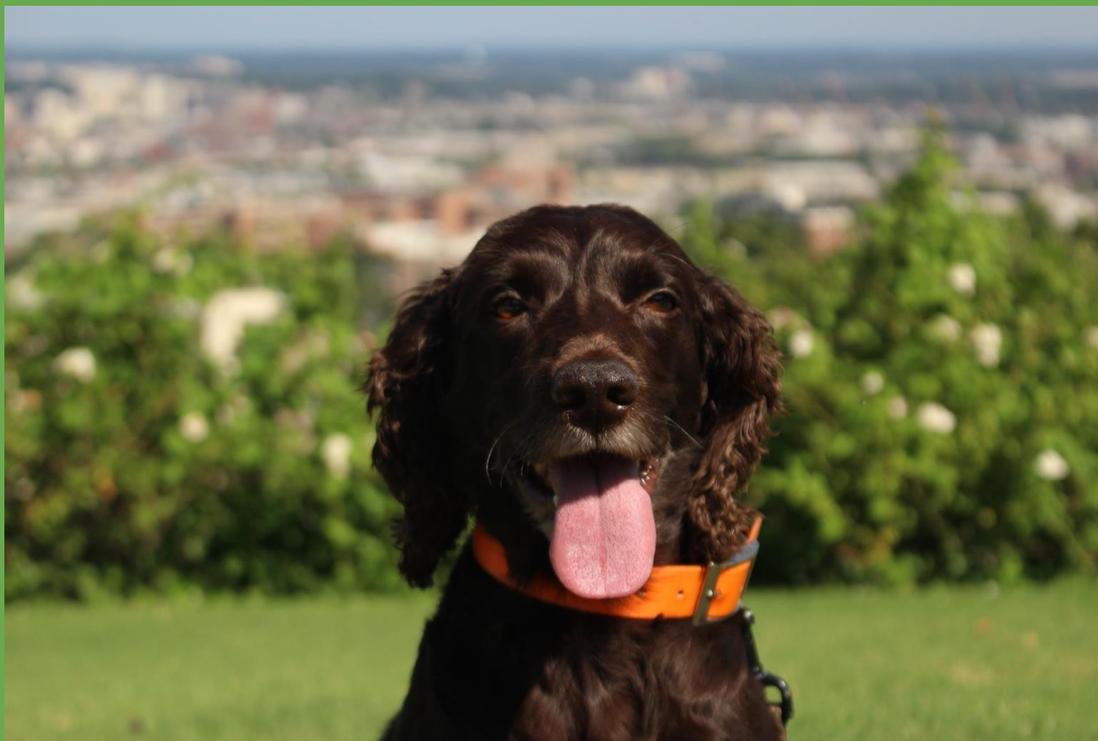
2018 – 2019

Mountain Brook Dog Park



Weesa Keller, Will Krueger, Alice Monk, and Charles Nicrosi

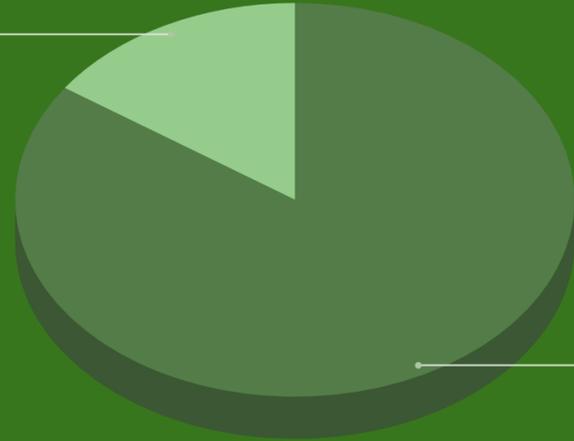
Purpose



Dog park community interest survey



No
15.4%

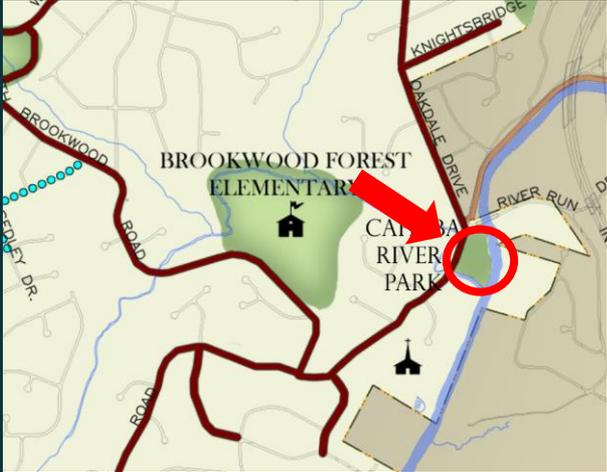


Yes
84.6%

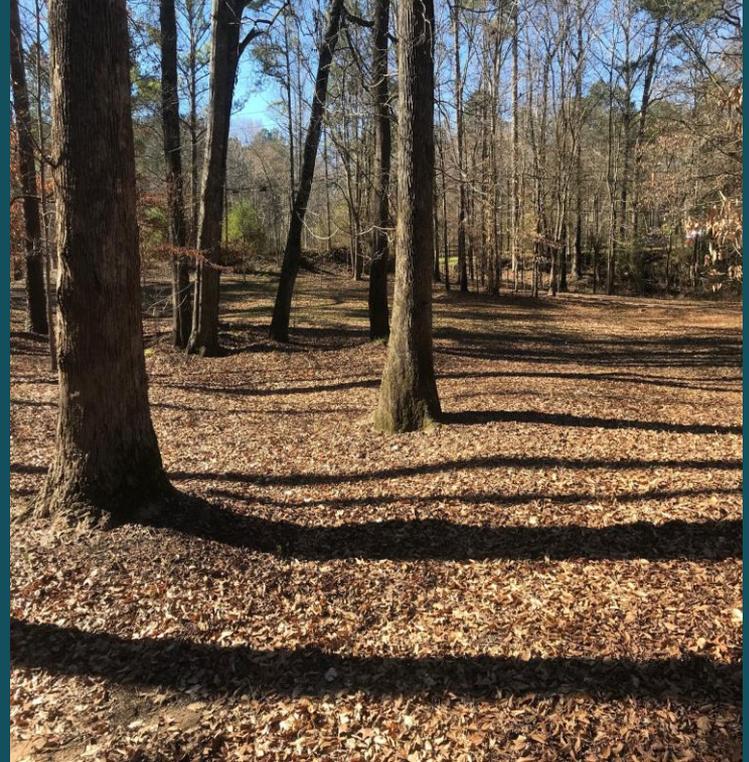
Public concern



Cahaba River Walk



Cahaba River Walk



Rules

Rules will be posted at the entrance of the dog park

They have been designed to ensure the safety of everyone, along with protecting the city

MOUNTAIN BROOK DOG PARK RULES

1. ENTER AT YOUR OWN RISK
2. ALL OWNERS ARE LEGALLY RESPONSIBLE FOR THEIR PETS
3. PETS MUST BE ON A LEASH WHILE ENTERING AND EXITING THE PARK
4. AGGRESSIVE PETS MUST BE REMOVED IMMEDIATELY
5. PETS MUST BE SUPERVISED AND KEPT UNDER CONTROL BY PET OWNERS
6. ALL PET WASTE MUST BE PICKED UP AND DISPOSED OF BY PET OWNERS

Our Ask



Permission to build at the Cahaba River Walk park.

\$10,000 to pay for fencing, gates, signage, along with future additions deemed necessary by parks and rec

The Remy Fund

We would like for you to be our
sponsors for the Remy fund



Thanks for listening!



A close-up photograph of piano keys, showing the white and black keys. The keys are heavily splattered with various colors of paint, including red, green, yellow, and black, creating a vibrant and abstract visual. The background is dark and out of focus.

The Piano Project

MOUNTAIN BROOK PUBLIC ART

Mountain Brook High School



Brookwood Forest Elementary
School



The one and only

Mountain Brook Junior High
School

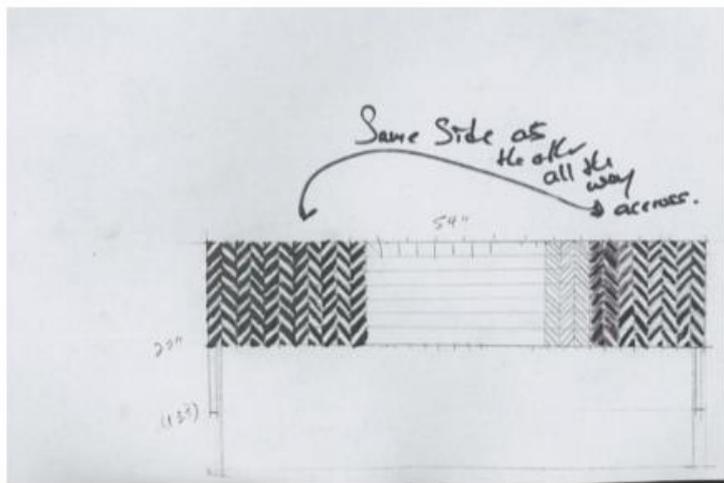
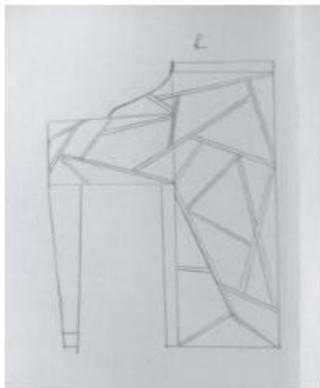


+

Outline for Piano Art

High School Piano Sketch







Sketches by: Sam Guilsher



Inspiration for Elementary School Piano



MOUNTAIN BROOK MURAL

Eric Cordover and Fraley Williams



Wall of Crestline Pharmacy

Corner of Hoyt Ln. & Church St.

Managed by:

Hubbard Properties

Why is it important?





MEET MARY GRACE TRACY

Mountain Brook and LMB graduate

University of Montevallo graduate

**B.F.A. Painting Concentration w/ Art
History Minor**



How Will It Be Done?

PROJECTOR SKETCH

PAINT BY NUMBER

INCLUDE THE COMMUNITY

**2-3
WEEKS**

ESTIMATED
TIME OF
PROJECT

\$15,682

Estimated
Cost

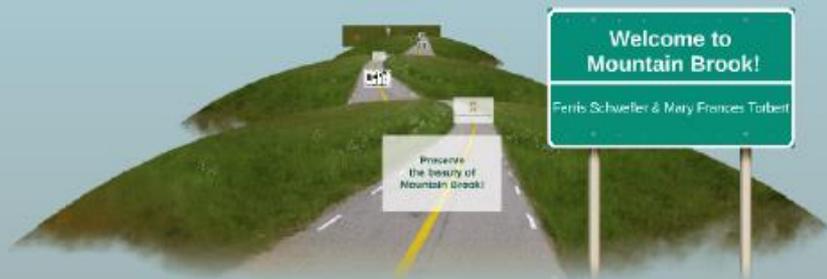
Design 1



Design 2







Welcome to
Mountain Brook!

Ferib Schaeffer & Mary Frances Tolbert

Presents
the beauty of
Mountain Brook!



**Welcome to
Mountain Brook!**

Ferris Schwefler & Mary Frances Torbert



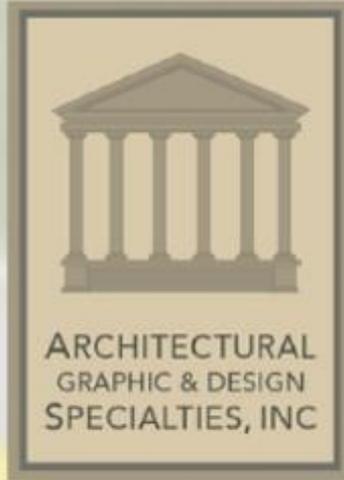
**Welcome to
Mountain Brook!**

Ferris Schwefler & Mary Frances Torbert

**Preserve
the beauty of
Mountain Brook!**



**Preserve
the beauty of
Mountain Brook!**

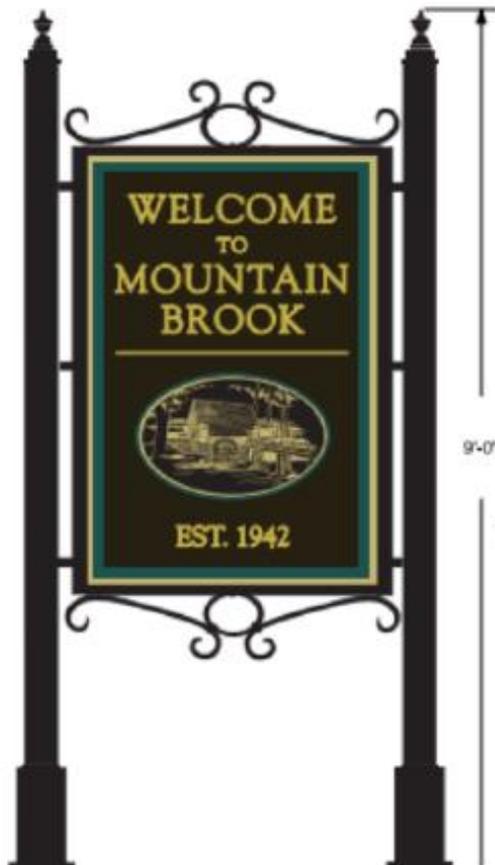


Architectural Graphic & Design

Option 1

Option 2

Option 3



existing sign



ARCHITECTURAL SIGNAGE
 1000 W. BIRCHWOOD BLVD. SUITE 100
 MOUNTAIN BROOK, AL 35115
 www.architecturalsignage.com
 All Rights Reserved

Exterior Sign Types:

CITY ENTRANCE SIGNS

NEIGHBORHOOD SIGNS

Job:

City of Mountain Brook
Mountain Brook, AL

4/13/2018

Notes:

Minimum Construction
 Display Permitted Logo
 Reflective Vinyl Graphics

A-100
SIGNAGE

Cost

Option 1 (double pillars): \$12,470

Option 2 (single pillar with bracket): \$8,300

Option 3 (single pillar simple): \$3,500

There is possible funding from garden clubs and money set aside for LMB projects in the city's budget.

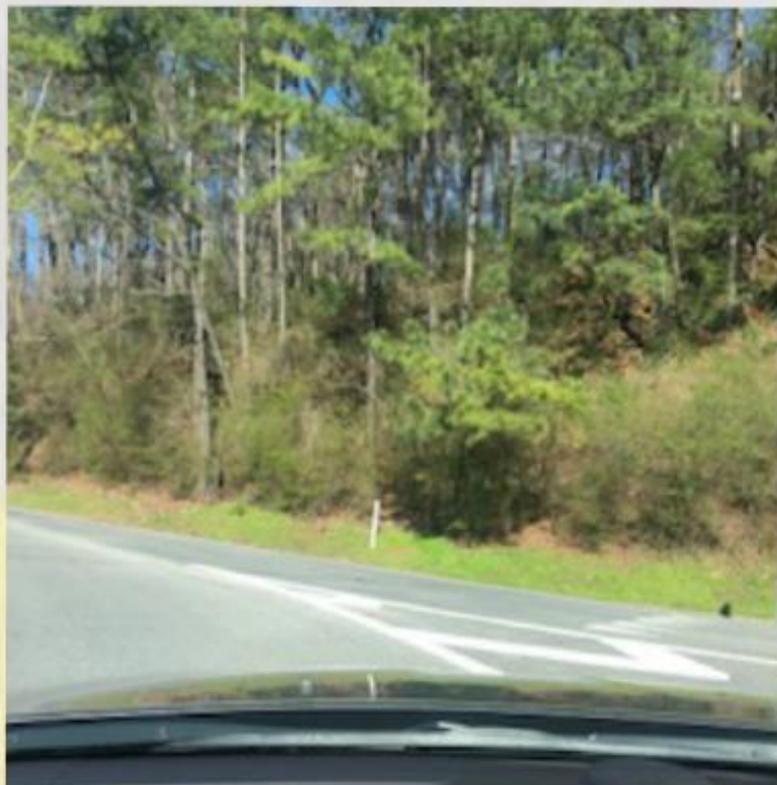
Mountain Brook Parkway and Lakeshore Drive



English Village from 21st Street



Overton Road off of Highway 280



Overton Road and Crosshaven Road



Old Leeds Road



A green road sign with white text is positioned on the right side of the image. The sign is rectangular with rounded corners and a white border. It is supported by two wooden posts. The background of the entire image is a scenic view of rolling green hills under a clear blue sky. A paved road with a yellow center line and white dashed edge lines winds through the hills. In the distance, a small white building is visible on a hill. There are several small, semi-transparent icons or logos scattered across the landscape, including one near the top of the road and another near the bottom left.

**Welcome to
Mountain Brook!**

Ferris Schwefler & Mary Frances Torbert

**Preserve
the beauty of
Mountain Brook!**



CITY OF MOUNTAIN BROOK

56 Church Street
Mountain Brook, Alabama 35213
Telephone: 205.802.3800
Facsimile: 205.879.6913
www.mtnbrook.org

ARBOR WEEK PROCLAMATION

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

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

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

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

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

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

Now, Therefore, I, Stewart H. Welch III, Mayor of the City of Mountain Brook, do hereby **proclaim** April 22 through April 28, 2019, as

ARBOR WEEK

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

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

Given under my hand and the City of Mountain Brook,
Alabama, on this 11th day of March, in the year of our
Lord, 2019, and of the Independence of the United
States of America, 243rd.

Stewart H. Welch III, Mayor

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
FEBRUARY 11, 2019**

The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 5:45 p.m. on the 25th day of February, 2019. The Council President called the meeting to order and the roll was called with the following results:

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

Absent: None

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

1. AGENDA

1. Overton Road APPLE grant traffic consultant selection—Mike Kaczorowski of the Regional Planning Commission of Greater Birmingham. (Motion No. 2019-028 was added to the formal agenda.)
2. Crosswalk realignment on Beechwood Road—Richard Caudle of Skipper Consultants and Steven Gay (Appendix 1). Mr. Caudle offered a third alternative not included in his report. The preferred alternative is to move the crosswalk up to the intersection of Beechwood Road and Old Leeds Road with no pedestrian signals. The estimated cost of the project performed by a contractor (including, but not limited to, ADA ramps, signage and markings) is \$10,600. Further study is needed to determine the effects of the work over the tree roots and what portion, if any, the City may be able to perform. This matter will be reconsidered at a later date.
3. Business License Code changes—Steven Boone (Appendix 2). (Ordinance Nos 2041 and 2042 were added to the formal meeting agenda.)
4. Yield sign and stop bar for Camilla Circle at Montgomery Drive—Chief Cook. (No action to be taken tonight. This matter may be brought back for consideration at a later date after affected residents are notified on the contemplated change.)
5. State Motor Fuel Tax Increase resolution—Sam Gaston (Appendix 3). (No action proposed at this time.)
6. Sale of the 2001 Quality Spartan fire truck to the Blountsville Fire Department Auxiliary—Chief Chris Mullins. (Motion No. 2019-027 was added to the formal agenda.)
7. Review of the matters to be considered at the formal (7 p.m.) meeting

2. EXECUTIVE SESSION

Council President Smith made a motion that the City Council convene in executive session to discuss 1) a real estate negotiation, 2) pending litigation, 3) potential litigation, and 4) good name and character. The

City Attorney certified that the subject matter of the executive session is permissible under the Open Meetings Act. The motion was seconded by Council Pro Tempore Pritchard. There being no further discussion, the vote was called with the following results:

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

Nays: None

Council President Smith thereupon declared that said motion carried by a vote of 5—0.

3. ADJOURNMENT

There being no further matters to be discussed, Council President Smith excused those in attendance at the meeting, announced that the City Council shall reconvene in the Council Chamber upon conclusion of the execution session at 7 p.m. and adjourned the pre-meeting at approximately 6:25 p.m.

4. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct synopsis of the discussion from the work session of the City Council of the City of Mountain Brook, Alabama held at City Hall, Pre-Council Room (A106) on February 25, 2019, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that no formal action or votes were conducted at said work session.

City Clerk

**MINUTES OF THE REGULAR OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
FEBRUARY 25, 2019**

The City Council of the City of Mountain Brook, Alabama met in public session in the City Hall Council Chamber at 7:00 p.m. on the 25th day of February, 2019. The Council President called the meeting to order and the roll was called with the following results:

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

Absent: None

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

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

1. PRESENTATION

Mayor Welch presented the Colorectal Cancer Awareness Month proclamation (No. 2019-023) to Elizabeth Hardwick.

2. RECOGNITION OF GUESTS

Council President recognized Boy Scout Thomas Jernigan of Troop 320 in attendance for the Communications merit badge.

3. PRESENTATION OF THE ANNUAL FINANCIAL AND COMPLIANCE AUDIT AS OF AND FOR THE YEAR ENDED SEPTEMBER 30, 2018 (APPENDIX 6)

Jason Harpe, Partner with Carr, Riggs & Ingram:

- The auditors have issued an unmodified or “clean” opinion
- The Statement of Net Position reflects the net OPEB liability of \$2.9 million (\$5.8 total OPEB liability less \$2.9 million in OPEB trust assets)
- The Statement of Net Position reflects unrestricted net position of \$2.4 million
- The fund “income” statement reflects a surplus of \$582,506 and ending fund balance of \$16,044,208 representing approximately 174-days of expenses in reserve
- Generally, local governments strive for a 90-day expense reserve but more often than not average about 75-days
- Page 44 of the notes illustrates the sensitivity of the discount rate on the net pension liability
- Page 47 of the notes illustrates the sensitivity of the discount rate and medical trend on the net OPEB liability

Catherine Cannon, Manager with Carr, Riggs & Ingram:

- Referenced the charts attached hereto
- Reviewed the required communications required by government auditing standards
- There was one material audit adjustment involving the seven cent gasoline tax fund (an invoice totaling \$174,974 was inadvertently recorded in fiscal 2019)
- A management representation letter will soon be delivered that will be dated the same as the auditors’ opinion

Jason Harpe

- Aside from segregation of duties matter that is highlighted each year, there are no other recommendations from the auditors

4. CONSENT AGENDA

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

Approval of the minutes of the February 11, 2019, regular meeting of the City Council

2019-023 Proclamation	Colorectal Cancer Awareness Month Proclamation	Exhibit 1
2019-024 Proclamation	Certified Government Financial Manager Month Proclamation	Exhibit 2
2019-025 Motion	Accept the annual financial and compliance audit of the City as of and for the year ended September 30, 2018	Appendix 6
2019-026	Award the bid for the purchase of a radio-frequency identification (RFID) system for the Library to EnvisionWare, Inc. (B-2019-0104-474)	Exhibit 3, Appendix 1
2019-027 Motion	Authorize the sale of a 2001 Quality Spartan GA40M-2142 fire engine, VIN 4S7AT41931C038126, asset no. 1168 (declared surplus upon the adoption of Resolution No. 2017-045) to Blountsville Fire Department Auxiliary in consideration of \$10,000 said sale to be as is, with no warranties expressed or implied	Exhibit 4, Appendix 2
2019-028 MOTION	Select Skipper Consulting, Inc. to perform the Advance Planning Programming and Logical Engineering (APPLE) study of Overton Road with the City's 20% matching contribution estimated to be no more than \$12,000 of which the City of Vestavia Hills has verbally agreed to reimburse the City up to \$4,000	Exhibit 5, Appendix 3

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

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

Nays: None

Council President Smith thereupon declared that said minutes, proclamations (Nos. 2019-023 and 2019-024), resolution (No. 2019-026) and motions (Nos. 2019-025, 2019-027 and 2019-028) are adopted by a vote of 5—0 and as evidence thereof signed the same.

5. CONSIDERATION OF AN ORDINANCE (NO. 2040) RESTRICTING LEFT TURNS FROM ELM STREET INTO THE ALLEY LOCATED BETWEEN ELM STREET AND MAIN STREET WEEKDAYS DURING SPECIFIED HOURS (EXHIBIT 6, APPENDIX 4)

The ordinance was introduced in writing by Council President Smith who then invited comments and questions from the audience. There being none, Council 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 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. 2040) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

6. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER X OF THE CITY CODE REGARDING PERMITTED USES IN THE PROFESSIONAL DISTRICT ZONING CLASSIFICATION (EXHIBIT 7, APPENDIX 5)

Council President Smith introduced the ordinance in writing and announced that the City Council shall not be voting on the proposed ordinance tonight. She then opened the public hearing and invited questions and comments from the audience.

Raheel Farough of 3076 Overton Road:

- Observed that the proposed ordinance does not define the Professional District
- Fears that residential properties may be arbitrarily rezoned to Professional District
- Views the current proposal as a threat the residential districts throughout the City

City Planner Dana Hazen:

- The current Professional District classification is a static zoning district meaning that once a property is rezoned to Professional, any permitted use as defined is allowed by right
- The current code defines the Professional District and its permitted uses
- The proposed ordinance eliminates the antiquated uses and requires future rezoning applications submit to review by the City Council similar to the conditional use procedure (i.e., nothing is automatically allowed)

- The proposed ordinance does not affect properties currently zoned Professional—only applies to future rezoning applications and all future tenants thereof
- For the most part, properties currently zoned Professional are located within transitional districts

Council member Black:

- Views this proposal to be beneficial as it gives the City more control over proposed developments and uses

Council President Pro Tempore Pritchard:

- Questions whether the proposal may adversely affect property rights
- Suppose a professional use is approved, then the owner(s) years later wish to sell. It seems there is no certainty that the prospective purchasers proposed use will be approved thereby potentially impacting the marketability of the property.

City Planner Dana Hazen:

- The rezoning case currently under planning commission review (Res-A to Professional District), is such that some of the neighbors have expressed no real opposition to the specific professional use proposed; however, they question what may become of the use many years from now
- Under the current ordinance, once a property is rezoned to Professional, the City Council has no control over subsequent uses as long as they are in accordance with the district development regulations
- This issue has not posed any problems in the current Professional Districts as they generally are situated in transitional areas. However, this will become more important if rezoning applications are pursued further into residential areas.
- The evaluation criteria for the conditional use process proposed herein are set forth in the ordinance. As drafted, the City Council cannot arbitrarily deny a conditional use application. The review, findings and City Council action must take into account potential adverse impacts on surrounding neighborhoods with regard to parking, vehicular and pedestrian circulation, compatibility with the surroundings uses, hours of operation, etc.
- The existing professional district requires a lot size of 15,000 square feet. Generally, residential properties in areas which serve as transitions between the villages and residential neighborhoods cannot satisfy this requirement (or the minimum on-site parking provision) so rezoning from residential to Professional will generally not be possible.

Council member Black:

- Generally, residents don't want to see spot zoning that can lead to professional uses in the middle of a residential district (e.g., the Vestavia portion of Pumphouse Road)

Raheel Farough:

- Questioned whether a Professional office could be a rental property under the proposed ordinance

City Attorney Whit Colvin:

- There is no distinction between owner occupied and rental properties in the ordinance

There being no further questions or comments, Council President Smith closed the public hearing. As stated earlier, the Council will not vote on the proposal at this time.

7. CONSIDERATION OF AN ORDINANCE (NO. 2041) AMENDING SEC. 26-207(1) OF THE CITY CODE WITH RESPECT TO MINIMUM LICENSE TAX FOR CONDUCTING BUSINESS IN THE CITY (EXHIBIT 8)

The ordinance was introduced in writing by Council President Smith who then invited comments and questions from the audience. There being none, Council 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 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 Womack 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. 2041) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

8. CONSIDERATION OF AN ORDINANCE (NO. 2042) AMENDING SEC. 26-207(3) AND SEC. 14-1 OF THE CITY CODE WITH RESPECT TO BUSINESS LICENSE ISSUE FEES IN THE CITY (EXHIBIT 9)

The ordinance was introduced in writing by Council President Smith who then invited comments and questions from the audience. There being none, Council 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 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 Shelton moved for the adoption of said ordinance. 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 ordinance (No. 2042) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

9. ANNOUNCEMENT

The next regular meeting of the City Council will be Monday, March 11, 2019, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

10. ADJOURNMENT

There being no further business to come before the City Council, Council President Smith adjourned the meeting at approximately 7:30 p.m.

11. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the joint, regular meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A108) on February 25, 2019, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

City Clerk

EXHIBIT 1

PROCLAMATION NO. 2019-023

COLORECTAL CANCER AWARENESS MONTH

WHEREAS, colorectal cancer is the second most common cause of cancer deaths for men and women in Alabama and the lifetime risk of being diagnosed with cancer of the colon or rectum is 5.5 percent for men and 5.1 percent for women in the United States;

WHEREAS, the vast majority of colon cancer deaths can be prevented through proper screening and early detection and if 80 percent of adults were screened for colon cancer, 203,000 fewer people will die by 2030;

WHEREAS, the survival rate of individuals who have colorectal cancer is 90 percent when detected in the early stages versus only a 10 percent survival rate when colorectal cancer is diagnosed after it has spread to other organs;

WHEREAS, the American Cancer Society estimates 2,330 cases of colorectal cancer will be diagnosed in Alabama this year and 930 people will die from the disease, and deaths from colorectal cancer occur disproportionately among those who are underserved or underinsured;

WHEREAS, when detected early the five-year survival rates for colon cancer is 90%; however, only 39% of colorectal cancers are diagnosed at this stage, mostly due to low rates of screening;

RESOLUTION NO. 2019-030

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Kimm Eckhoff is hereby re-appointed to serve, without compensation, on The Jefferson County Intellectual and Developmental Disabilities Authority, Inc. with this term of office to end April 1, 2025.

ADOPTED: This 11th day of March, 2019.

Council President

APPROVED: This 11th day of March, 2019.

Mayor

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 a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on March 11, 2019, as same appears in the minutes of record of said meeting.

City Clerk

**JEFFERSON COUNTY INTELLECTUAL AND
DEVELOPMENTAL DISABILITIES AUTHORITY, INC.**

**117 Gemini Circle, Suite 407
Birmingham, AL 35209
(205) 945-9310 ext. 242, (205) 945-8527 Fax
e-mail: keidson@jcidda.org**

February 26, 2019

Stewart H. Welch, III
Mayor, City of Mountain Brook
P.O. Box 130009
Mountain Brook, Alabama 35213

Dear Mayor Welch:

On behalf of the Board of Directors of The Jefferson County Intellectual and Developmental Disabilities, Inc., we are respectfully requesting the reappointment of Mrs. Kimm Eckhoff to our Board of Directors effective April 1, 2019 when her term expires. In our meeting of February 26, 2019, the re-nomination of Mrs. Eckhoff as our representative for the City of Mountain Brook was approved. Mrs. Eckhoff has expressed her willingness to serve if re-appointed.

Mrs. Eckhoff continues to reside at 3504 Victoria Road, Mountain Brook, Alabama 35223. Mrs. Eckhoff brings to our Board the valuable perspective of the parent of a child with a disability and her contributions to our Board have been paramount.

We appreciate your consideration of Mrs. Kimm Eckhoff in the re-appointment to the JCIDDA Board of Directors. Should you have any questions, please contact our Executive Director, Kendra Eidson at 205-945-9310 extension 242 and she will be happy to assist you.

Respectfully,


John Norman
Board President

RESOLUTION NO. 2019-031

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that City Council hereby ratifies the execution of the MWCF Deductible Addendum – 2019, in the form as attached hereto as Exhibit A, and such other documents that may be determined necessary with respect to the \$300,000 deductible workers' compensation insurance coverage and claims administration services for the policy year beginning February 1, 2019.

ADOPTED: This 11th day of March, 2019.

Council President

APPROVED: This 11th day of March, 2019.

Mayor

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 a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on March 11, 2019, as same appears in the minutes of record of said meeting.

City Clerk

MWCF Deductible Addendum - 2019

Dear City of Mountain Brook:

On behalf of The Municipal Workers Compensation Fund (MWCF), we would like to thank you for purchasing workers comp coverage through MWCF for your entity.

This addendum to the MWCF Participation Agreement confirms your deductible program and your portion of each claim that City of Mountain Brook will pay under this program. City of Mountain Brook is on a \$300,000 deductible per claim per year program. MWCF will pay all expenses on each claim that exceeds \$300,000 and City of Mountain Brook will pay all expenses on each claim up to the first \$300,000 of each claim.

You agree by signing this addendum, that in the event you do not pay the deductible reimbursement expenses on this program within 30 Days of billing receipt, MWCF may offset any balance due to them, against un-earned premiums paid in by you, against any deposit paid in by you, any dividends due to you and may accelerate any un-paid premium payments under any financing agreement. You further agree, that in the event your entity does not reimburse deductible expenses back to MWCF, you understand that MWCF may cancel your existing workers compensation insurance coverage under state law for non-payment.

You also agree that as a condition of this deductible program, you will furnish MWCF ongoing quarterly financial statements, if requested. In the event of a significant change in the finances of your entity, determined in our sole discretion, then the fund may re-underwrite the risk of your entity based on this deductible program mid-year. Re-underwriting may include termination of coverage, change in deductible amount or even elimination of deductible amount for the current coverage term.

As part of our program MWCF will provide normal administrative services to your account, including claims below your \$300,000 deductible.

In addition to the standard MWCF services, it is important to note and understand that certain fees and expenses related to the administration of claims are included within the deductible portion of your policy. These expenses are called "allocated loss adjustment expenses" and are standard in the industry. City of Mountain Brook must pay these expenses for the first \$300,000 of all claims. MWCF will only pay these expenses after the \$300,000 deductible of any claim is met. The "allocated loss adjustment expenses" are listed below.

ALLOCATED LOSS ADJUSTMENT EXPENSE

1. The term "Allocated Loss Adjustment Expense" shall mean such of the following items of expense incurred or authorized by Service Company as may be reasonable and necessary in connection with its provision of the Basic Services. The below items are the claims cost items that are to be considered in determining self-insured retention levels as well as deductible levels:
 - A. Medical examination of claimants, including the reasonable and necessary transportation expenses of claimants.
 - B. Reports from attending or examining physicians.
 - C. Attorneys' fees, disbursements, and expenses.
 - D. Court reporter services and transcripts.

- E. Stenographic services and transcripts.**
- F. Witness attendance fees.**
- G. Court costs.**
- H. Appeal bonds.**
- I. Printing costs related to trials and appeals.**
- J. Testimony, opinions, appraisals, reports, surveys and analyses of professionals and experts.**
- K. Automobile and Property appraisals.**
- L. Trial and hearing attendance fees.**
- M. Reports from government agencies or branches.**
- N. Credit bureau reports.**
- O. Private investigators.**
- P. Photographers.**
- Q. Medical or vocational rehabilitation.**
- R. Medical costs containment services, i.e., utilization review, pre-admission authorization, hospital bill audit, provider bill audit and medical case management incurred at the request of Client.**
- S. Extraordinary Claim investigation and/or travel expense incurred at the request of Client.**
- T. Any similar service related to the investigation and defense of a particular Claim, or the protection of and collection of the subrogation rights of Client.**
- U. Indemnity Benefits and Medical provider payments and associated cost containment fees, such as but not limited to RX out of contract repricing costs, etc.**
- V. Out of State TPA service fees.**
- W. Out of contract in-state and out-of-state bill adjudication fees.**
- X. Medicare Set-Aside program management fees.**

On behalf of MWCF, thank you for your support of the Municipal Workers Compensation Program.

Please execute this addendum, acknowledging that you have a \$300,000 deductible per claim. Once executed please return a copy of this document back to:

MWCF, Inc.
P O Box 1270
Montgomery, AL 36102

Addendum Authorizing Signatures for the City of Mountain Brook:

By: Sam Weston Date: March 4, 2019
Authorized Municipal Official

Witness: Adam Boone Date: 3/4/2019



RESOLUTION NO. 2019-032

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama (“the City”), as follows:

1. That in accordance with applicable provisions of law and Section 3B of the contract between the City and Waste Management, Inc. (“Contractor”) dated September 4, 1998 (“the Contract”), the term of the Contract shall be extended for three years from the current date of expiration of September 30, 2019 through September 30, 2022;
2. That the terms and conditions of the Contract shall remain in effect for the term of the extension hereby approved, as further set forth in correspondence dated February 21, 2019, from Michael P. Mitchell, Public Sector, to Mountain Brook City Manager Sam Gaston, which correspondence is incorporated herein by reference.
3. That the mayor is hereby authorized and directed to execute such contractual documents or instruments as may be necessary and appropriate to give effect to this resolution.

ADOPTED: This 11nd day of March, 2019.

APPROVED: This 11nd day of March, 2019.

Council President

Mayor

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 a resolution adopted by the City Council of the City of Mountain Brook at its regular meeting held on March 11, 2019, as same appears in the minutes of record of said meeting.

Steven Boone, City Clerk



February 21, 2019

Sam Gaston
City Manager
City of Mountain Brook
P.O. Box 130009
Mountain Brook, AL 35213

Dear Mr. Gaston

The current contract between Waste Away Group, Inc. (dba Waste Management) and the City of Mountain Brook will expire September 30, 2019. Per the terms of the contract described in Section 3, paragraph B; the contract may be renewed by mutual agreement for additional three-year terms.

Please accept this letter as our formal offer to renew the agreement for an additional three-year term beginning October 1, 2019 under the same terms and conditions described in the contract.

Thank you for the opportunity to provide the City of Mountain Brook's residential collection services. We look forward to continuing this mutually beneficial business relationship. If you have any questions, please call me at 205-281-2147.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. P. Mitchell'.

Michael P. Mitchell
Public Sector
Waste Management



CITY OF MOUNTAIN BROOK

56 Church Street
P.O. Box 130009
Mountain Brook, Alabama 35213
Telephone: 205.802.3803
Fax: 205.870.3577
gastons@mtnbrook.org

SAM S. GASTON
CITY MANAGER

February 27, 2019

Dear Resident,

The Mountain Brook City Council, at its March 11, 2019 meeting, will consider adding a "Yield" sign and "stop" bar on Camellia Circle at its intersection with Montgomery Drive. (See attached map) This meeting will start at 7:00pm.

You are invited to attend this meeting to offer your comments on this proposed "Yield" sign. If you cannot attend the meeting on March 11th, but would like to submit comments, please contact our Police Chief, Ted Cook, at 802-3852 or cookt@mtnbrook.org or me at 802-3800 or gastons@mtnbrook.org.

Sincerely,

A handwritten signature in blue ink that reads "Sam S. Gaston". The signature is written in a cursive, flowing style.

Sam S. Gaston
City Manager

