ORGANIZATIONAL MEETING AGENDA
MOUNTAIN BROOK CITY COUNCIL

CITY HALL, COUNCIL CHAMBER (ROOM A-108)
56 CURCH STREET
MOUNTAIN BROOK, AL 35213

NOVEMBER 2, 2020, 8:30 A.M.

As authorized by the Governor of the State of Alabama on March 18, 2020, elected officials may deliberate by means of telephone conference, video conference or other similar means of communication. Members of the public are also invited to listen, observe and participate in public meetings by such means as well.

Due to COVID-19, public gatherings of 10 or more are generally not permitted without adequate social distancing. Should anyone wish to listen, observe or participate in the City Council meeting above, please join by way of the Zoom app (re: Meeting ID 801-559-1126, password 11022020). Should the meeting be interrupted for any reason, meeting attendees, participants and presenters should contact the City at city@mtnbrook.org for instructions.

1. Introduction: City Manager to introduce K. C. Hairston, municipal judge, who will administer the oaths of office

2. Inauguration of the Mayor and two members of the City Council elected to office

3. Motion: Election of the City Council President (Virginia C. Smith)

4. Motion: Election of the City Council President Pro Tempore (Williams S. Pritchard III)

5. Consent agenda:
   a. Consideration: Resolution adopting of the rules of order and procedure
   b. Consideration: Resolution appointing the City Attorney(s) (Bishop, Colvin, Johnson & Kent and Starnes, Davis & Florie, LLP)
   c. Consideration: Motion appointing Council representatives to the:
      Planning Commission (voting member) - Philip E. Black (Council representative)
      Board of Zoning Adjustment (liaison) - Gerald A. Garner
      Parks and Recreation Board (liaison) - Virginia C. Smith
      O’Neal Library Board (liaison) - Lloyd C. Shelton
      Board of Education (liaison) - William S. Pritchard III
      Finance Committee (voting member) - Lloyd C. Shelton
      Villages Design Review Committee (liaison) - Alice B. Womack
      Editorial Board - Gerald A. Garner
      Board of Landscape Design (liaison) - Virginia C. Smith
      Chamber of Commerce (liaison) - Alice B. Womack
      Parking Committee - Gerald A. Garner
      Municipal judges - Stewart Welch III
      Public safety departments - Stewart Welch III
      All In Committee (voting member) - William S. Pritchard III
   d. Consideration: Resolution appointing the members of the Mountain Brook City Council as the Board of Commissioners of the Mountain Brook Emergency Communication District and nomination of the Chairman (Virginia C. Smith) of the Emergency Communication District Board
   e. Consideration: Resolution reaffirming the prior removal (Resolution No. 2015-142) of all elected officials of the City of Mountain Brook from the covered employee classification with respect to the City’s Local Government Health Insurance Plan (LGHIP)

6. Consideration: Ordinance appointing the City Manager (Sam S. Gaston)
7. Consideration: Ordinance appointing the City Clerk (Steven Boone)

8. Consideration: Ordinance appointing the City Treasurer (William F. “Billy” Angell)

9. Consideration: Ordinance appointing the Assistant City Treasurer (Leigh Ann Sisson)

10. Inauguration of the City Manager, City Clerk, and City Treasurer

11. Other business

12. Announcement: The next regular meeting of the City Council is November 9, 2020, at 7:00 p.m. (means to be announced).

RESOLUTION NO. 2020-185

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby adopts the Rules of Order and Procedure as follows:

“DIVISION 2. - RULES OF ORDER AND PROCEDURE

Sec. 2-56. - Meetings.

(a) Rules of procedure. Meetings of the city council shall be conducted in accordance with the applicable statutes of the state, as implemented by the rules of procedure contained in this article.

(b) Time and place of regular meetings; special meetings. Meetings of the council shall be held at the city hall or such other places within the city limits as the council may determine.

(1) Regular meetings shall be at such times as determined by the council.
(2) Written or oral notice of the time of any special meeting of the council as authorized by Code of Ala. 1975, § 11-43-5 shall, unless such meeting is announced at a regular meeting of council, be given to the city manager and to each councilmember at least 12 hours in advance of the meeting. The failure of any of them to receive such notice shall not invalidate an action taken at such meetings if:

   a. Such person is present at the meeting or, either before or after the meeting, waives notice thereof; or
   b. Such action is ratified at a subsequent meeting of the council.

The business that may be transacted at a special meeting shall not be limited to the item indicated in the notice. To the extent practicable, notice of a special meeting shall also be given to the mayor and the clerk, but the failure of either or both of them to receive such notice shall not impair the validity and efficacy of the business transacted at the meeting.

(c) Attendance and participation of mayor, city manager and other city officials; addressing council.

(1) The mayor and the city manager shall have the privilege of participating in the council's discussions and deliberations, but the right to make motions and to vote is limited to councilmembers.
(2) Persons other than the councilmembers, mayor and city manager shall be allowed to address the council while in session only with the permission of and under the conditions and limitations prescribed by the council president. Any such person shall, when first recognized, state his name, address and, if applicable, the person or group represented; he shall identify himself again by name each subsequent time he is recognized.
(3) Meetings shall be attended by the city clerk, the city attorney and such other officers, agents or employees of the city as the council may from time to time determine.

(d) Order of business. The order of business shall be as directed by the council president, however, any councilmember may make additions to the agenda.

ADOPTED:  This 2nd day of November, 2020.

__________________________
Council President

APPROVED:  This 2nd day of November, 2020.

__________________________
Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City 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 November 2, 2020, as same appears in the minutes of record of said meeting.

__________________________
City Clerk
RESOLUTION NO. 2020-186

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

The law firm of Bishop, Colvin, Johnson & Kent is hereby appointed as City Attorney for the City of Mountain Brook, Alabama, to serve at the pleasure of the City Council at a retainer fee of $15,000 per month. Said fees are to compensate the City Attorney for the regular and customary legal services performed for said City, such as attendance at City Council meetings, advice to the Mayor, Council, and employees, and preparation of ordinances and resolutions; said salary not to operate as compensation for extraordinary or unusual services, such as handling municipal bond issues, public improvements, litigation, and the like for which said attorney shall be paid such additional compensation as may be fixed by the Council.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the law firm of Starnes, Davis & Florie, LLP is hereby appointed as City Attorney for the City with respect to litigation services to be billed at their standard hourly rates, to serve at the pleasure of the City Council.

ADOPTED: This 2nd day of November, 2020.

________________________________________
Council President

APPROVED: This 2nd day of November, 2020.

________________________________________
Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City 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 special meeting held on November 2, 2020, as same appears in the minutes of record of said meeting.

________________________________________
City Clerk
MOTION NO. 2020-187

Council member ___________________ made a motion as follows: Board, Committee, and Liaison Assignments effective November 2, 2020:

<table>
<thead>
<tr>
<th>2020-187 Motion</th>
<th>Appoint Council representatives as follows:</th>
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<tbody>
<tr>
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<td>Planning Commission (voting member)</td>
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<td>Board of Zoning Adjustment (liaison)</td>
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<td>All In Committee (voting member)</td>
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The motion was seconded by Council member ___________________.

There being no further discussion or comments or questions from the audience, Council President Smith called for a vote with the following results:

Ayes: Virginia C. Smith, Council President
      William S. Pritchard III, Council President Pro Tempore
      Gerald A. Garner
      Lloyd C. Shelton
      Alice B. Womack

Nays: None

Council President Smith thereupon declared that said motion (No. 2020-187) is adopted by a vote of 5—0.

ADOPTED: This 2nd day of November, 2020.

_________________________________________________
Council President

APPROVED: This 2nd day of November, 2020.

_________________________________________________
Mayor
CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama hereby certify the above to be a true and correct synopsis of a motion approved by the City Council of the City of Mountain Brook at its regular meeting held on November 2, 2020, as same appears in the minutes of record of said meeting.

City Clerk
RESOLUTION NO. 2020-188

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby appoints the five (5) members of the Mountain Brook City Council to serve as the Board of Commissioners of the Mountain Brook Emergency Communications District of the City.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby appoints the Council President to serve as the Chairman of the Board of Commissioners of said District.

ADOPTED: This 2nd day of November, 2020.

________________________________________
Council President

APPROVED: This 2nd day of November, 2020.

________________________________________
Mayor

CERTIFICATION

I, Steven Boone, City Clerk for 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 November 2, 2020, as same appears in the minutes of record of said meeting.

________________________________________
City Clerk
RESOLUTION NO. 2020-189

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby reaffirms the prior removal (Resolution No. 2015-142) of all elected officials of the City of Mountain Brook from the covered employee classification with respect to the City's Local Government Health Insurance Plan (LGHIP) (Re: LGHIPN19M).

ADOPTED: This 2nd day of November, 2020.

______________________________
Council President

APPROVED: This 2nd day of November, 2020.

______________________________
Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City 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 November 2, 2020, as same appears in the minutes of record of said meeting.

______________________________
City Clerk
ORDINANCE NO. 2084

ORDINANCE APPOINTING THE
CITY MANAGER OF THE CITY OF MOUNTAIN BROOK

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

1. Sam Gaston is hereby appointed and employed as City Manager of the City of Mountain Brook, Alabama, to serve at the pleasure of the Council or until his successor be duly appointed.

2. His duties shall be as now or hereafter fixed by the laws of the State of Alabama and by the ordinances of the City of Mountain Brook, Alabama, and such other duties as may be delegated to him from time to time by the Council.

3. He shall give bond with sureties in the penal sum of $20,000.00, the premiums for which shall be paid by, and be the expense of the City, the same to be conditioned as provided in Section 11-43-21(c), Code of Alabama, 1975.

ADOPTED: This 2nd day of November, 2020.

________________________________________
Council President

APPROVED: This 2nd day of November, 2020.

________________________________________
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 an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on November 2, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on November 3, 2020, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road
Overton Park, 3020 Overton Road
Cahaba River Walk, 3503 Overton Road

________________________________________
City Clerk
ORDINANCE NO. 2085

ORDINANCE APPOINTING THE
CITY CLERK OF THE CITY OF MOUNTAIN BROOK

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

1. Steven Boone is hereby appointed as City Clerk of the City of Mountain Brook, Alabama, to serve at the pleasure of the Council or until his successor be duly appointed.

2. His duties as such City Clerk shall be as now or hereafter fixed by the laws of the State of Alabama and by the ordinances of the City of Mountain Brook, Alabama, and such other duties as may be delegated to him from time to time by the Council.

3. His duties as City Clerk shall be in addition to those incident to the position in the classified civil service in which he is or may hereafter be employed; and his compensation, both for such civil service position and as City Clerk, shall be that established for the civil service position under the schedules of the Personnel Board of Jefferson County as implemented by the City Council from time to time for classified employees of the City.

4. He shall give bond with sureties in the penal sum of $20,000.00, the premiums for which shall be paid by, and be the expense of, the City. The bond shall be subject to approval by the Mayor.

ADOPTED: This 2nd day of November, 2020.

______________________________
Council President

APPROVED: This 2nd day of November, 2020.

______________________________
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 an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on November 2, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on November 2, 2020, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road
Overton Park, 3020 Overton Road
Cahaba River Walk, 3503 Overton Road

______________________________
City Clerk
ORDINANCE NO. 2086

ORDINANCE APPOINTING THE
CITY TREASURER OF THE CITY OF MOUNTAIN BROOK

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

1. William F. Angell is hereby appointed as City Treasurer of the City of Mountain Brook, to serve without compensation and at the pleasure of the Council or until his successor be duly appointed.

2. He shall give bond with sureties in the penal sum of $5,000.00, the premium for which shall be paid by, and be the expense of the City. The bond shall be subject to approval by the Mayor.

ADOPTED: This 2nd day of November, 2020.

________________________________________
Council President

APPROVED: This 2nd day of November, 2020.

________________________________________
Mayor

CERTIFICATION

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City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road
Overton Park, 3020 Overton Road
Cahaba River Walk, 3503 Overton Road

________________________________________
City Clerk

Appointment of City Treasurer 2086
ORDINANCE NO. 2087

ORDINANCE APPOINTING THE
ASSISTANT CITY TREASURER OF THE CITY OF MOUNTAIN BROOK

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

1. Leigh Ann Sisson is hereby appointed as Assistant City Treasurer of the City of Mountain Brook, Alabama, to serve without compensation at the pleasure of the Council or until her successor be duly appointed.

2. The Assistant Treasurer shall furnish a surety company bond in an amount approved by the City Council for the faithful performance of his duties in the safe custody of the funds of the City. Such bond shall be signed by good and sufficient sureties to be approved by the Mayor. The premium for such bond shall be paid by the City from its General Fund.

ADOPTED: This 2nd day of November, 2020.

________________________________________
Council President

APPROVED: This 2nd day of November, 2020.

________________________________________
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 an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on November 2, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on November 2, 2020, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
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________________________________________
City Clerk