1. Approval of the minutes of the January 13, 2020, regular meeting of the Mountain Brook City Council.

2. Consideration: Resolution authorizing the execution of an agreement with ClasTran for public transportation services.

3. Consideration: Resolution awarding the bid for the purchase of one Tactical Electronics CORE Pole camera kit and Under Door Camera Head (B-20191210-598) for the Police Department.

4. Consideration: Resolution recommending to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 020 – Restaurant Retail Liquor license to Sol Y Luna Group, LLC (trade name: Sol Y Luna Restaurant), 920 Lane Parke Court, Mountain Brook, AL 35223.

5. Public hearing: Consideration of an ordinance authorizing the installation of traffic bollards along Beech Circle near the city limits with Birmingham and prohibiting northbound traffic beyond that point.

6. Announcement: The next regular meeting of the City Council is February 10, 2020, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

7. Comments from residents.

8. Adjourn.
MEETING AGENDA OF THE
MOUNTAIN BROOK CITY COUNCIL
CITY HALL COUNCIL CHAMBER (ROOM A108)
56 CHURCH STREET, MOUNTAIN BROOK, AL 35213

JANUARY 27, 2020, 7:00 P.M.

1. Approval of the minutes of the January 13, 2020, regular meeting of the Mountain Brook City Council.

2. Consideration: Resolution authorizing the execution of an agreement with ClasTran for public transportation services.

3. Consideration: Resolution awarding the bid for the purchase of one Tactical Electronics CORE Pole camera kit and Under Door Camera Head (B-20191210-598) for the Police Department.

4. Consideration: Resolution recommending to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 020 – Restaurant Retail Liquor license to Sol Y Luna Group, LLC (trade name: Sol Y Luna Restaurant), 920 Lane Parke Court, Mountain Brook, AL 35223.

5. Public hearing: Consideration of an ordinance authorizing the installation of traffic bollards along Beech Circle near the city limits with Birmingham and prohibiting northbound traffic beyond that point.

6. Announcement: The next regular meeting of the City Council is February 10, 2020, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

7. Comments from residents.

8. Adjourn.
The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 6:00 p.m. on the 13th day of January, 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
         Alice B. Womack
         Stewart Welch III, Mayor

Absent: Lloyd C. Shelton

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

1. **RECOGNITION OF GUESTS**

   Council President Smith recognized Boy Scouts Sim Sledge and Sam and Turner Holmes of Troop 53 and Cason Rullo of Troop 320.

2. **AGENDA**

   1. David Marsh with ECS to discuss repair options/costs for Smyer Road (Appendix 1). Rough, preliminary cost estimates are $400,000—$450,000 to improve the soil conditions, road reconstruction, surveys, etc. The members of the City Council expressed their desire to have the engineers refine their construction cost estimates of the recommended foam panel remediation measures. A proposal for such additional services will be presented for consideration at a later date.

   2. ClasTran request for funding for FY-2020—Shari Spencer, Interim Executive Director (Appendix 2). This service provides customized transportation services for elderly and disabled individuals at heavily subsidized rates. ClasTran serves approximately 200 residents of the City. The City Council stated that it will consider the request and make a decision at a later date as to funding and the amount (See January 27, 2020 minutes).

   3. Street light request for the end of Shannon Lane—Amy Jackson and Sam Gaston (Resolution No. 2020-010 was added to the formal meeting agenda.)

   4. Design change for Watkins Trace bridge—Shanda Williams (Resolution No. 2020-009 was added to the formal meeting agenda.)

   5. Jefferson County GIS Consortium proposal—Wade Cherry (Appendix 3). The City Council expressed its desire to reconsider the contract at a later date when the City Planner is available for comments and questions.

   6. Also added to the formal meeting agenda was Resolution No. 2020-008, reappointment of K. C. Hairston as municipal court judge.

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

   There being no further matters for discussion, Council President Smith adjourned the pre-meeting at approximately 6:51 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 January 13, 2020, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that no formal action or votes were conducted at said work session.

   City Clerk
   Approved by City Council January 27, 2020
The City Council of the City of Mountain Brook, Alabama and met in public session in the City Hall Council Chamber at approximately 7:00 p.m. on the 13th day of January, 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
Alice B. Womack
Stewart Welch III, Mayor

Absent: Lloyd C. Shelton

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

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

1. RECOGNITION OF GUESTS

Council President Smith recognized Boy Scouts Stutts Everett and four other scouts from Troop 320 and Jake Dyersmith from Troop 53 all in attendance for their Citizenship in the Community merit badge.

2. RESULTS OF THE 2019 COMMUNITY SURVEY BY JASON MORADO OF ETC INSTITUTE (RE: INDEX 2020-011)—APPENDIX 1

As reported in the two previous surveys:
- Residents continue to express a very positive perception of the City
- The City’s survey results rate higher than just about every other city in ETC’s survey population in virtually all categories
- Top priorities are traffic flow and maintaining streets

Upon conclusion of the slide presentation, Council President Pro Tempore Pritchard stated that he believes the 1/3 of survey respondents who reported they would support switching from backdoor to curbside garbage pick-up are likely those families with small children and using the large garbage containers that are already being taken to the curb.

3. 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 December 9, 2019, regular meeting of the City Council

Approval of the minutes of the January 6, 2020, special meeting of the City Council

2020-002 Ratify intra-fund transfers for the year ended September 30, 2019 Appendix 2
2020-003  Authorize the execution of an addendum to Schedule No. 002 of the agreement between the City and Public Resource Management Alliance Corporation (PReMA) with respect to taxpayer auditing services (originally authorized by Resolution No. 2016-110 on August 22, 2016)

2020-004  Approve the conditional use application submitted by Villager Yoga for 3150 Overton Road

2020-005  Authorize the expenditure of funds for traffic island improvements at the intersection of Fairway and West Jackson

2020-006  Authorize the execution of an agreement with Landscape Services with respect to landscaping in the vicinity of the pedestrian bridge in Jemison Park

2020-007  Authorize the execution of an engagement letter with the Employees’ Retirement Systems of Alabama (RSA) for their preparation of financial projections with respect to the City’s defined benefit pension plan (said projections to be subcontracted by RSA’s actuarial consultants)

2020-008  Reappoint K. C. Hairston as a Municipal Court Judge of the City of Mountain Brook, with the term to end January 25, 2022

2020-009  Authorize the execution of purchase orders or such other documents that may be necessary to implement the change orders totaling approximately $2,126 involving the Watkins Trace Bridge installation, handrails and landscaping

2020-010  Authorize the installation of one (1) 108 watt LED area, 4000K, gray – 8,500 to 14,000 lumens street light on an existing pole at the end of Shannon Lane

Thereupon, the foregoing minutes and resolutions were introduced by Council President Smith and a motion for their immediate adoption made by Council member Black. The minutes and resolutions were then considered by the City Council. Council member Womack seconded the motion to adopt the foregoing minutes 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
       Alice B. Womack

Nays: None

Abstained: None

Council President Smith thereupon declared that said minutes and resolutions (Nos. 2020-002 through 2020-009) were adopted by a vote of 4—0 that and as evidence thereof she signed the same.
4. CONSIDERATION OF AN ORDINANCE (NO. 2063) ADOPTING THE CITY’S STORM WATER MANAGEMENT PROGRAM PLAN (EXHIBIT 9, APPENDIX 10)

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 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 Womack. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

The Council President Smith declared the motion passed by a vote of 4—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 Black. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

The Council President Smith declared that the said ordinance (No. 2063) is hereby adopted by a vote of 4—0 and, as evidence thereof, she signed the same.

5. CONSIDERATION OF AN ORDINANCE (NO. 2064) REZONING RECENTLY ANNEXED PROPERTY AT 5313 OLD LEEDS ROAD FROM TEMPORARY RESIDENCE-A DISTRICT TO PERMANENT RESIDENCE-A DISTRICT (EXHIBIT 10, APPENDIX 11)

The ordinance was introduced in writing by Council President Smith who then invited comments. Mr. Craig Parker introduced himself as representative of the subject property owners. There being no comments or questions, President Smith called for a motion. Council 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
       Alice B. Womack

Nays: None

The Council President Smith declared the motion passed by a vote of 4—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 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  
Alice B. Womack

Nays: None

The Council President Smith declared that the said ordinance (No. 2064) is hereby adopted by a vote of 4—0, as evidence thereof, she signed the same.

6. ANNOUNCEMENTS

The City Council shall conduct a public work session on January 17, 2020, at 8:00 a.m. regarding anticipated infrastructure and capital projects over the next 5-10 years and discuss means of financing them.

The next regular meeting of the City Council will be January 27, 2020, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

7. ADJOURNEMENT

There being no further business or matters for discussion, Council President Smith adjourned the meeting at approximately 7:20 p.m.

5. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the regular meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A108) on January 13, 2020, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

City Clerk  
Approved by City Council January 27, 2020

EXHIBIT 1

RESOLUTION NO. 2020-003

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the execution of an addendum to Schedule No. 002 (Resolution No. 2016-110), in the form as attached hereto as Exhibit A, between the City and Public Resource Management Alliance Corporation (PREMA) with respect to taxpayer auditing services.

APPENDIX 3
RESOLUTION NO. 2020-011

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that either the Mayor or the City Manager of the City is hereby authorized and directed, for and on behalf of the City, to enter into a Contract for General Services with Birmingham Regional Paratransit Consortium d/b/a ClasTran, an Alabama nonprofit corporation, subject to such minor changes as may be determined appropriate by the City Attorney, a copy of which contract is attached hereto as Exhibit A.

ADOPTED: This 27th day of January, 2020.

__________________________________________
Council President

APPROVED: This 27th day of January, 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 January 27, 2020, as same appears in the minutes of record of said meeting.

__________________________________________
City Clerk
CONTRACT FOR GENERAL SERVICES

This contract for services ("Contract") is entered into by and between the City of Mountain Brook, an Alabama municipal corporation ("City"), and the Birmingham Regional Paratransit Consortium d/b/a ClasTran, an Alabama nonprofit corporation ("ClasTran").

WHEREAS, ClasTran provides much needed, cost effective services to communities and families, including those in Mountain Brook, Alabama; and

WHEREAS, ClasTran provides low cost, subsidized transportation services to the following riders, including those who live in, work in or visit Mountain Brook:

1. People who are sixty years of age or older;

2. People who are eligible for paratransit under the Americans with Disabilities Act; and

3. People who reside in and travel to or from rural Jefferson or Shelby Counties.

WHEREAS, ClasTran receives its primary funding through federal transportation agency grant funds which require a local match from local governments; and

WHEREAS, as a result, ClasTran depends on financial support from local governments to provide such services and has requested assistance from the City so that it may continue to provide needed services to residents of Mountain Brook; and

WHEREAS, in consideration of the payment referred to hereinafter, ClasTran has agreed to offer such transportation services for the residents of the City, as set forth below.

NOW THEREFORE, in consideration of the premises and in consideration of the covenants and agreements contained herein, City and ClasTran hereby agree as follows:

1. City shall pay to ClasTran the sum of one thousand and no/100 dollars ($1,000.00) for services for the one-year period from October 1, 2019 through September 30, 2020 ("Contract Funds"). ClasTran understands and agrees that the City is entering into this agreement for one year only and that there is no expectation to future funding of any sort from the City.

2. In consideration of the payment of the Contract Funds by City, ClasTran shall offer transportation services to eligible riders in the City of Mountain Brook and serve such riders on an as needed and where needed basis, pursuant to the duly established policies, procedures, terms and conditions of ClasTran.

3. ClasTran shall provide all personnel, supplies, equipment and expertise necessary to fulfill its obligations under this Contract. ClasTran is an independent contractor and none of its agents or employees shall be deemed to be under the control of City, nor shall any of the agents or employees or other persons.
conducting business for, or on behalf of, ClasTran be deemed to be agents or employees of City.

4. ClasTran shall indemnify City and its employees and elected officials, and hold them harmless from and against, all actions, causes of action, claims, demands, damages, losses and expenses of any kind, including, but not limited to, attorneys' fees and court costs, which may be asserted against, or suffered by, City or its employees or elected officials arising out of, or in connection with:

   a. the performance, or attempted performance, by ClasTran or its agents or employees of ClasTran's obligations under this contract; and

   b. any claim that the Contract Funds were improperly paid by City to ClasTran.

5. ClasTran agrees to employ accounting procedures which are appropriate to the types of operations conducted by ClasTran and which are customary to similar operations. All financial records and other documents pertaining to this Contract shall be maintained by ClasTran for a period of three (3) years after the expiration or termination of this Contract. City shall have full access to, and the right to examine, such financial records and other documents at all reasonable times during the term of this Contract and during said three (3) year period. ClasTran agrees that, upon request from City, ClasTran will submit to, and cooperate with, periodic audits by the Alabama Department of Public Examiners or other audit procedures requested by City.

6. ClasTran and the representative of ClasTran, who executes this Contract, by the execution of this Contract, certify that:

   a. no part of the Contract Funds paid by City pursuant to this Contract shall be paid to, or used in any way for the personal benefit of, any elected official, employee or representative of any government or any family member of any such official, employee or representative, including federal, state, county and municipal governments and any agency of any such government;

   b. neither ClasTran nor any of its officers, agents, representatives or employees has in any way colluded, conspired or connived with any elected official, employee, or representative of City, or any other elected official or public employee, in any manner whatsoever, to secure or obtain this Contract; and;

   c. except as expressly set out in this scope of services of this Contract, no promise or commitment of any nature whatsoever of anything of value whatsoever has been made to any such elected official, employee or representative of City as an inducement or consideration for this Contract.

Any violation of this certification shall constitute a breach and default of this Contract which shall be cause for termination. Upon such termination, ClasTran shall immediately refund
to City all amounts paid by City pursuant to this Contract.

IN WITNESS WHEREOF, ClasTran has caused this Contract to be executed by its duly authorized representative on January 27, 2020, and City of Mountain Brook has caused this Contract to be executed by its duly authorized representative, on (date) January 27, 2020, but this contract shall be effective as of (date) October 1, 2019.

ATTEST:

ClasTran

By: Shari Spencer

ATTEST:

City of Mountain Brook

By:

Stewart Welch III
Its Mayor

City Clerk
RESOLUTION NO. 2020-012

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby awards the bid (No. B-20191210-598) in the amount of $22,705.79 for the purchase of a Tactical Electronics CORE Pole Camera Kit to Federal Resources Supply Company, representing the only bid received and having been determined to satisfy the bid specifications.

ADOPTED: This 27th day of January, 2020.

______________________________
Council President

APPROVED: This 27th day of January, 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 January 27, 2020, as same appears in the minutes of record of said meeting.

______________________________
City Clerk
BID TABULATION AND RECOMMENDATION

BID NUMBER B-20191210-598

CITY OF MOUNTAIN BROOK

TACTICAL ELECTRONICS

One bid was received on January 15, 2020 by 2:00 pm at Mountain Brook City Hall.

Federal Resources Supply Company $22,705.79

The bid met all of the Bid Specifications and it is my recommendation to award the bid to Federal Resources Supply Company.

Sgt. Chris Thompson
Patrol Sergeant
Mountain Brook Police Dept.
RESOLUTION NO. 2020-011

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby recommends to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 020 – Restaurant Retail Liquor license to Sol Y Luna Group, LLC (trade name: Sol Y Luna Restaurant), 920 Lane Parke Court, Mountain Brook, AL 35223.

BE IT FURTHER RESOLVED that the City Clerk is hereby instructed to forward a copy of this resolution to the State of Alabama, Alcoholic Beverage Control Board.

ADOPTED: This 27th day of January, 2020.

__________________________________________
Council President

APPROVED: This 27th day of January, 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 regular meeting held on January 27, 2020, as same appears in the minutes of record of said meeting.

__________________________________________
City Clerk
STATE OF ALABAMA
ALCOHOL BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20200124093907711

Type License: 020 - RESTAURANT RETAIL LIQUOR

Type License:

Trade Name: SOL Y LUNA RESTAURANT

Applicant: SOL Y LUNA GROUP LLC

Location Address: 920 LANE PARKE COURT MOUNTAIN BROOK, AL 35223

Mailing Address: 920 LANE PARKE COURT MOUNTAIN BROOK, AL 35223

County: JEFFERSON Tobacco sales: NO

Tobacco Vending Machines:

Type Ownership: LLC

Book, Page, or Document info: LR201215 PG 19011

Date Incorporated: 07/20/2012 State incorporated: AL

County Incorporated: JEFFERSON

Date of Authority: 07/20/2012

Alabama State Sales Tax ID: 370064862

Federal Tax ID: 462887914

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<td>ALEJANDRO CASTRO TORRES 5717259 - AL</td>
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<td>13/0 32ND ST S APT BS BIRMINGHAM, AL 35205</td>
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<tr>
<td>JORGE CASTRO 7757104 - AL</td>
<td>OWNER</td>
<td>10/06/1963 MEXICO</td>
<td>3522 HAVENHILL DRIVE IRONDALE, AL 35210</td>
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Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: JORGE CASTRO
Business Phone: 205-407-4797
Fax: 

E-mail: JORGE@SOLYLUNABHAM.COM

PREVIOUS LICENSE INFORMATION:
Trade Name: LOCAL TACO
Applicant: TLT GROUP MOUNTAIN BROOK LLC

Previous License Number(s)
License 1: 010786537 License 2:
If applicant is leasing the property, is a copy of the lease agreement attached? YES
Name of Property owner/lessor and phone number: LANE PARKE RETAIL LLC  205-543-8620
What is lessors primary business? REALESTATE
Is lessor involved in any way with the alcoholic beverage business? NO
Is there any further interest, or connection with, the licensee’s business by the lessor? NO

Does the premise have a fully equipped kitchen? YES
Is the business used to habitually and principally provide food to the public? YES
Does the establishment have restroom facilities? YES
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO
Building Dimensions Square Footage: 2499  Display Square Footage:
Building seating capacity: 75  Does Licensed premises include a patio area? YES
License Structure: SHOPPING CENTER  License covers: PORTION OF
Location is within: CITY LIMITS  Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

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STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20200124093907711

Initial each

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): JONCE CASTRO
Signature of Applicant: JONCE CASTRO

Notary Name (print): WENDY ABBOTT
Notary Signature: WENDY ABBOTT
Commission expires: 10-4-22

Application Taken: 1-24-00 App. Inv. Completed: Forwarded to District Office:
Submitted to Local Government: Received from Local Government:
Received in District Office: Reviewed by Supervisor: Forwarded to Central Office:
Receipt Confirmation Page

Receipt Confirmation Number: 20200124093907711
Application Payment Confirmation Number: 54525992

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License Payment Confirmation Number:

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<td>Total Amount to be Charged</td>
<td>$300.00</td>
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Application Type: APPLICATION

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR
License Type 2:
License County: JEFFERSON
Business Type: LLC
Trade Name: SOL Y LUNA RESTAURANT
Applicant Name: SOL Y LUNA GROUP LLC
Location Address: 920 LANE PARKE COURT
MOUNTAIN BROOK, AL 35223
Mailing Address: 920 LANE PARKE COURT
MOUNTAIN BROOK, AL 35223

Contact Person: JORGE CASTRO
Contact Home Phone: 205-966-4515
Contact Business Phone: 205-407-4797
Contact Fax:
Contact Cell Phone: 205-966-4515
Contact Email Address:
Contact Web Address:
January 28, 2020

Ms. Valencia Johnson  
Alabama ABC Board  
234 Aquarius Drive, Suite 103  
Homewood, AL 35209  
Facsimile: (205) 942-2101

Gentlemen:

Attached is a copy of a resolution passed at the January 27, 2020, City Council meeting recommending the issuance of 020 – Restaurant Retail Liquor license as follows:

Sol Y Luna Group, LLC  
Trade name: Sol Y Luna Restaurant  
920 Lane Parke Court  
Mountain Brook, AL 35223

If you have any questions, please call me at 802-3825.

Sincerely,

Steven Boone  
City Clerk

Enclosure

c: Jorge Castro  
jorge@sonylunabh.com
ORDINANCE NO. 2065

AN ORDINANCE TO PROVIDE FOR PLACEMENT OF TRAFFIC BOLLARDS ACROSS BEECH CIRCLE NEAR THE MUNICIPAL LIMITS WITH CITY OF BIRMINGHAM, MAKE NORTHBOUND TRAFFIC FROM THAT POINT UNLAWFUL, AND INSTALL NO THRU TRAFFIC SIGNAGE ALONG BEECH CIRCLE

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

Section 1. Traffic control bollards shall be installed across Beech Circle at a point in the City lying immediately south of the municipal boundary between it and City of Birmingham.

Section 2. It shall be unlawful for the driver of any vehicle being operated in the City along or near the 200 block of Beech Circle to cause or allow that vehicle to travel from the traffic control bollards across that road in a northerly direction toward Montclair Road (a thoroughfare lying in the City of Birmingham).

Section 3. It shall be unlawful for the driver of any vehicle being operated in the City to cause or allow that vehicle to travel in a southerly direction from the traffic control bollards across Beech Circle.

Section 4. No Thru Traffic signage shall be installed on the east margin of the right of way along the 200 block of Beech Circle.

Section 5. 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 6. All ordinance or portions thereof conflicting with this ordinance are hereby repealed.

Section 7. If a court of 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 of the other provisions of this ordinance shall not be affected.

Section 8. This ordinance shall become effective when published as required by law.

ADOPTED: This 27th day of January, 2020.

__________________________
Council President
APPROVED: This 27th day of January, 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 January 27, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on January 28, 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
May, 2000

Skipper Consulting, Inc. first performed a study for Beech Circle in May, 2000. This was prior to making the connection from Beech Circle from Mountain Brook to Birmingham one-way northbound. The purpose of the project was to project traffic volume shifts in the entire neighborhood for various planning scenarios, including: 1) making Beech Street one-way northbound from Mountain Brook into Birmingham, 2) closure of Xavier Circle, and 3) potential impacts of an expansion proposal at Montclair Hospital. In May, 2000, the existing two-way daily traffic volume on Beech Circle near the City Limits line was 1,131 vehicles per day.

October, 2001

Beech Circle was converted to one-way northbound flow on the connection between Mountain Brook and Birmingham sometime between May, 2000 and October, 2001. In October, 2001, Skipper Consulting, Inc. performed a follow-up study to determine the impacts of the conversion of Beech Circle to one-way flow. The graphic from this study is attached to this report. The traffic volume on Beech Circle dropped from 1,131 vehicles per day to 525 vehicles per day. There was also a corresponding drop in traffic on Beech Street near Euclid Avenue.

May, 2016

The Mountain Brook Police Department performed a traffic count and speed study on Beech Circle near the City Limits for a seven day period in May, 2016. A copy of the memorandum issued by the MBPD is attached to this report. Over the seven day period, a total of 2,103 vehicles were counted northbound (going toward Birmingham) and 199 vehicles were counted southbound. The average speed of vehicles was 21 miles per hour. 14 vehicles were traveling over 30 miles per hour.

October, 2018

The Mountain Brook Police Department performed a traffic count and speed study on Beech Circle near the City Limits for a seven day period in October, 2018. A copy of the memorandum issued by the MBPD is attached to this report. Over the seven day period, a total of 1,916 vehicles were counted northbound (going toward Birmingham) and 118 vehicles were counted southbound. The average speed of vehicles was 23 miles per hour. 105 vehicles were traveling over 30 miles per hour.

Also, in October, 2018 Skipper Consulting performed work to determine the required design for a hammerhead turn-around at the end of Beech Circle. The designs considered both a passenger vehicle and a fire truck. This work was performed because Beech Circle is approximately 920 feet in length with a 90 degree curve. City staff was concerned that the closure of Beech Circle would result in passenger cars using a private driveway at the end of Beech Circle to turn around and fire trucks and other larger vehicles being required to back up to exit Beech Circle.
Memorandum

To: Lt. Herren
From: Sgt. J. Rhoads
Date: 5/11/16
Re: Traffic Count – Beech Circle near City Limits

Per your request, I conducted a traffic count on Beech Circle near the city limits. Data was gathered concerning speed and volume. The following data was gathered:

<table>
<thead>
<tr>
<th></th>
<th>Toward Beech St.</th>
<th>Toward City Limit</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicles counted</td>
<td>199</td>
<td>2103</td>
<td>2302</td>
</tr>
<tr>
<td>Average speed</td>
<td>15 mph</td>
<td>21 mph</td>
<td>21 mph</td>
</tr>
<tr>
<td></td>
<td>#</td>
<td>%</td>
<td>#</td>
</tr>
<tr>
<td>00-25 mph</td>
<td>194</td>
<td>97</td>
<td>1,768</td>
</tr>
<tr>
<td>26-30 mph</td>
<td>1</td>
<td>1</td>
<td>325</td>
</tr>
<tr>
<td>31-35 mph</td>
<td>3</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>36-40 mph</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>41+ mph</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Peak time</td>
<td>Morning &amp;</td>
<td>Morning &amp;</td>
<td>Morning &amp;</td>
</tr>
<tr>
<td></td>
<td>Afternoon commute</td>
<td>Afternoon commute</td>
<td>Afternoon commute</td>
</tr>
</tbody>
</table>

Conclusion: This study began Wednesday, May 4th and continued through Tuesday, May 10th. Peak travel times during the week were morning and afternoon commute. On the weekend, peak travel times were during lunchtime traffic.

Note: The Speed limit is 25 mph.

Cc: Chief T. Cook
    Captain G. Hagood
Memorandum

To: Lt. Carmack
From: Sgt. Boshart
Date: October 09, 2018
Re: Traffic Count – 200 Block of Beech Circle

Per your request, I conducted a traffic count in the 200 block of Beech Circle. Data was collected regarding the speed and the volume. The following data was gathered:

<table>
<thead>
<tr>
<th></th>
<th>North Bound Beech Circle</th>
<th>South Bound Beech Circle</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicles counted</td>
<td>1916</td>
<td>118</td>
<td>2034</td>
</tr>
<tr>
<td>Average speed</td>
<td>23 mph</td>
<td>16 mph</td>
<td>23 mph</td>
</tr>
<tr>
<td></td>
<td>#</td>
<td>%</td>
<td>#</td>
</tr>
<tr>
<td>00-25 mph</td>
<td>1269</td>
<td>66</td>
<td>109</td>
</tr>
<tr>
<td>26-30 mph</td>
<td>546</td>
<td>28</td>
<td>5</td>
</tr>
<tr>
<td>31-35 mph</td>
<td>92</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>36-40 mph</td>
<td>7</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>41-45 mph</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>46+ mph</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

Peak time:
- Morning & Evening Rush Hours
- Morning & Evening Rush Hours
- Morning & Evening Rush Hours

Conclusion: This study began Tuesday, October 3rd and continued through Tuesday, October 10th. Peak travel times were consistent with morning and evening rush hours.

Note: Speed limit is 25 mph.

Cc: Chief T. Cook
    Captain G. Hagood
January 13, 2020

Dear Resident,

The City of Mountain Brook, at its January 27, 2020 meeting which will begin at 7:00pm, will consider the attached ordinance closing Beech Circle to thru traffic. Residents of this street have expressed concerns about speed of motorists, motorist illegally entering the street from Birmingham and the danger those motorist pose to the number of small children who reside on this street.

The plan is to place bollards along the end of the Beech Circle section in Mountain Brook. (See attached map and photo of bollards.) In addition, traffic signs warning motorists of the closure of the street will be installed on Beech Circle.

You are invited to attend this meeting on January 27th, which will include a public hearing on this matter, to offer your comments on this proposed road closing. If you cannot attend this meeting on January 27th, but would like to voice your comments, please contact me at (205) 802-3803 or gastons@mtnbrook.org.

Sincerely,

Sam S. Gaston
City Manager
RESOLUTION NO. 2019-193

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council shall conduct a public hearing on January 27, 2020, at 7:00 p.m., in the Council Chamber of the Mountain Brook City Hall located at 56 Church Street, Mountain Brook, Alabama 35213, the City Council will hold a public hearing to consider an ordinance placing traffic bollards across Beech Circle near the municipal limits with the City of Birmingham and making northbound traffic beyond that point unlawful and install no through traffic signage along Beech Circle. A draft of the notice of public hearing follows:

"NOTICE OF PUBLIC HEARING

PROPOSED ORDINANCE TO REGULATE NORTHBOUND TRAFFIC BEYOND A CERTAIN POINT ALONG BEECH CIRCLE

Notice is hereby given that at a regular meeting of the City Council of the City of Mountain Brook to be held on Monday, January 27, 2020, at 7:00 p.m., in the Council Chamber of the Mountain Brook City Hall located at 56 Church Street, Mountain Brook, Alabama 35213, the City Council will hold a public hearing to consider a proposed ordinance placing traffic bollards across Beech Circle near the municipal limits with the City of Birmingham and making northbound traffic beyond that point unlawful and install no through traffic signage along Beech Circle. A draft of the proposed ordinance to be considered follows:

'ORDINANCE NO. 20__

AN ORDINANCE TO PROVIDE FOR PLACEMENT OF TRAFFIC BOLLARDS ACROSS BEECH CIRCLE NEAR THE MUNICIPAL LIMITS WITH CITY OF BIRMINGHAM, MAKE NORTHBOUND TRAFFIC FROM THAT POINT UNLAWFUL, AND INSTALL NO THROUGH TRAFFIC SIGNAGE ALONG BEECH CIRCLE

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

Section 1. Traffic control bollards shall be installed across Beech Circle at a point in the City lying immediately south of the municipal boundary between it and City of Birmingham.

Section 2. It shall be unlawful for the driver of any vehicle being operated in the City along or near the 200 block of Beech Circle to cause or allow that vehicle to travel from the traffic control bollards across that road in a northerly direction toward Montclair Road (a thoroughfare lying in the City of Birmingham).

Section 3. It shall be unlawful for the driver of any vehicle being operated in the City to enter the City by traversing that part of Beech Circle lying in the City of Birmingham and then travel from the traffic control bollards across that road in a southerly direction.
Section 4. No Thru Traffic signage shall be installed on the east margin of the right of way along the 200 block of Beech Circle.

Section 5. 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 6. All ordinance or portions of ordinances conflicting with this ordinance are hereby repealed.

Section 7. 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 of the other provisions of this ordinance shall not be affected.

Section 8. This ordinance shall become effective when published as required by law.

At the aforesaid time and place, all interested parties will be heard in relation to the changes proposed by said ordinance.

CERTIFICATION

I, Steven Boone, City Clerk for the City of Mountain Brook, Alabama, do hereby certify that I have caused notice of the proposed amendment to the zoning ordinance and of public meeting thereupon set forth above to be published and provided in the manner specified by the Mountain Brook City Code. I further certify that I have posted said notice in four conspicuous places within the City of Mountain Brook, in the manner and within the time permitted by law, said places being:

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

Steven Boone, City Clerk

ADOPTED:  This 9th day of December, 2019.

Council President
APPROVED: This 9th day of December, 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 regular meeting held on December 9, 2019, as same appears in the minutes of record of said meeting.

Steven Boone, City Clerk
The Dura-Post® delineator is an injection molded urethane flexible post designed to withstand frequent high speed impacts. It is self-certified as NCHRP Report 350 and MASH Category 1 Devices, and tested to NTPEP. It can be configured to MUTCD for delineators, channelizing devices, and tubular markers. The Dura-Post® delineator post is best utilized in locations with high speed/high impact frequency and is ideal for assembly in construction zones, heavy traffic areas, bridges, and HOV/HOT lane demarcation.

Features
- Tapered one piece urethane design.
- Round post design can provide increased visibility in up to 360° direction.
- Designed to remain flexible over a wide temperature range.
- High intensity, flexible prismatic reflective sheeting standard.
- Standard post colors: white, yellow, orange.
- Standard reflective colors: silver, amber, orange.
- Custom post colors: blue, green, black, red, dark gray, light gray, yellow-green.
- Various heights available.

Base and Anchor Options
- Surface mounts for asphalt or concrete
- Soil anchor
- Bolt down, epoxy, or butyl pads

Assembly and Maintenance
- Post stub fits in base or anchor socket.
- Designed to last longer than standard delineators.
- Single retaining pin for installation or replacement.

Specifications
- 36" High (various heights available)
- 3" Post Diameter
- 2.11 lbs. (.95 kg)
- 8" Base Diameter

An original SAFE-HIT product.

Distributed by:

www.trinityhighway.com
1.888.323.6374
On Sunday, January 19, 2020, 3:47 PM, J. Timothy Downard <jtimothydownard@yahoo.com> wrote:

Sam,

That will be helpful. Attached is a picture of stakes that were recently placed in our yard. I assumed they marked the gas line but if this is where the bollards will be placed, it will make it difficult if not impossible to back out of our driveway.

Tim Downard

On Sunday, January 19, 2020, 3:40 PM, Sam Gaston <gastons@mtnbrook.org> wrote:

There are some stakes just north of your driveway that mark the city limit lines. It seems to be only a foot or two away. I can send you a survey on Tuesday as we are closed Monday.

Sent from my iPhone
Sam Gaston

> On Jan 19, 2020, at 12:17 PM, The Downards <thedownards@att.net> wrote:
> >
> > Mr. Gaston,
> >
> > We live at 240 Beech Circle, the last house on the left side of Beech Circle.
> >
> > We strongly support the installation of bollards on Beech Circle, however, we do have some concerns about their actual placement. Our driveway is close to the edge of our property and we do not know if the placement of the bollards will impact our ability to back out of our driveway. Can you provide us with more precise information about their actual placement?
> >
> > Thanks,
> >
> > Tim and Crystal Downard
> >
Sam Gaston

From: Nancy Beeler <nancy_beeler@yahoo.com> on behalf of Nancy Beeler
Sent: Monday, January 20, 2020 8:14 AM
To: gastons@mtnbrook.org
Subject: Beech Circle

I am in favor of closing Beech Circle to through traffic Nancy Beeler

Sent from my iPhone
Sam Gaston

From: Janette Beaumont <janettebeaumont@aol.com> on behalf of Janette Beaumont
Sent: Saturday, January 18, 2020 10:59 AM
To: gastons@mtnbrook.org
Subject: Beech Lane

Sam, this is Janette Beaumont. Thank you so much for the thorough communication concerning the meeting about bollards on Beech Circle. Unfortunately, I'll be out of town on Jan. 27. Want you to know that my absence is not due to lack of interest. One concern is the limited access to Montclair. Peachtree Road, one remaining access, is crazy dangerous. A childhood cousin was killed on that road many years ago. Talk about dangerous!
Thanks for all you do for the welfare of our city.
Sincerely,
Janette Beaumont.
Sam Gaston

From: John Seymour <pokey217@gmail.com> on behalf of John Seymour
Sent: Friday, January 17, 2020 4:30 PM
To: Sam Gaston
Subject: Beech Street bollards

Sam,
I will not be able to attend the meeting on Jan 27 but want you to know that I enthusiastically support closing Beech Circle. Our son, his wife and two young children (7 & 5 yrs) live on Beech St. Most residents in that neighborhood have young children as well. We visit them quite often and there is always a lot of fast moving traffic. Anything that can be done to impede through traffic is a very positive step. Traffic has picked up with the opening of Tapestry Apartments on Montclair and I feel confident a lot of the traffic is due to that. It may very well be only a matter of time before there is an accident in that neighborhood and reducing through traffic will reduce that possibility.
Thank you for your thoughtful consideration.

John Seymour
54 Fairway Drive
Hello Mr. Gaston,

We have lived at 228 Beech Circle for eight years and have been waiting for a very long time for the road to be closed. We have a son Pete who is almost 8 years old and with the constant traffic we are always concerned for his safety and the many children that live on this wonderful street. It is a daily occurrence that multiple cars that either do not live in Mountain Brook or use this very small and quite road as a cut through. It has become increasingly more concerning with the amount of children we have in this neighborhood who are learning to ride bikes now. This is absolutely a necessary thing that must happen for the safety of our children. Every day I come home from work at least five to six cars ride my bumper, abuse the speed limit and use our road as a exit. My wife Kelly who is a teacher at Crestline feels the same way I do. Thank you very much for doing everything you can to keep our beautiful children safe.

Justin Mitchell
205-544-6609
I agree that it needs to be closed off at Montclair

Sent from my iPhone
Dear Mr. Gaston,
Please consider closing Beech off. I have been over there visiting friends with my grandchild and was scared to death of the speeding cars going back and forth. It is not a safe neighborhood for children to play outside without adult supervision. Maybe not even then!
Thank-you,
Susan Blair
Sent from my iPad
I would like the road closed for the safety of our children and grandchildren. Thx u. Peggy goodwin
hey sam. concerning the beech st. closing. i am very much in favor of closing it off to thru traffic. my grand children live on that street and cars fly don't the street. mostly thru traffic but also church people. they cannot even go in the front yard unless someone is standing there watching to make sure someone does not hit them. i will be at the meeting to support closure. thank you
nancy seymour
Mr. Gaston,

I am not sure if I will be able to attend the council meeting, so I wanted to make you aware of my overwhelming support of this effort.

Having lived at the intersection of Beech Street and Beech Circle for almost 19 years, I have seen so many of the violations and dangers you mentioned in the letter transpire. This is a much needed measure for the safety and security of our children and the many others who enjoy this area of Mtn Brook.

Please know that we recognize the hard work and collaboration among municipal partners and city leaders that is required to bring this change about, and the residents of the Beech neighborhood are truly grateful to all involved.

Sincerely,
Leah Rice

Sent from my iPhone
Hey Sam-

Unfortunately I am going to be out-of-town for the 1/27 hearing on the Beech closing. I strongly support the closing of Beech Circle. As you know, the Beech neighborhood has gotten younger over the last 10 years and is home to many small children. The rate of speed of some cars that I see on a daily basis is dangerous and hopefully installing the Bollards will prevent motorist from using our neighborhood as a cut-thru to Montclair and the Tapestry.

Again, I strongly support the closure and hopefully it will pass on the 27th.

Thanks,

Dixon

Dixon B. Seymour
Yeary & Moore, LLC
2106 Cahaba Rd, Ste. B
Birmingham, AL 35223
(p)205/443-3403
dseymour@yearymoore.com
Mr. Gaston,

It was a pleasure talking to you this morning about the Beech Street matter.

I would like to express my strong opposition to closing Beech Street at Montclair Road. What is the difference in this street and any other heavily traveled or thru street in Mountain Brook especially in Crestline and the surrounding area? This will set a precedent for other streets to be closed because homeowners don’t like traffic.

Kindest regards,

Margaret

Margaret A. Burg
75 Main Street
Birmingham, AL 35213
205-879-2811 (Home)
205-422-9966 (Cell)
Mr. Gaston

I live on Beech Street with my husband and two children. We are very much in favor of the Beech Circle closing and/or bollards. It has become a very dangerous street. This seems to be a simple solution that could make this neighborhood safer for the families in our neighborhood. There are obviously lots of young families in this area and there have been several “close calls” recently with cars going too fast and drivers not paying attention. I am glad this is getting attention before someone is badly injured or worse.

I cannot be at the meeting on Jan. 27 but please know that we are in favor of this proposal.

Thank you for working on this issue.

Mollie

Mollie J. Seymour  
Market President  
mseymour@argenttrust.com  
205-558-6520

Argent Trust Company  
600 University Park Pl. Suite 200  
Birmingham, AL 35209  
www.ArgentFinancial.com


The above communication is intended for the recipients above and subject to the privacy disclosures of Argent Financial Group, Inc. and its subsidiaries. You will find them located at www.ArgentFinancial.com
Sam,  

I'm unable to attend the hearing on the 27th. I imagine that traffic flow and access to Montclair have been contemplated, but I think it will be important to understand how much traffic could potentially be diverted through St. Francis church’s campus as a shortcut to Montclair. As a parishioner at St. Francis, and knowing the existing volume of cars in the parking lot on occasion, this may create risk of parishioners or children at the school subject to vehicles cutting through the school instead of the neighborhood. In trying to understand the benefit of blocking the exit vs. the risk of a parishioner or child being struck by a vehicle who will find this alternative, it doesn’t seem to be present and therefore a good use of city funds. Would a “No through traffic” be posted at St. Francis and policed? Also, what is the impact to emergency vehicles? Again, I imagine this is being contemplated but would appreciate it being discussed or presented at the meeting. Thank you for all that you and your team do to involve and consider all residents’ opinions and make our community one of the best.

Hunter Hasen  

Sent from my iPhone
Sam,  
I've received letter concerning closing off Beech Circle.  
I am in agreement to this going forward, and give my “thumbs up.”  
If people continue to speed, and come through the street illegally, it endangers the residents, and induces unnecessary stress; the few minutes a “cut through” can save motorists, is simply not worth it.

Thank you.

Peggy Vanek-Titus  
900 Euclid Circle  
35213  

Sent from my iPhone
Mr. Gaston,

First and foremost, I appreciate the City finally taking action to RE-close Beech Circle to any thru traffic and will be emailing you a more detailed outline in the coming days, identifying all of the many reasons as to why closing the street is critical to the safety of everyone. In the meantime however, I was asked to email you specifically (after calling the number outlined in your letter this morning) to notify you of an incident that occurred at 8:05 this morning. As I was leaving Beech Circle, with my 4 year old in the car, and approaching the last house before entering the 1-way (blind portion) of the street, I was nearly hit by a motorist who was entering the WRONG way. Not only was the motorist driving at a high rate of speed, but he was also texting and had no idea I was attempting to drive out (legally). Fortunately for all involved, we both slammed on our brakes and avoided a serious collision.

As you read through the many emails in support of reclosing the street, I thought this was most timely to email you these incident details, given EVERYONE who enters the wrong way, is traveling at a high rate of speed as “not to get caught by the police.” Not only is that a blind spot, regardless of which way you are entering, but if I had been walking my dog (an activity that everyone enjoys by having access as a walker/biker and regardless of whether you are a Birmingham or Mtn Brook City resident) there is no telling what would have happened when that motorist came through the wrong way this morning (and I can tell you this happens daily).

Again, I am grateful for you and the City’s efforts as we officially reclose this street and look forward to the day where I do not have to worry about WHEN/NOT IF someone is going to be seriously injured or killed. Beech Circle is now famous for its “Shortcut” by saving a motorist 2 or 3 minutes and I pray I never see the day where it becomes MORE famous for being known as “that street where someone was killed” due to the inherently dangerous blind spots. Beech Circle was built as a dead end and it is clear, by the design of the street itself, that it was never meant to be a thru street, let alone a famous shortcut.

Thank you in advance for taking the time to read the above incident report and again, I look forward to the day I no longer have to worry about this issue.

Sincerely,

Mike Roy
205.936.6453
Sam,

Thanks for returning my call yesterday regarding the proposed closure of Beech Circle. As always, I greatly appreciate your service to our city.

In brief, I am strongly opposed to the proposed solution.

First, closing Beech Circle will merely reroute speeding traffic to Beech Street, which also has lots of children. On Beech Street there are 16 or so children residing in houses north of the intersection with Beech Circle. I suspect the parents of Beech Street will be just as concerned and vocal about speeding traffic as those on Beech Circle (especially since Beech Street is a straighter road allowing greater acceleration).

Second, closing Beech Circle will negatively impact commute times for a large number of people in the Crestline area. There are currently only 4 roads connecting Euclid Avenue with Montclair Road between Montevallo Road and Crestline Village: Beech Circle, Beech Street, Hagood Street, and Peachtree Rd. Beech Circle is the most efficient passageway to Montclair Road for a large number of people living in the Crestline area - especially during school hours when Saint Francis's Xavier Circle is closed.

Further, I believe that if Beech Circle is closed, then an increase of speeding traffic entering Xavier Circle would pose a risk of Saint Francis further limiting thru traffic on their property. If both Beech Circle and Xavier Circle were to be closed to traffic then daily commutes via Montclair Road could be materially increased. I estimate that daily commuters forced to reroute to Peachtree or Hagood would spend an extra 20 hours annually in their cars (5 minutes daily times 250 business days).

With that said I would be strongly in favor of a solution that materially reduces speeding traffic (rather than relocating it). For example, speed bumps on Beech Circle like those on Glencoe Drive would reduce speeding while allowing continued efficient passage to Montclair Road.

I am fully confident a solution exists to improve the safety of children in our community, while allowing efficient passage to Montclair Road. I greatly appreciate your assistance with this and welcome any feedback.

I look forward to seeing you next week.

Regards,

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