

**JOINT MEETING AGENDA OF THE
MOUNTAIN BROOK CITY COUNCIL AND
MOUNTAIN BROOK EMERGENCY COMMUNICATIONS (E911) DISTRICT**

SEPTEMBER 28, 2020, 7:00 P.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 0928020).

1. Downs Syndrome Awareness proclamation.
2. Approval of the minutes of the September 14, 2020, regular meeting of the City Council.
3. Approval of the minutes of the September 21, 2020, special meeting of the City Council.
4. Consideration: Resolution establishing the employees' and retirees' monthly premiums for medical insurance effective for employee payroll checks dated December 11, 2020, and retiree premiums due on January 1, 2021.
5. Consideration: Resolution increasing the salary schedule for all classified, unclassified and part-time employees by one-half of one percent (1/2%) effective October 13, 2020, and increasing the compensation for contract security services for the City's Public Works facilities (Resolution No. 2013-146), the City Prosecutor, and Municipal Judges by one half of one percent (1/2%) effective October 1, 2020.
6. Consideration: Resolution of the Board of Commissioners of the E911 District adopting the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.
7. Consideration: Resolution approving the stacking study for a bank drive-through in Block 8 of Lane Parke.
8. Consideration: Ordinance amending the Lane Parke PUD Master Development Plan to allow service uses.
9. Consideration: Ordinance authorizing the placement of a stop sign on Briar Oak Circle (northbound) at its intersection with Briar Oak Circle.
10. Consideration: Ordinance adopting the City's budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.
11. Consideration: Ordinance increasing the salary of the City Manager by one-half of one percent (1/2%) effective October 13, 2020, and amending the related employment agreement.
12. Announcement: The next regular meeting of the City Council is October 12, 2020, at 7:00 p.m. (means and location to be announced).
13. Adjourn.

**PROCLAMATION
DOWN SYNDROME AWARENESS**

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

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

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

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

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

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

**October 1st as DOWN SYNDROME AWARENESS DAY and
October as DOWN SYNDROME AWARENESS MONTH**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Mountain Brook to be affixed the 28th day of September of the year of our Lord 2020 and of the Independence of the United States of America, the 244th.

Stewart H. Welch III, Mayor

2020-160

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
SEPTEMBER 14, 2020**

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

The City Council of the City of Mountain Brook, Alabama met informally by way of Internet video conference at 5:30 p.m. on the 14th day of September, 2020. The Council President called the pre-meeting to order and the roll was called with the following results:

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

Absent: None

Also present were City Attorney Carl Johnson, City Manager Sam Gaston, and City Clerk Steven Boone.

1. AGENDA

1. Proposed change orders for Fields 3-7 at the Athletic Complex—Dale Brasher of Goodwyn, Mills and Cawood (Appendix 1).

Dale Brasher:

- Sam Gaston, Shanda Williams Billy Pritchard, Phil Black and Tommy Prewitt inspected the site with Mr. Brasher and Bill Shea
- Brasher, Williams and Shea are preparing comprehensive list of possible changes
- The Board of Education is supposed to discuss the possible change orders at its September 14 meeting

Tommy Prewitt:

- The Board of Education (BOE) meeting is ongoing and thus far the issue of the Athletic Complex change orders has not been discussed
- The BOE is of the opinion that the water/sewer line running across Field 6 needs to be relocated to restore water to the softball building and that this cost should be applied against the contract contingency
- The scoreboard power and power to new concession stand should be paid from the contract contingency
- Regarding the request to add seven light poles, the BOE was not involved in the 2019 lighting project. The lighting may well need to be modified but the BOE may not be in a position to participate in the cost of the project.

Council member Pritchard:

- Likely the lighting cannot be done prior to the fall ball season. Is it safe to say the lighting should be delayed until later in the year?

Brasher:

- It is his understanding that Musco will likely be able to set the poles and install the lights prior to the fall season. There may be some wiring and other components of the installation that cannot be completed.

Pritchard:

- Thinks the poles and other Field 7 improvements should be delayed until after the fall season

Bill Shea:

- Pressing to get the lights installed immediately due to access
- Right or wrong, Shea ordered the poles a couple of weeks ago and are scheduled for delivery by September 28 at the latest
- The underground cabling needs to be done before the poles arrive
- Believes the poles can installed (wiring and aiming the lights may not be finished)
- Contractually, the contractor has until October 14 to turn the fields over. It is estimated that the fields will be ready for fall ball by October 3.
- State inspections need to be scheduled too before the fields can be released for play
- The Field 5 lighting project was paid solely by Dick Shea
- The 2019 lighting project made substantial improvements in the lighting but there remains some shading and glare that needs to be addressed hence the need for additional poles and reconfigurations
- Believes the heavy equipment part of the lighting can be complete before the fall season

Pritchard

- If the lighting is started but not completed, will the fall season be impeded in any way

Shea:

- Musco stated that the lights will be delivered no later than the 28th allowing a week for the poles to be set
- Wiring may not be complete

Shanda Williams:

- Can the poles be installed but not remove the existing poles so that lights fixtures can be transferred one field at a time to avoid any disruptions of lighting?

Shea:

- That is an option worth pursuing
- At a minimum, Field 3 lighting needs to be addressed

Pritchard:

- Wants to know what are the critical issues that need to be addressed over the next two weeks in order for the fall season to start on time

Shea:

- If the BOE does want to implement some of the recommended changes, they can be removed from the list

Pritchard:

- The subcommittee needs to meet on site to try once again to identify what items must be addressed immediately and a special council meeting may need to be called in order to avoid delays

Shea:

- Some of the suggested changes need to be implemented to protect the investment
- If the surrounding dirt is not addressed, the dirt will turn to mud and kids will be tracking the mud onto the turf

The subcommittee will meet Tuesday afternoon on site.

2. Proposal by the Birmingham Water Works Board (BWVB) to place a water line on the side of the new Caldwell Mill Road bridge— Sammy Harton of Gresham Smith (Appendix 2).

The members of the City Council expressed their opposition to the BWVB installing its water main on the exterior wall of the bridge.

3. Request for additional funding by Gresham Smith for the coordination of the BWVB project on the Caldwell Mill Road bridge—Blair Perry of Gresham Smith (Resolution No. 2020-155 was added to the formal meeting agenda.)
4. Drainage study report for Northcote Drive—Mark Simpson of Schoel Engineering (Appendix 3).

This project is estimated to cost \$150,000 and will be scheduled in fiscal 2022.

5. Junior High detention pond construction plans—Mark Simpson of Schoel Engineering (Resolution No. 2020-156 was added to the formal meeting agenda.)

Mark Simpson:

- The cost estimates is below the bid law limit
- Suggests that a video inspection be made of the drainage line
- Design fees are \$9,500, construction administration and related services are not to exceed \$3,500, contractor selection fees are not to exceed \$3,500 and the video inspection should be approximately \$2,500.

[Regarding the contract, since this is under the bid law limit the project does not have to be submitted to the State Building Commission. Either the City or BOE could enter into the construction contract. It was the recollection of Council members Shelton, Pritchard and Black that the City was going to cover the cost of the construction. Council members Smith and Womack expressed their agreement. Because the project does not have to go to the Building Commission, the City will enter into the construction contract.]

6. Property at the end of Briar Oak Drive, in Vestavia Hills, and possible impact on Mountain Brook—Dana Hazen (Appendix 4).

Dana Hazen:

- The Vestavia property lies at the end of Briar Oak Drive
- The property is 525,000 square feet in area
- The property is zoned R2, single family
- The real estate marketing material suggests the property can be developed into fifteen parcels (limited by approximately 50% due to the considerable flood plain)
- Residents are concerned about traffic and likely silt entering the river
- The City has no real jurisdiction with respect to this development

Chris Powanda:

- The neighborhood is concerned about the increased traffic
- Vestavia seems to be a little more developer-friendly than other cities

- It is estimated there could be an increase in traffic volume of 130 to 150 vehicles daily if developed as marketed all on Mountain Brook infrastructure
- There is also concern that the zoning could be changed from R2 to R3
- If a retaining wall were constructed, development could occur within the flood plain
- The wooded area will likely be drastically reduced thereby threatening the waterway
- The residents are facing 3-4 years of construction activity during the development phase
- The property is expected to sell at auction on September 15, 2020
- There are close to 300 signatures on a petition who are opposed to this potential development
- Requests the City intervene to ensure the neighborhood is not adversely impacted

Mr. and Mrs. Richard Goldstein:

- It is a joy for he and his wife to watch the neighborhood children playing along the street
- Wishes to preserve the status quo

Another resident of 40 years:

- Chose this street because it is quiet and safe
- Likes to walk along the street
- Expressed concern about the development
- Why has Mountain Brook not done more to protect the residents?

Council President Smith:

- The City has no power or authority over this development
- The City does enjoy a good relationship with Vestavia and will remain vigilant in monitoring the development

Hazen:

- It is possible that there may only be one public hearing assuming the property is not rezoned and that would be to address the subdivision itself
- The City likely does not have authority to request a bond on Briar Oak Drive. However, if the condition of Briar Oak Drive is assessed prior to construction and damage does occur, the City could ask Vestavia not to release its bond until Briar Oak issues have been remediated.
- Runoff/erosion regulations are generally ADEM regulations. The City can monitor runoff as it impacts its properties and coordinate with Vestavia officials to monitor such events.

Council member Black:

- If there are no legal measures the City has to protect its interests and assets, the City should look for other measures (like bonds) to protect its infrastructure

Council member Shelton:

- Is vacating the end of Briar Oak Drive an option to effectively stop this development

President Smith:

- The property owner would have to be supportive of any proposed vacation

Powanda:

- Questions whether Vestavia provided notice to the affected residents of the R2 zoning after the property was annexed

Hazen:

- The property may not have been “rezoned” at the time of annexation
- Municipalities have some discretion as to how such properties are handled with respect to zoning of annexed properties

Leigh Hessler:

- Is also concerned about utilities and power disruptions that will likely increase if the property is developed
- There has been some interest by Mountain Brook residents in purchasing the property but they wanted to remain in Mountain Brook

President Smith:

- The City has never requested another City de-annex a property so that Mountain Brook could annex it

Hazen:

- Petitions for annexation or de-annexation must originate from the property owner

Pritchard:

- Suggested that the City wait to see what happens at the auction on September 15

Hazen, regarding rumors or a garden home development:

- Garden homes are typically constructed on lots of approximately 8,000 square feet and would likely require rezoning

7. Traffic study counts on the closure of Beech Circle—Richard Caudle of Skipper Consultants (Continued until September 28, 2020.)
8. Request for a lower speed limit and a stop sign on Briar Oak Circle—Dee Brightwell (Appendix 5).

Dee Brightwell:

- The neighborhood would like the speed limit lowered to 15 miles per hour
- There a numerous children in the area
- Wants the stop sign to inhibit delivery trucks traveling along the street
- Who will disagree with a 20 mile per hour speed limit when everyone on the street wants it

Richard Caudle:

- Studied this street in May
- The street is currently posted at 30 miles per hour
- Recommended the speed limit be reduced to 25 miles per hour and also the requested stop sign
- Aside from school zones, there are no other streets in the City with a 15 mile per hour posted speed limit
- 20 miles per hour streets are generally reserved for very high pedestrian traffic areas
- The speed limit of nearby Overton Trail is 20 miles per hour

Chief Cook:

- It is always a concern for law enforcement when a traffic calming measure is implemented to achieve a desired result for a segment of the driving public
- An example is East Street in Vestavia with its 15 mile per hour speed limit is almost impossible to comply with and the residents generally do not comply either

Ordinance No. 2077 was added to the formal meeting agenda. The City Manager is to mail affected residents a letter informing them that the City Council shall consider a stop sign at the intersection at its next meeting on September 28, 2020.)

9. ClasTran request for \$1,000 funding in FY 2021—Shari Spencer, Executive Director of ClasTran (Resolution No. 2020-157 was added to the formal meeting agenda.)

Shari Spencer:

- The Birmingham Regional Paratransit Consortium (dba ClasTran) is a 501(c)3 organization that provides transportation services to people over the age of 60 and those with disabilities in Jefferson, Shelby and Walker Counties
 - In 2020, ClasTran received \$1,000 from Mountain Brook and provided about 50 trips
 - For the last two quarters, ClasTran has provided 140 trips
10. Amend Safer at Home policy to open water fountains at City parks and playing fields—Shanda Williams (Resolution No. 2020-154 was added to the formal meeting agenda.)
 11. Review of the other matters to be considered at the formal (7 p.m.) meeting.

2. ADJOURNMENT

There being no further comments or discussion, Council President Smith adjourned the pre-meeting at approximately 7:15 p.m.

3. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct synopsis of the discussion from the work session of the City Council of the City of Mountain Brook, Alabama held by way of Internet teleconference on September 14, 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 September 28, 2020

**MINUTES OF THE REGULAR OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
SEPTEMBER 14, 2020**

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

The City Council of the City of Mountain Brook, Alabama and Board of Directors of the Mountain Brook Emergency Communications District met by way of Internet video conference at 7:15 p.m. on the 14th day of September, 2020. The Council President called the meeting to order and the roll was called with the following results:

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

Absent: None

Also present were City Attorney Carl Johnson, 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 Ms. Elle Warren of Scout Troop 86 in attendance for the Citizenship in the Community merit badge.

2. PRESENTATIONS

Mayor Welch read aloud the Constitutional Week Proclamation (No. 2020-148, Exhibit 1) to Ms. Heather Kaiser of the Cahaba Chapter of the Daughters of the American Revolution.

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 August 24, 2020, regular meeting of the City Council

Approval of the minutes of the September 1, 2020, special (election canvass) meeting of the City Council

2020-148 Proclamation	Constitution Week proclamation	Exhibit 1
----------------------------------	--------------------------------	-----------

2020-149	Request the same level of public transportation service for 2021 and authorize the execution of a service agreement between the City and Birmingham-Jefferson County Transit Authority with respect to fiscal 2021 public transportation services	Exhibit 2, Appendix 1
-----------------	---	--------------------------

2020-150	Declare certain property surplus and authorizing its sale at public Internet auction	Exhibit 3, Appendix 2
2020-151	Authorize the payment from the General Fund of \$200,000 into the City of Mountain Brook Section 115 (retiree medical insurance) Trust for investment in accordance with the City's investment policy (Resolution No. 2020-053)	Exhibit 4
2020-152	Authorize the payment of \$390,100 to the Retirement Systems of Alabama from the City's General Fund such payment representing an excess contribution to the City's pension trust fund to reduce the City's (Unit No. 2460 EMTB) unfunded actuarial accrued liability	Exhibit 5, Appendix 3
2020-153	Appoint the City Clerk as the City's representative to act on behalf of the City and O'Neal Library with respect to unclaimed property retained by the State of Alabama	Exhibit 6, Appendix 4
2020-154	Amend the City of Mountain Brook Safer at Home Plan	Exhibit 7, Appendix 5
2020-155	Approve the change of scope in the professional services agreement between the City and Gresham Smith (Resolution No. 2016-202) with respect their coordination of the 6 inch water main relocation by the Birmingham Water Works Board for the Caldwell Mill Road replacement bridge project.	Exhibit 8, Appendix 6
2020-156	Authorize the execution of a professional services agreement between the City and Schoel Engineering Co., Inc., with respect to their preparation of construction documents for modifications to the existing Mountain Brook Junior High detention pond outlet structure and authorize Schoel Engineering Co., Inc., to engage a contractor to perform a video inspection of the interior of the drainage line	Exhibit 9, Appendix 7
2020-157	Authorize the execution of a contract for general services with Birmingham Regional Paratransit Consortium d/b/a ClasTran, an Alabama nonprofit corporation	Exhibit 10, Appendix 8

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

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

Nays: None

Abstained: None

Council President Smith thereupon declared that said minutes, proclamation (No. 2020-148) and resolutions (Nos. 2020-149 through 2020-157) were adopted by a vote of 5—0 that and as evidence thereof she signed the same.

4. CONSIDERATION OF AN ORDINANCE (NO. 2077) REDUCING THE SPEED LIMIT ON BRIAR OAK CIRCLE TO 20 MILES PER HOUR AND TO PROVIDE FOR PUNISHMENT FOR VIOLATIONS (EXHIBIT 11, APPENDIX 9)

The ordinance was introduced in writing by Council President Smith who then invited comments. There being no comments or questions, President Smith called for a motion. Council 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 President Smith. Thereupon, Council President Smith called for vote with the following results:

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

Nays: None

The Council President Smith declared 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 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. 2077) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

5. ANNOUNCEMENT

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

6. EXECUTIVE SESSION AND ADJOURNMENT

There being no further business or matters for discussion, Council President Pro Tempore Pritchard made a motion that the City Council convene in executive session to discuss the good name and character of an individual and that the City Council shall not reconvene upon conclusion of the executive session. The City Attorney then certified that the subject matter of the executive session is permissible under the Open Meetings Act. The motion was seconded by Council President Smith. Then, upon the question being put and the roll called, the vote was recorded as follows:

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

Nays: None

Abstained: None

Council President Smith then adjourned the meeting at approximately 7:20 p.m.

7. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the regular meeting of the City Council of the City of Mountain Brook, Alabama by Internet teleconference on September 14, 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 September 28, 2020

EXHIBIT 1

PROCLAMATION NO. 2020-148

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2020, marks the two hundred and thirty-third anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention, providing a historic opportunity for all Americans to remember the achievements of our Founding Fathers and to reflect on the actions of Americans who for the past 233 years have defined the words of the Constitution by exercising their rights and responsibilities as citizens; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebration that which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as Constitution Week;

NOW, THEREFORE, I, Stewart H. Welch III, by virtue of the authority vested in me as Mayor of the City of Mountain Brook, do hereby proclaim the week of September 17th through 23rd, 2020, as

CONSTITUTION WEEK

and encourage all residents to recognize and appreciate the importance of this enduring document to our nation and reaffirm our commitment to the rights and responsibilities of citizenship in this great nation, study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

**MINUTES OF THE SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA
SEPTEMBER 21, 2020**

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

The City Council of the City of Mountain Brook, Alabama met in special public session by way of Internet video conference on Monday, the 21st day of September 2020, at 8:00a.m. The meeting was then called to order by the Council President 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

Absent: None

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

1. CONSIDERATION OF A RESOLUTION (NO. 2020-158) ASSENTING TO THE APPROVAL OF ALL PHASE 1 AND PHASE 2, CHANGE-ORDER MODIFICATIONS IN THE ESTIMATED AMOUNT OF, AND NOT TO EXCEED OF, \$295,379 BY THE MOUNTAIN BROOK BOARD OF EDUCATION AND ALABAMA BUILDING COMMISSION WITH RESPECT TO THE SYNTHETIC TURF PROJECT IMPLEMENTATION AGREEMENT BETWEEN THE CITY AND MOUNTAIN BROOK BOARD OF EDUCATION (RESOLUTION NO. 2020-075 DATED MAY 26, 2020) (EXHIBIT 1, APPENDIX 1)

Council President Smith introduced the resolution in writing. Council President Pro Tempore Pritchard stated that only the Phase 1 change-orders were under consideration at this time. The other changes will be formally considered at a later date. Parks and Recreation Superintendent Shanda Williams was asked to obtain a quote from Gray's Tree Service for the stump removal which, if less than \$3,000, can be removed from the Phase 1 change-order list. There being no further discussion or comments, President Smith called for a motion.

It was moved by Council President Pro Tempore Pritchard that the resolution be passed. The motion for adoption of the resolution was seconded by Council member Black and upon the question the vote thereon was 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 resolution (no. 2020-158) is adopted by a vote of 5—0 and as evidence thereof she signed the same.

1. CONSIDERATION OF A REOLUTION (NO. 2020-159) AUTHORIZING THE EXECUTION OF A CONTRACTOR AGREEMENT WITH GRAY'S TREE SERVICE WITH RESPECT TO THE ATHLETIC COMPLEX IMPROVEMENT PROJECT (EXHBIT 2, APPENDIX 2)

Council President Smith introduced the resolution in writing. Parks and Recreation Superintendent Shanda Williams stated that, if approved, Gray's Tree Service will try to perform the work this weekend. If the work is not finished, the work will have to be delayed until after the fall baseball season (a few weeks). There being no further discussion or comments, President Smith called for a motion.

It was moved by Council member Shelton that the resolution be passed. The motion for adoption of the resolution was seconded by Council President Smith and upon the question the vote thereon was 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 resolution (no. 2020-159) is adopted by a vote of 5—0 and as evidence thereof she signed the same.

2. ADJOURNMENT

There being no further business matters for discussion, Council President Smith adjourned the meeting at approximately 8:10 a.m.

3. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the regular meeting of the City Council of the City of Mountain Brook, Alabama by Internet teleconference on September 21, 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 September 28, 2020

EXHIBIT 1**RESOLUTION NO. 2020-158**

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that City Council hereby assents to the approval of all Phase 1 and Phase 2, Change-order No. 1 modifications, attached hereto (Exhibit A), in the estimated amount of, and not to exceed of, \$295,379 by the Mountain Brook Board of Education and Alabama Building Commission with respect to the Synthetic Turf Project Implementation Agreement between the City and Mountain Brook Board of Education (Resolution No. 2020-075 dated May 26, 2020).

APPENDIX 1

EXHIBIT 2**RESOLUTION NO. 2020-159**

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 Contractor Agreement with Gray's Tree Service, 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, with respect to the Athletic Complex improvement project.

APPENDIX 2

RESOLUTION NO. 2020-161

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

	BCBS of Alabama
Active employee – 5.5% increase	
Single (dental)	\$521
Family (dental)	\$1,272
Retiree (without Medicare coverage) – 5.5% increase	
Single (dental)	\$1,078
Family (dental)	\$1,986
Family (dental) (spouse w/ Medicare)	\$1,276

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

Monthly Premiums – BCBS of Alabama			
	Employee / Retiree	City	Total
Employee (single coverage)	\$-0-	\$494	\$521
Employee (family coverage)	\$370	\$902	\$1,272
Retiree (single/no Medicare coverage)	\$185	\$893	\$1,078
Retiree (family/no Medicare coverage)	\$590	\$1,396	\$1,986
Retiree (family/dependent with Medicare)	\$590	\$686	\$1,276

ADOPTED: The 28th day of September, 2020.

Council President

APPROVED: The 28th day of September, 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 September 28, 2020, as same appears in the minutes of record of said meeting.

City Clerk



LOCAL GOVERNMENT HEALTH INSURANCE BOARD

PO Box 304900 • Montgomery, AL 36130-4900
201 South Union Street, Suite 200 • Montgomery, AL 36104
Phone: 334-263-8326 or 1-866-836-9137 • Fax: 334-263-8526
www.lghip.org

Roger Rendleman
Chairman

William L. Ashmore
CEO

September 15, 2020

STEVEN BOONE
CITY OF MOUNTAIN BROOK (N19)
P O BOX 130009
BIRMINGHAM, AL 35213

Dear Unit Administrator:

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

Effective January 1, 2021:

- Increase the medical and dental monthly premium 5.5% for active employees and Non-Medicare retirees.
- Increase the lab copay from \$3 to \$7.50
- Increase the generic drug copay from \$10 to \$15.
- Increase the specialist copay from \$40 to \$50.
- Extend the 2021 wellness screening period to October 31, 2020.
- A screening conducted during August 1, 2020 – October 31, 2020 will count for both 2021 and 2022 wellness screening periods.

Effective January 1, 2022:

- Eliminate the \$10 wellness premium discount.
- Change the annual wellness screening period to November 1 - October 31.
- Increase the Wellness Program participation percentage from 30% to 80% in order to be classified in the Preferred premium category.

Effective Immediately:

- For units offering retiree coverage, an additional option will be offered to qualify for the Preferred premium category. Assuming all other criteria are met, units with less than 5% of its employees covered as retirees will be eligible for the Preferred premium category if it certifies all its eligible retirees were offered LGHIP retiree coverage and proof is provided they either enrolled or declined coverage. To qualify for the Preferred premium category, units will have until November 30 each year to provide acceptable certification to the Board.

LGHIP UNIT CLASSIFICATION

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

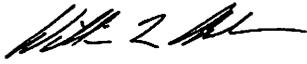
A 2021 rate schedule is enclosed.

Your unit also qualifies for the wellness premium discount of \$10 per active employee per month for 2021. Your unit is receiving this discount because at least 80% of your active employees participated in the LGHIB Wellness Program during the screening period of August 1, 2019 - July 31, 2020. This discount is not reflected in the rate schedule, but will appear on your monthly invoice beginning in December to pay for January's premiums.

(Continued on back)

We greatly appreciate your continued participation in and support of the LGHIP. If you have questions or comments regarding these changes, please contact the LGHIB staff at (334) 263-8326.

Sincerely,

A handwritten signature in black ink, appearing to read "William L. Ashmore".

William L. Ashmore
Chief Executive Officer

**Local Government Health Insurance Program
CY2021 Premiums**

Active Employee Premiums - Preferred			
	Single	Family	Total
Employee (dental)	\$521		\$521
Employee & dependent (dental)	\$521	\$751	\$1,272
Employee (no dental)	\$498		\$498
Employee & dependent (no dental)	\$498	\$716	\$1,214

Active Employee Premiums - Standard			
	Single	Family	Total
Employee (dental)	\$571		\$571
Employee & dependent (dental)	\$571	\$869	\$1,440
Employee (no dental)	\$548		\$548
Employee & dependent (no dental)	\$548	\$834	\$1,382

Retiree (not Medicare)			
	Single	Family	Total
Retiree (not Medicare) (dental)	\$1,078		\$1,078
Retiree (not Medicare) & dependent (not Medicare) (dental)	\$1,078	\$908	\$1,986
Retiree (not Medicare) & dependent (Medicare) (dental)	\$1,078	\$198	\$1,276
Retiree (not Medicare) & 2 dependents (Medicare) (dental)	\$1,078	\$396	\$1,474
Retiree (not Medicare) (no dental)	\$1,055		\$1,055
Retiree (not Medicare) & dependent (not Medicare) (no dental)	\$1,055	\$873	\$1,928
Retiree (not Medicare) & dependent (Medicare) (no dental)	\$1,055	\$175	\$1,230
Retiree (not Medicare) & 2 dependents (Medicare) (no dental)	\$1,055	\$350	\$1,405

Retiree (Medicare)			
	Single	Family	Total
Retiree (Medicare) (dental)	\$198		\$198
Retiree (Medicare) & dependent (not Medicare) (dental)	\$198	\$749	\$947
Retiree (Medicare) & dependent (Medicare) (dental)	\$198	\$198	\$396
Retiree (Medicare) & 2 dependents (Medicare) (dental)	\$198	\$396	\$594
Retiree (Medicare) (no dental)	\$175		\$175
Retiree (Medicare) & dependent (not Medicare) (no dental)	\$175	\$714	\$889
Retiree (Medicare) & dependent (Medicare) (no dental)	\$175	\$175	\$350
Retiree (Medicare) & 2 dependents (Medicare) (no dental)	\$175	\$350	\$525

COBRA - Preferred			
	Single	Family	Total
Employee (dental)	\$531		\$531
Medicare employee (dental)	\$202		\$202
Employee & dependent (not Medicare) (dental)	\$531	\$765	\$1,296
Medicare employee & dependent (not Medicare) (dental)	\$202	\$765	\$967
Medicare employee & dependent (Medicare) (dental)	\$202	\$202	\$404
Employee & dependent (Medicare) (dental)	\$531	\$202	\$733
Employee (no dental)	\$508		\$508
Medicare employee (no dental)	\$179		\$179
Employee & dependent (not Medicare) (no dental)	\$508	\$730	\$1,238
Medicare employee & dependent (not Medicare) (no dental)	\$179	\$730	\$909
Medicare employee & dependent (Medicare) (no dental)	\$179	\$179	\$358
Employee & dependent (Medicare) (no dental)	\$508	\$179	\$687

COBRA - Standard			
	Single	Family	Total
Employee (dental)	\$582		\$582
Medicare employee (dental)	\$202		\$202
Employee & dependent (not Medicare) (dental)	\$582	\$886	\$1,468
Medicare employee & dependent (not Medicare) (dental)	\$202	\$886	\$1,088
Medicare employee & dependent (Medicare) (dental)	\$202	\$202	\$404
Employee & dependent (Medicare) (dental)	\$582	\$202	\$784
Employee (no dental)	\$559		\$559
Medicare employee (no dental)	\$179		\$179
Employee & dependent (not Medicare) (no dental)	\$559	\$851	\$1,410
Medicare employee & dependent (not Medicare) (no dental)	\$179	\$851	\$1,030
Medicare employee & dependent (Medicare) (no dental)	\$179	\$179	\$358
Employee & dependent (Medicare) (no dental)	\$559	\$179	\$738

Retiree (not Medicare) COBRA			
	Single	Family	Total
Retiree (not Medicare) (dental)	\$1,100		\$1,100
Retiree (not Medicare) & dependent (not Medicare) (dental)	\$1,100	\$926	\$2,026
Retiree (not Medicare) & dependent (Medicare) (dental)	\$1,100	\$202	\$1,302
Retiree (not Medicare) & 2 dependents (Medicare) (dental)	\$1,100	\$404	\$1,504
Retiree (not Medicare) (no dental)	\$1,076		\$1,076
Retiree (not Medicare) & dependent (not Medicare) (no dental)	\$1,076	\$890	\$1,966
Retiree (not Medicare) & dependent (Medicare) (no dental)	\$1,076	\$179	\$1,255
Retiree (not Medicare) & 2 dependents (Medicare) (no dental)	\$1,076	\$357	\$1,433

Retiree (Medicare) COBRA			
	Single	Family	Total
Retiree (Medicare) (dental)	\$202		\$202
Retiree (Medicare) & dependent (not Medicare) (dental)	\$202	\$764	\$966
Retiree (Medicare) & dependent (Medicare) (dental)	\$202	\$202	\$404
Retiree (Medicare) & 2 dependents (Medicare) (dental)	\$202	\$404	\$606
Retiree (Medicare) (no dental)	\$179		\$179
Retiree (Medicare) & dependent (not Medicare) (no dental)	\$179	\$728	\$907
Retiree (Medicare) & dependent (Medicare) (no dental)	\$179	\$179	\$358
Retiree (Medicare) & 2 dependents (Medicare) (no dental)	\$179	\$357	\$536

COBRA Disabled - Preferred			
	Single	Family	Total
COBRA Disabled (dental)	\$782		\$782
COBRA Disabled Medicare (dental)	\$297		\$297
COBRA Disabled & dependent (dental)	\$782	\$765	\$1,547
COBRA Disabled Medicare & dependent (dental)	\$297	\$765	\$1,062
COBRA Disabled & dependent (Medicare) (dental)	\$782	\$202	\$984
COBRA Disabled Medicare & dependent (Medicare) (dental)	\$297	\$202	\$499
COBRA Disabled (no dental)	\$747		\$747
COBRA Disabled Medicare (no dental)	\$263		\$263
COBRA Disabled & dependent (no dental)	\$747	\$730	\$1,477
COBRA Disabled Medicare & dependent (no dental)	\$263	\$730	\$993
COBRA Disabled & dependent (Medicare) (no dental)	\$747	\$202	\$949
COBRA Disabled Medicare & dependent (Medicare) (no dental)	\$263	\$202	\$465

COBRA Disabled - Standard			
	Single	Family	Total
COBRA Disabled (dental)	\$857		\$857
COBRA Disabled Medicare (dental)	\$297		\$297
COBRA Disabled & dependent (dental)	\$857	\$886	\$1,743
COBRA Disabled Medicare & dependent (dental)	\$297	\$886	\$1,183
COBRA Disabled & dependent (Medicare) (dental)	\$857	\$202	\$1,059
COBRA Disabled Medicare & dependent (Medicare) (dental)	\$297	\$202	\$499
COBRA Disabled (no dental)	\$822		\$822
COBRA Disabled Medicare (no dental)	\$263		\$263
COBRA Disabled & dependent (no dental)	\$822	\$851	\$1,673
COBRA Disabled Medicare & dependent (no dental)	\$263	\$851	\$1,114
COBRA Disabled & dependent (Medicare) (no dental)	\$822	\$202	\$1,024
COBRA Disabled Medicare & dependent (no dental)	\$263	\$202	\$465

Southland			
	Single	Family	Total
Vision	\$12	\$20	\$32
Dental	\$42	\$42	\$84

Southland - COBRA			
	Single	Family	Total
Vision	\$12	\$20	\$32
Dental	\$43	\$43	\$86

RESOLUTION NO. 2020-162

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

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

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

ADOPTED: The 28th day of September, 2020.

Council President

APPROVED: The 28th day of September, 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 September 28, 2020, as same appears in the minutes of record of said meeting.

City Clerk

RESOLUTION NO. 2020-163

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

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

		(For Reference Only)	
<u>Ledger No.</u>	<u>Account Description</u>	<u>9/30/2021</u>	<u>9/30/2020</u>
		<u>Budget</u>	<u>Budget</u>
531-3305-4500	Fines & Forfeitures (Act 03-289)	\$ (1,900.00)	\$ (2,000.00)
531-3404-4050-3401	E-911 Surcharge (Mobile)	\$ (381,500.00)	\$ (355,000.00)
531-3407-4400	Other Investment Earnings	<u>\$ (1,300.00)</u>	<u>\$ (1,200.00)</u>
E911 Revenue		\$ (384,700.00)	\$ (358,200.00)
531-1213-6307	Bank Fees	\$ 400.00	\$ 300.00
531-1100-6407	Insurance and Bonding	\$ 1,250.00	\$ 0.00
531-3510-6210	Development-Training	\$ 25,000.00	\$ 25,000.00
531-3510-6300	Supplies/Exp-General	\$ 4,500.00	\$ 4,500.00
531-3510-6464	Service Contr-Comm Equip	\$ 29,162.00	\$ 24,000.00
531-3510-6610	Utilities-Telephone	\$ 48,100.00	\$ 46,400.00
531-3516-6910	Transfers-City General Fund	\$ 260,000.00	\$ 258,000.00
531-3516-6941	Transfers-Capital Projects Fnd	\$ 0.00	\$ 0.00
531-3590-6941	Transfers-Capital Projects Fnd	<u>\$ 32,000.00</u>	<u>\$ 0.00</u>
E911 Expenses		\$ 368,412.00	\$ 358,200.00
Excess of (Revenue) Over			
Expenditures		\$ 15,712.00	\$ 0.00
(Fund Balance), Beginning of Year		<u>\$ (237,711.00)</u>	<u>\$ (237,711.00)</u> ⁽¹⁾
(Fund Balance), End of Year		\$ (221,999.00)	\$ (237,711.00)

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

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

ADOPTED AND APPROVED: The 28th of September, 2020.

Virginia C. Smith, Chairman

RESOLUTION NO. 2020-164

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

ADOPTED: This 28th day of September, 2020.

Council President

APPROVED: This 28th day of September, 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 a resolution adopted by the City Council of the City of Mountain Brook at its regular meeting held on September 28, 2020, as same appears in the minutes of record of said meeting.

City Clerk

DRIVE-THROUGH BANK STACKING STUDY BLOCK 8 LANE PARKE

Petition Summary

Request approval of a stacking study for a drive-through relating to a proposed bank in Block 8 of Lane Parke.

Recent Background

At its meeting of September 23, 2019, the city council approved Ordinance 2057 to amend the Lane Parke PUD as follows:

1. To amend the Traffic & Access Plan to add Block 8 to the list of blocks that may contain a drive-through.
2. To exclude coffee shops and specialty food related concepts from the list of permitted drive-through uses for proposed Block 8.
3. To amend the Base Zoning Standards to allow 4 drive-throughs.
4. To add language to require a stacking/queue analysis and city council approval for each and every proposed drive-through in the project; every time a new tenant drive-through is proposed.

Excerpt from Page 16 of Amended Lane Parke PUD:

“DRIVE-THROUGH FACILITIES

Drive-through facilities may be designed and constructed as amenities to first floor retail or commercial space in the following locations as shown in the Parking, Access and Traffic Plan or in the Alternate Drive- Through and Access Plan: (i) two locations within parcel 10 and, (ii) one location within parcel 5 along Park Lane Court South 8, and (iii) one location within parcel 5; provided however, that such drive through facilities may only service the following uses: (each being referred to individually as a “Drive-Through Use Category”): (i) banks/financial institutions, (ii) pharmacies (including pharmacies ancillary to another primary use), (iii) dry-cleaners, (iv) coffee shops (in parcels 5 and 10 only), and (v) specialty food related concepts (in parcels 5 and 10 only) not included within the fast-food restaurant category such as bakeries, delicatessens and stores offering the sale of ice cream, yogurt and/or smoothies. The drive-through location within parcel 8 may not service a coffee shop or a specialty food related concept. Fast-food restaurant uses

may not utilize drive through facilities. Prior to constructing any drive-through facilities, the Project Owner shall submit to the City Council a study prepared by a reputable traffic engineer (a “Stacking Study”) concluding that the stacking of vehicles for a particular Drive-Through Use Category in a particular location will not have a material adverse impact on traffic and circulation within the Project and on any adjacent public roads. The Project Owner shall be permitted to construct a drive-through facility with respect to a particular Drive-Through Use Category and location upon receipt of written approval from the City Council based on the City Council’s reasonable approval of the Stacking Study for such particular Drive-Through Use Category and location.”

Analysis of Proposed Drive-Through Queue

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

Excerpt from Page 5 of Skipper Stacking Study:

“Analysis of Queue Length

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



BANK DRIVE-THROUGH QUEUE TRAFFIC STUDY

Lane Parke PUD

Mountain Brook, Alabama

Prepared for:

Evson, Inc.
107 Poinciana Drive
Homewood, Alabama 35209



SIGNED: *Richard L. Caudle*

DATE: 8/14/20

Prepared by:

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

August 14, 2020

Introduction

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

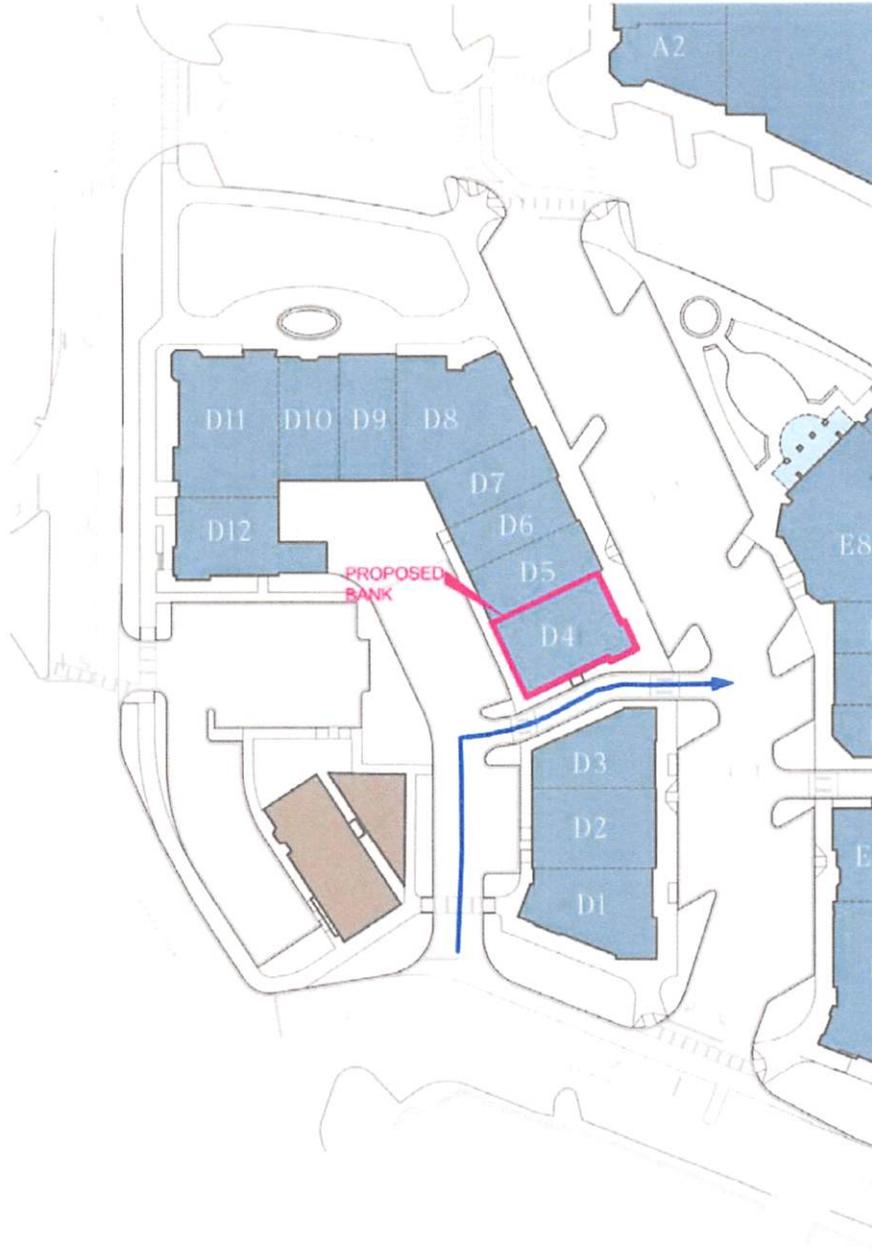


Figure 1. Bank Drive-Through Location

Drive-Through Storage

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

Existing Queue Length Studies

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

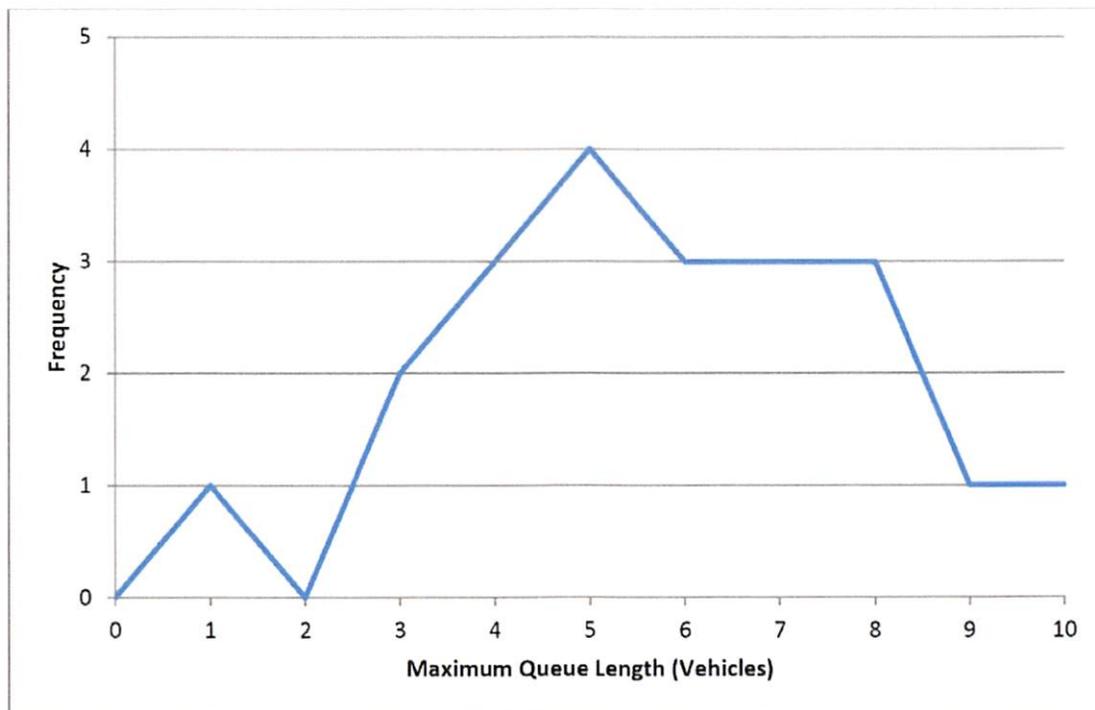


Figure 3.1.2 – Drive-Through Bank Maximum Queue Frequency – Minnesota + Kansas Data

Source: *Drive-Through Queue Generation*, Mike Spack, P.E., et al

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

- Average Maximum Queue – 5.76 vehicles
- 85th Percentile Queue – 8 vehicles
- Maximum Queue – 10 vehicles

In May, 1995, an article was published in the Institute of Transportation Engineers' *ITE Journal* entitled "Queuing Areas for Drive-Through Facilities", authored by J. L. Gattis. This study reported the distribution of occurrences of the number of vehicles queued per drive-through lane. The maximum queue reported was eight.

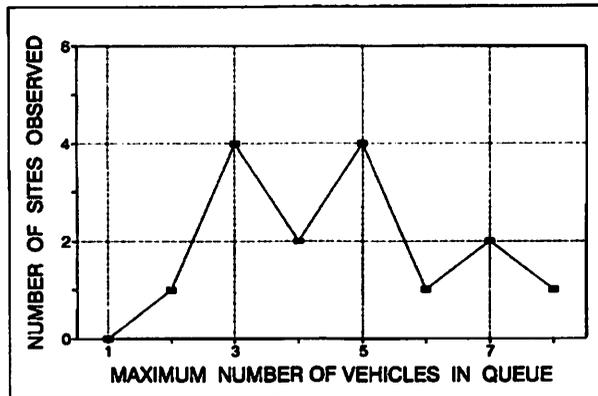
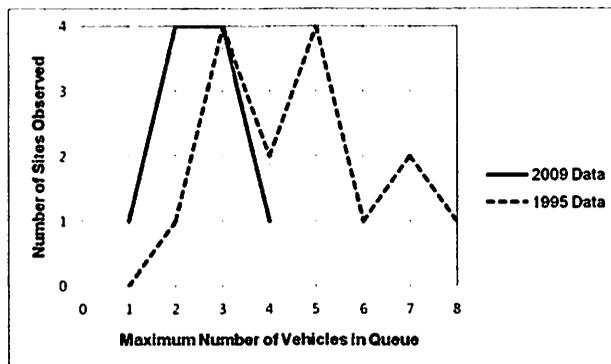


Figure 4. Maximum queue length per lane at bank.
Source: *ITE Journal*, May, 1995.

The May, 1995 *ITE Journal* study was updated in 2008 and 2009 by Mark Stuecheli, PTP for a presentation made to the ITE Annual Meeting in 2009. The new data indicated that the maximum stack for a bank drive-through lane was four vehicles

Figure 1 – Drive-In Bank 1995 And 2009 Maximum Queue Length Per Lane Data Plot



Source: Mark Stuecheli, PTP, August, 2009.

In attempting to reconcile the results of the 1995 study to the 2009 study, the author makes the following statement:

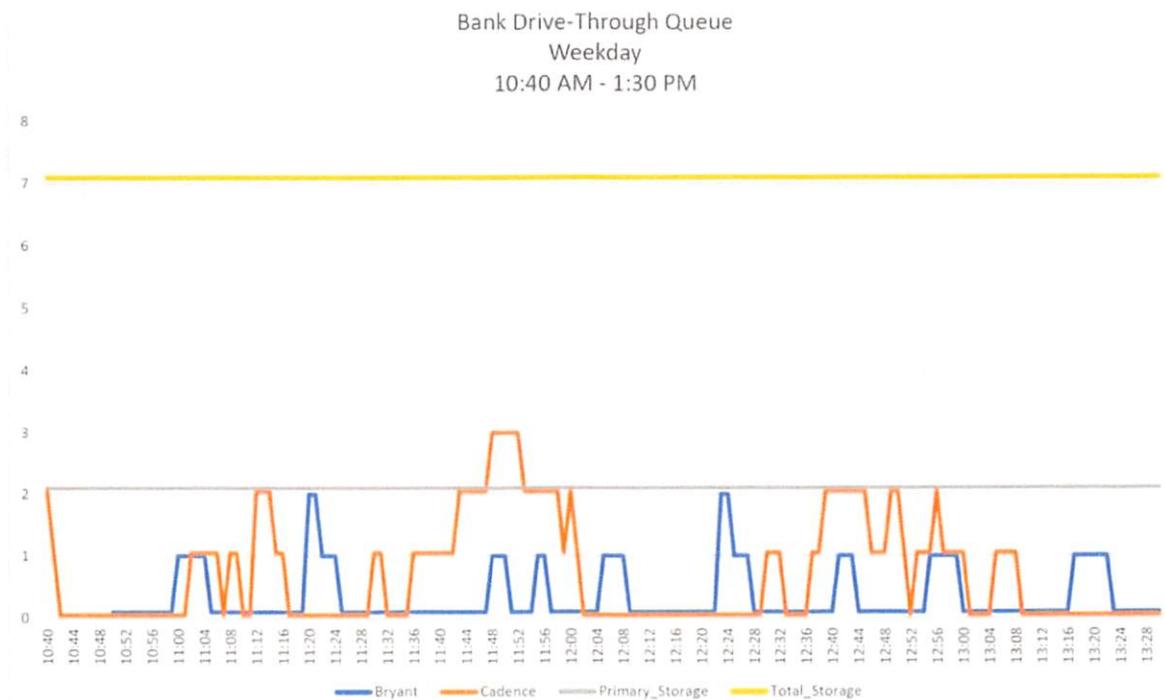
"...it is reasonable to assume that the differences are associated with changes in customers' banking habits. The one incidence of a four car per lane maximum stack was a single occurrence that lasted for only a few minutes. Based on that information, it is reasonable to consider the practical maximum required queue length to be three vehicles."

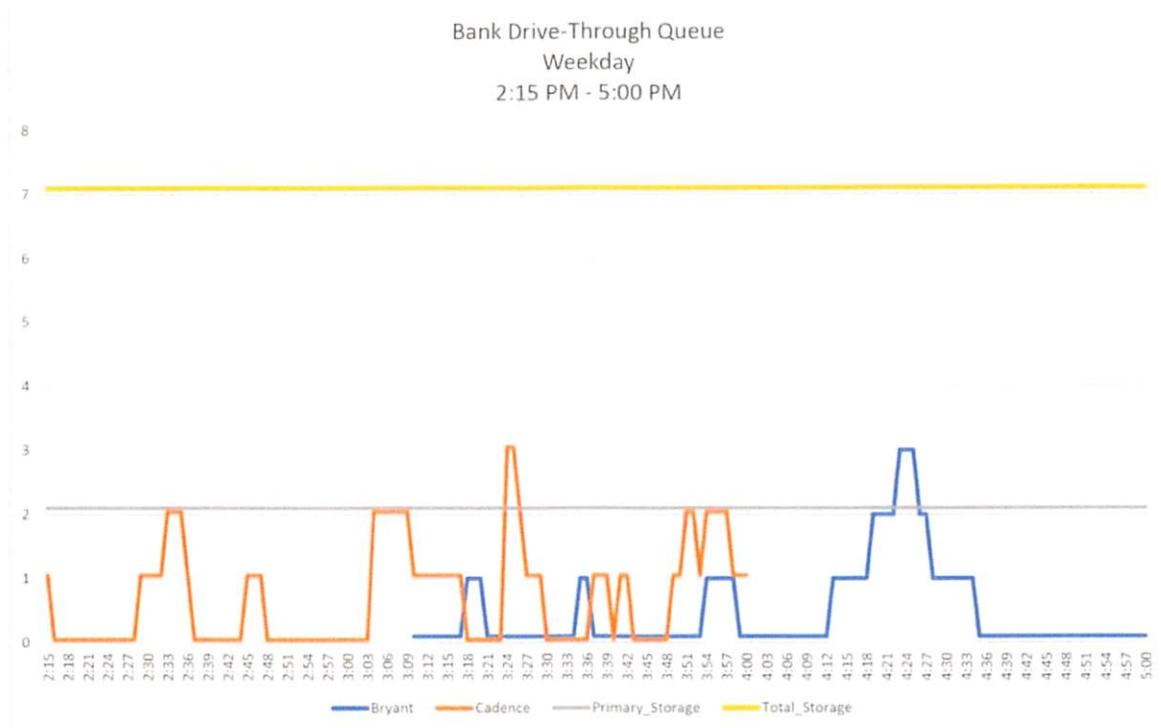
New Queue Length Data Collection

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

- Bryant Bank, located on 28th Avenue South in Homewood. The drive-through has one lane, which provides access to a teller window, ATM machine, and night deposit. Data was collected on Wednesday, March 18, 2020 from 10:50 a.m. to 1:30 p.m., and then from 3:10 p.m. to 5:00 p.m. The drive-through teller window closed at 5:00 p.m.
- Cadence Bank, located on State Route 119 in Meadowbrook. The drive-through has two lanes. The left lane provides access to a teller window and night deposit. The right lane provides access to a pneumatic delivery tube to the teller window and an ATM machine. Data was collected on Thursday, March 19, 2020 from 10:40 a.m. to 1:30 p.m., and then from 2:15 p.m. to 4:00 p.m. The drive-through teller window closed at 4:00 p.m.

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





Analysis of Queue Length

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

ORDINANCE NO. 2078

AN ORDINANCE AMENDING THE LANE PARKE PUD

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

1. **Development Standards.** The Master Development Plan and the materials submitted by the applicant, as required by Section 129-265 of the Mountain Brook City Code, as approved upon the adoption of Ordinance 1871 dated May 21, 2012 are hereby amended to include the changes specified as attached hereto.
2. **Description of Affected Property.** The property that is the subject of the rezoning approved by this ordinance is described as follows:

A parcel of land being situated in the Northeast quarter of the Northwest quarter and the Southeast quarter of the Northwest quarter of Section 8, Township 18 South, Range 2 West, more particularly described as follows:

Begin at the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 8, Township 18 South, Range 2 West; being the Point of Beginning; thence run Northerly along the West line of said Quarter - Quarter a distance of 665.12 feet; thence right 91°-08'-04" a distance of 1325.11 feet; thence right 88°-58'-55" a distance of 74.22 feet; thence right 37°-49'-05" a distance of 736.41 feet; thence right 52°-46'-30" a distance of 62.37 feet; thence right 00°-14'-22" a distance of 179.92 feet; thence left 90°-58'-32" a distance of 355.39 feet; thence right 88°-43'-29" a distance of 24.53 feet; thence left 87°-29'-35" a distance of 139.13 feet; thence right 89°-27'-49" a distance of 14.61 feet; thence left 117°-30'-00" a distance of 175.92 feet; thence right 84°-32'-17" a distance of 46.85 feet; thence tangent to a curve to the left having a radius of 1243.26 feet and a central angle of 9°-20'-05" along the curve an arc distance of 202.55 feet; thence right 62°-49'-52" from the tangent of said curve a distance of 329.33 feet; thence tangent to a curve to the left having a central angle of 18°-00'-50" and a radius of 66.12 feet an arc distance of 20.79 feet; thence left 2°-03'-01" to the tangent of a curve to the left having a central angle of 34°-34'-36" and a radius of 60.77 feet, an arc distance of 36.67 feet; thence continue from the tangent of said curve a distance of 45.64 feet; thence right 90°-00'-00" a distance of 119.49 feet; thence right 33°-25'-36" a distance of 245.11 feet; thence right 0°-00'-42" a distance of 377.82 feet to the Point of Beginning.

Said Parcel contains 27.59 acres more or less.

3. **Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.
4. **Severability.** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.
5. **Effective Date.** This ordinance shall become effective immediately upon adoption and publication as provided by law.

ADOPTED: The 28th day of September, 2020.

Council President

APPROVED: The 28th day of September, 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 September 28, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on September 29, 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



Planning Commission Application PART I

Project Data

Address of Subject Property 2655 Lane Parke Road; 900 Jemison Lane; 1000 Jemison Lane

Zoning Classification Lane Parke PUD

Name of Property Owner(s) Evson, Inc. et al.

Phone Number Evson, Inc., et al Email john@evsoninc.com

Name of Representative Agent (if applicable)

Mel McElroy, Maynard, Cooper & Gale, P.C.

Phone Number _____ Email _____

Name of Engineer or Surveyor Jeff Slaton, Goodwyn, Mills & Cawood, Inc.

Phone Number (205) 879 - 4462 Email jslaton@gmcnetwork.com

Property owner or representative agent must be present at hearing

Plans

See applicable Section of the Zoning Ordinance for submittal requirements pertaining to your particular application. Applicable Code Section may be found in Part II, list of application types. Contact City Planner with any specific questions as to required plans submittal.

LANE PARKE
Mountain Brook Village

PUD AMENDMENT APPLICATION

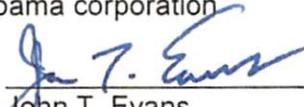
The Project Owner previously submitted an application for the re-zoning of the Property from Local Business District and Residence D District to a Planned Unit Development District in accordance with Article XVI of the City Code, which application was, following public hearings, approved by the City Council upon the adoption of Ordinance 1871 dated May 21, 2012 (as amended from time to time, the "Approved PUD"). All capitalized terms not otherwise defined herein shall have the meanings given to them in the Approved PUD.

The current owners of the Property subject to the Approved PUD are hereby submitting an application to the Planning Commission and the City Council (the "PUD Amendment Application") for the approval of certain amendments to the Approved PUD, which will revise the permitted conditional uses in the Retail Use Area of the Property which may be approved by the City Council. Specifically, the owners request that the Approved PUD be amended by replacing page 10 of the Approved PUD with the changed page as set forth in Exhibit "A" attached hereto. The names and addresses of all property owners whose property lies within 500 feet of the Property, as certified by Jefferson County Tax Assessor's Office, are listed on Exhibit "B" attached hereto.

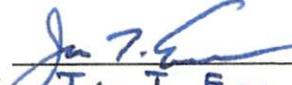
Accordingly, the owners hereby submit the information included herein to the City pursuant to the application requirements of Article XVI of the City Code in order to amend the Approved PUD.

The undersigned owners of the Property subject to the Planned Unit Development District approved by the City Council upon the adoption of Ordinance 1871 dated May 21, 2012 (as amended from time to time) hereby consent and join in the Lane Parke, Mountain Brook Village, PUD Amendment Application submitted on or about the dates set forth under each of the signatures below.

EVSON, INC.,
an Alabama corporation

By: 
Name: John T. Evans
Its: President
Date: August 9th, 2020
Address: 2000 Springhill Ave
Mobile, AL 36607

LANE PARKE RETAIL, LLC,
an Alabama limited liability company

By: 
Name: John T. Evans
Its: President
Date: August 9th, 2020
Address: 107 Princeton Drive
Humewood, AL 35209

P-20-20

Petition Summary

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

Recent Background

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

Analysis

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

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

The following conditional uses may be permitted within Lane Parke, but only with the prior written approval of the city council:

1. Daycare centers;
2. Physical therapists;
3. Shoe repair shops;
4. Theaters for the performing arts;
5. Business offices and professional offices;
6. Barber shops (in addition to the 1 barber shop permitted by right);
7. Beauty shops and hair salons;
8. Interior design shops (that do not include the on-site exchange of merchandise);
9. Nail Salons;
10. Neuromuscular therapists.

Context

It has been the experience of the city that personal service establishments such as hair and nail salons erode the availability of street parking in the villages. In 2008 the city had 21 personal service salons in the three villages. A door-to-door study of these salons revealed as many as 30 people at a time occupying salons as small as 2,000-3,000 square feet; each of these people presumably parked on the street. A retail establishment of similar size was found to have between 2-7 occupants at any given time. It was apparent that these salons disproportionately affected the parking availability in the villages when compared to their retail counterparts.

This led to the council adopting an ordinance in 2008 that amended the parking requirement for personal service establishments, increasing the on-site parking requirement from one parking space/200 square feet to 2 parking spaces per chair or station (one for each patron and one for each stylist/technician).

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

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

Current Request for Change to PUD

The application is now to amend the PUD to add personal service salons back into the list of uses allowed by conditional use approval of city council. By comparison to the Local Business district, it should be noted that Section 129-192 for the Local Business district states that the council may only consider a conditional for a salon if all on-site parking is to code; it cannot waive required on-site parking through the conditional use process. So it may be concluded that the council takes the matter of parking and salons seriously.

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

Affected Regulation

Article XVI, Planned Unit Development District; Section 129-266, Additional Requirements and Provisions

Appends

LOCATION: 2655 Lane Parke Road

ZONING DISTRICT: Planned Unit Development

OWNER: Evson, Inc.

6. PERMITTED LAND USES

PERMITTED USES

Multiple uses shall be permitted within Lane Parke including retail, hospitality, office, service, residential, green space, parking and municipal uses, as more particularly set forth below.

Lane Parke is divided into each of the following Use Areas, the location and boundaries of which are shown in Section 5 on Page 9. All uses are permitted by right unless (i) expressly limited or conditioned herein or (ii) the square footage of any specific use would exceed the Shared Parking Assumption for such specific use, as outlined in Section 13, in which case such specific use shall be conditioned upon the delivery by Project Owner of a Shared Parking Opinion, in accordance with Section 13, confirming that the parking demand created by such specific use shall not exceed the Total Parking Supply.

Retail Use Area. Within areas designated Retail Use Area, the following uses are permitted by right:

1. Antique stores;
2. Appliances and electronic goods and equipment;
3. Arts and crafts stores;
4. Bakeries selling food from the premises;
5. Banks and financial services firms;
6. Barber shops (limited to one);
7. Bars, pubs and other establishments primarily engaged in the sale of alcoholic beverages for on-site consumption;
8. Bookstores;
9. Bridal shops;
10. Not used;
11. Clothing stores;
12. Coffee shops;
13. Computer and electronics stores;
14. Not used;
15. Dry cleaning establishments where no laundering or cleaning is done on the premises;
16. Electronic and electrical repair shops;
17. Fitness centers;
18. Florist shops;
19. Furniture stores;
20. Garden and lawn stores;
21. General merchandise stores, including full-line department stores;
22. Gift shops;
23. Grocery stores;
24. Hardware stores;
25. Ice cream parlors;
26. Interior design shops that include the on-site exchange of merchandise for general consumers;
27. Jewelry stores;
28. Liquor, wine and/or spirits stores;
29. Meat, seafood, vegetable and fruit markets;
30. Parcel delivery and packaging stores;
31. Personal fitness trainers and studios, health clubs, spas, dance/yoga studios and similar facilities;
32. Pet shops;
33. Pharmacies;
34. Photography studios;
35. Not used;

36. Rental and sale of electronic media and related items;
37. Restaurants, cafes, cafeterias and delicatessens, provided however, that the Shared Parking Assumptions shall not apply to restaurant, cafeteria or delicatessen uses that are ancillary to a primary use within the Inn/Commercial Use Area or the Retail Use Area (such as a delicatessen within a grocery store);
38. Shipping and wrapping of packages and sale of related items;
39. Not used;
40. Shoe stores;
41. Sporting goods stores;
42. Not used;
43. Travel agents;
44. United States Post Office;
45. Variety stores;
46. Streets, rights of way, service roads, access ways and drive aisles (both private and public);
47. Sidewalks and pedestrian passage ways;
48. Drive through facilities, if implemented in accordance with the Design Standards;
49. Accessory uses customarily incidental to the uses permitted in the Retail Use Area;
50. Any other business that provides for the display and on-site exchange of merchandise for general consumers that is not otherwise prohibited under the City Code;
51. Not used;
52. Not used;

The following conditional uses may be permitted within Lane Parke, but only with the prior written approval of the city council:

1. Daycare centers;
2. Physical therapists;
3. Shoe repair shops;
4. Theaters for the performing arts;
5. Business offices and professional offices;
6. [Barber shops \(in addition to the 1 barber shop permitted by right\);](#)
7. [Beauty shops and hair salons;](#)
8. [Interior design shops \(that do not include the on-site exchange of merchandise\);](#)
9. [Nail Salons;](#)
10. [Neuromuscular therapists.](#)

Office/Commercial Use Area. Within areas designated Office/Commercial Use Area, the following uses are permitted by right:

1. Any use permitted in the Retail Use Area;
2. Any conditional use permitted within the Retail Use Area but only with the prior written approval of the City Council;
3. Not used;
4. Public and private parking structures;
5. Commercial uses ancillary to the operation of a parking structure, such as administrative space for parking structure management and valet services, an automobile wash/detail service and storage space;



NOTICE OF PUBLIC HEARING
PROPOSED ZONING NOTICE

MEETING TO BE HELD VIRTUALLY USING ZOOM VIDEO CONFERENCING.
ACCESS INSTRUCTIONS ON CITY WEBPAGE AT:
MTNBROOK.ORG - CALENDAR (UPPER RIGHT CORNER) –
CITY COUNCIL (SEPTEMBER 28, 2020)

NOTICE OF PUBLIC HEARING

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

Proposed PUD changes (with respect to the permitted conditional uses) are available for review during regular business hours at City Hall or by going to: www.mtnbrook.org – *Calendar – September 28, 2020 – City Council - Supporting Documents – Lane Parke PUD Amendment.*

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

ORDINANCE NO.

AN ORDINANCE AMENDING THE LANE PARKE PUD

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

1. **Development Standards.** The Master Development Plan and the materials submitted by the applicant, as required by Section 129-265 of the Mountain Brook City Code, as approved upon the adoption of Ordinance 1871 dated May 21, 2012 are hereby amended to include the changes specified as attached hereto.
2. **Description of Affected Property.** The property that is the subject of the rezoning approved by this ordinance is described as follows:

A parcel of land being situated in the Northeast quarter of the Northwest quarter and the Southeast quarter of the Northwest quarter of Section 8, Township 18 South, Range 2 West, more particularly described as follows:

Begin at the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 8, Township 18 South, Range 2 West; being the Point of Beginning; thence run Northerly along the West line of said Quarter - Quarter a distance of 665.12 feet; thence right 91°-08'-04" a distance of 1325.11 feet; thence right 88°-58'-55" a distance of 74.22 feet; thence right 37°-49'-05" a distance of 736.41 feet; thence right 52°-46'-30" a distance of 62.37 feet; thence right 00°-14'-22" a distance of 179.92 feet; thence left 90°-58'-32" a distance of 355.39 feet; thence right 88°-43'-

-29" a distance of 24.53 feet; thence left 87°-29'-35" a distance of 139.13 feet; thence right 89°-27'-49" a distance of 14.61 feet; thence left 117°-30'-00" a distance of 175.92 feet; thence right 84°-32'-17" a distance of 46.85 feet; thence tangent to a curve to the left having a radius of 1243.26 feet and a central angle of 9°-20'-05" along the curve an arc distance of 202.55 feet; thence right 62°-49'-52" from the tangent of said curve a distance of 329.33 feet; thence tangent to a curve to the left having a central angle of 18°-00'-50" and a radius of 66.12 feet an arc distance of 20.79 feet; thence left 2°-03'-01" to the tangent of a curve to the left having a central angle of 34°-34'-36" and a radius of 60.77 feet, an arc distance of 36.67 feet; thence continue from the tangent of said curve a distance of 45.64 feet; thence right 90°-00'-00" a distance of 119.49 feet; thence right 33°-25'-36" a distance of 245.11 feet; thence right 0°-00'-42" a distance of 377.82 feet to the Point of Beginning.

Said Parcel contains 27.59 acres more or less.

3. **Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.
4. **Severability.** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.
5. **Effective Date.** This ordinance shall become effective immediately upon adoption and publication as provided by law.

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

CERTIFICATION

I, Steve 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 Article XXV of 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

 9/11/2020

Steve Boone, City Clerk

ORDINANCE NO. 2079

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

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

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

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

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

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

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

ADOPTED: This 28th day of September, 2020.

Council President

APPROVED: This 28th day of September, 2020.

Mayor



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

September 16, 2020

Dear Resident,

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

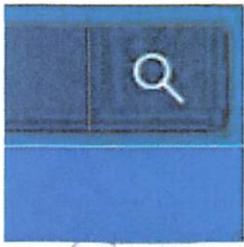
The City Council will consider this request at its September 28, 2020 meeting which will start at 7:00pm. Due to the COVID-19, City Council meetings are held by Zoom. Please check our website at www.mtnbrook.org > Government > Agendas & Minutes > Agenda packet (9/28/20) on Friday afternoon, September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

If you cannot participate on September 28th, but would like to offer your comments in advance of this meeting, please feel free to contact me at 802-3803 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



September 16, 2020

Dear Resident,

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

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

If you cannot participate on September 28th, but would like to offer your comments in advance of this meeting, please feel free to contact me at 802-3803 or gastons@mtnbrook.org.

Sincerely,

Sam S. Gaston
City Manager



Sam Gaston

From: Dee Brightwell <DBrightwell@ArbourValley.com> on behalf of Dee Brightwell
Sent: Wednesday, September 09, 2020 11:13 AM
To: gastons@mtnbrook.org
Cc: forbesj@mtnbrook.org
Subject: Petition for Reduced speed limit and stop sign - Briar Oak Circle
Attachments: Petition to City of Mountain Brook - Speed limit and stop sign.pdf

Sam,

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

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

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

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

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

Thank you,

Dee Brightwell
Director of Development
242 Inverness Center Drive
Birmingham, Alabama 35242
T: 205-909-0060
C: 205-777-9132
www.arbourvalley.com



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

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

Thank you,

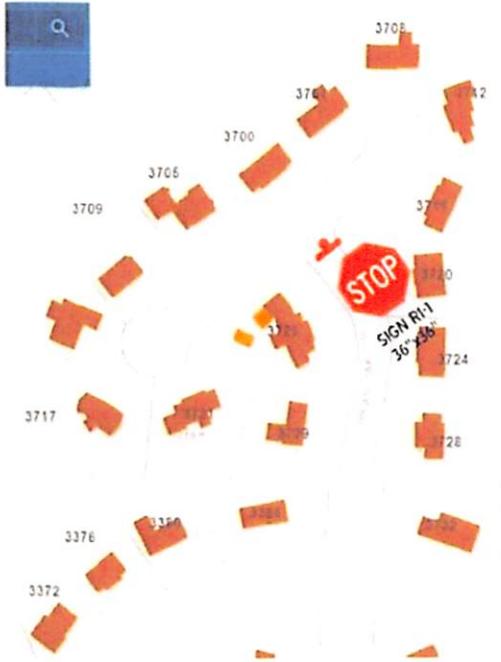
Dee Brightwell
Director of Development
242 Inverness Center Drive
Birmingham, Alabama 35242
T: 205-909-0060
C: 205-777-9132
www.arbourvalley.com



Sam Gaston

From: Richard Caudle <richard@skipperinc.com> on behalf of Richard Caudle
Sent: Wednesday, September 09, 2020 1:24 PM
To: Sam Gaston; Ted Cook; Ronald Vaughn
Subject: RE: Petition for Reduced speed limit and stop sign - Briar Oak Circle

Yes, in addition to reducing the speed limit to 25 miles per hour and replacing the existing speed limit sign, I think adding a stop sign in the location shown below would also be appropriate.



Richard L. Caudle, P.E. (registered in AL and MS)
Skipper Consulting, Inc.
3644 Vann Road Suite 100
Birmingham, Alabama 35235
richard@skipperinc.com
(205) 655-8855 fax (205) 655-8825
Cell (205) 790-4307 home (205) 594-4708

From: Sam Gaston <gastons@mtnbrook.org>
Sent: Wednesday, September 9, 2020 1:14 PM
To: Richard Caudle <richard@skipperinc.com>; Ted Cook <cookt@mtnbrook.org>
Subject: RE: Petition for Reduced speed limit and stop sign - Briar Oak Circle

You recommend a stop sign as well?

Sam S.Gaston
City Manager
City of Mountain Brook, AL.
56 Church Street

ORDINANCE NO. 2080

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

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

	General Operations (100)	Park Board (115)	Library Board (70X)	Capital Projects (417/428/441)	Other Governmental (5XX/600)	All Other (132/14X/153)
Funds Available:						
Revenues:						
Taxes	\$ 33,918,300	\$ 0	\$ 0	\$ 0	\$ 494,000	\$ 0
Licenses and permits	4,332,990	0	0	0	0	0
Intergovernmental	338,000	141,547	0	1,721,638	0	47,528
Charges for services	511,900	147,357	4,000	0	461,500	47,528
Fines and forfeitures	404,000	0	19,000	0	78,900	0
Grants	0	0	16,692	2,208,000	0	0
Investment Earnings	200,000	500	0	263,000	29,300	8,200
Miscellaneous	272,000	3,000	6,500	0	199,000	0
Proceeds from the issuance of debt	0	0	0	0	0	0
Proceeds from the sale of property	0	0	0	25,000	0	0
Intrafund transfers in:						
General Operations/Capital	0	0	0	3,774,754	724,690	0
Park Board	0	0	0	309,900	0	0
Library Board	0	0	0	108,000	0	0
Other (14X/153)	(47,528)	0	0	0	0	0
E-911	0	0	0	32,000	0	0
Operating transfers in-component unit	0	0	69,000	0	0	0
Donations	0	0	40,400	0	0	0
(Surplus) deficit	(241,000)	0	44,100	2,922,994	(302,810)	(8,200)
Total Fund Available	\$ 39,688,662	\$ 292,404	\$ 199,692	\$ 11,365,286	\$ 1,684,580	\$ 95,056
Expenditures:						
Legislation and management	\$ 2,646,924	\$ 0	\$ 0	\$ 3,000	\$ 0	\$ 0
Planning, Building & Sustainability	524,127	0	0	5,000	0	0
Intergovernmental	992,500	0	0	0	0	0
Unassigned benefits	913,200	0	0	0	0	0
Finance	1,700,765	0	0	137,436	368,464	0
Fire	8,197,251	0	0	525,500	0	0
Inspection Services	508,123	0	0	0	0	0
Police	8,204,962	0	0	1,448,867	506,648	0
Street and Sanitation	6,885,444	0	0	4,714,608	777,468	0
Parks and Recreation	0	1,235,329	0	4,420,875	0	142,584
Library	0	0	3,454,789	110,000	0	0
Debt service payments	0	0	0	0	0	0
Operating transfers-out:						
General Fund	0	0	0	0	0	(47,528)
Capital Projects	4,192,654	0	0	0	32,000	0
Special Revenue	349,690	0	0	0	0	0
Debt Service (Other)	375,000	0	0	0	0	0
Other funds (Other)	0	0	0	0	0	0
Park Board	942,925	(942,925)	0	0	0	0
Library Board	3,255,097	0	(3,255,097)	0	0	0
Total Expenditures	\$ 39,688,662	\$ 292,404	\$ 199,692	\$ 11,365,286	\$ 1,684,580	\$ 95,056

2080

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

ADOPTED: The 28th of September, 2020.

Council President

APPROVED: The 28th of September, 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 at its meeting held on September 28, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereon on September 29, 2020, at the following public places 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

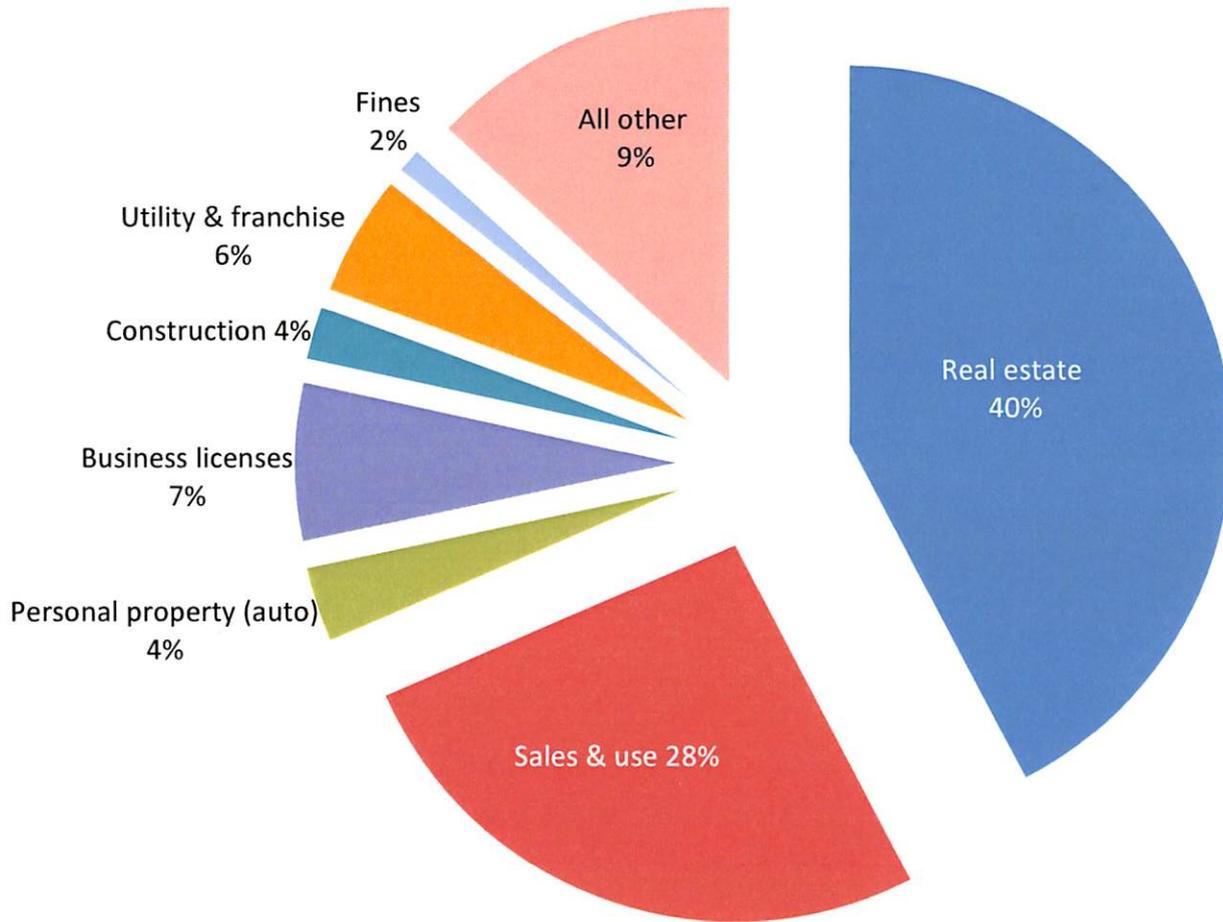
City Clerk

**Statement of Budgeted Revenues, Expenditures, and Changes in Fund Balance (Fund Financial Statements)
City of Mountain Brook, Alabama
Year Ended**

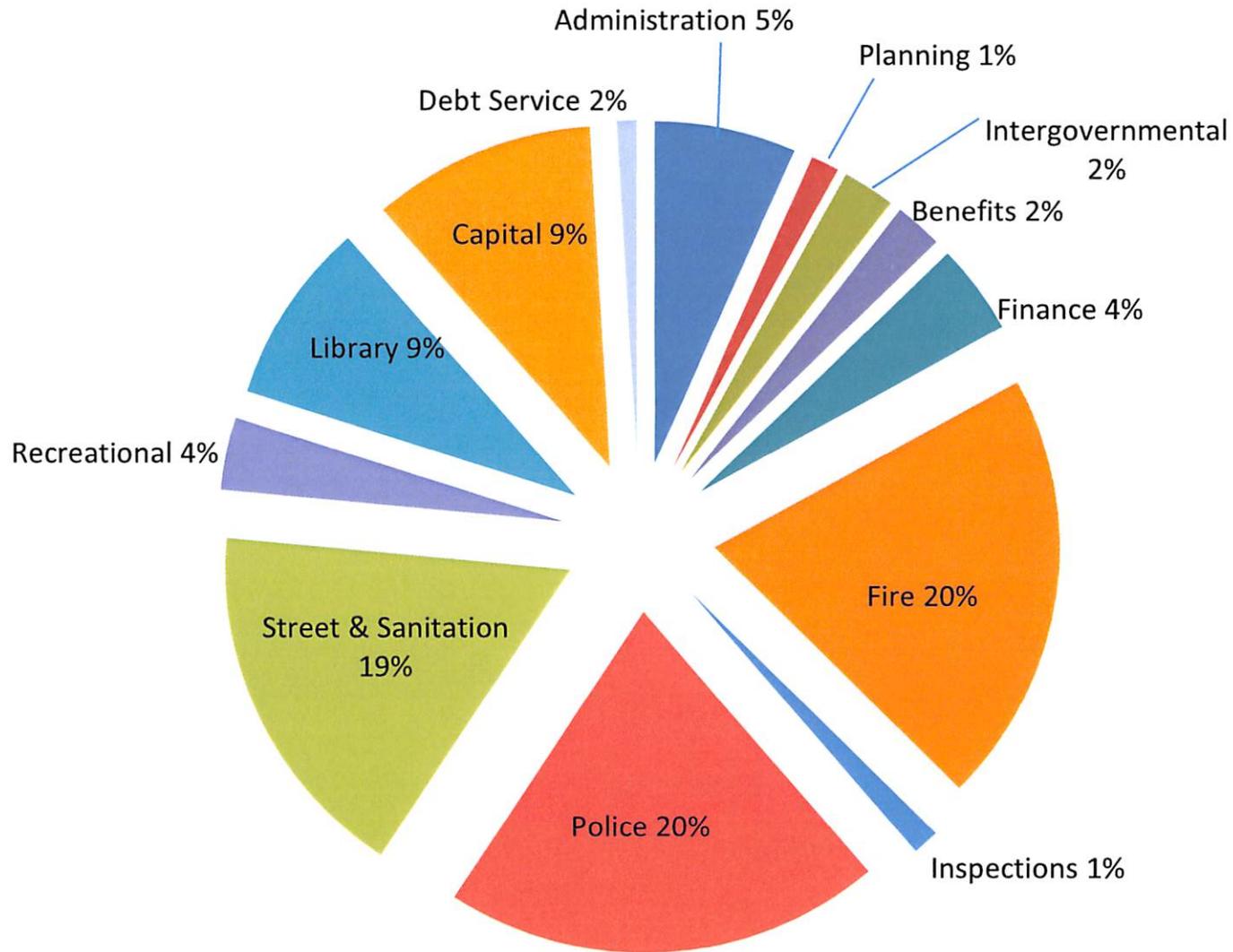
	2021						
	General Fund 1XX, 7XX	Capital Projects 4XX	Debt Service 6XX	Other Governmental Funds 5XX	Total Governmental Funds		
					Budget 2021	Budget 2020	Actual 2019
Revenues:							
Taxes	\$ 33,918,300	\$ 0	\$ 0	\$ 494,000	\$ 34,412,300	\$ 33,724,800	\$ 33,552,915
Licenses and permits	4,332,990	0	0	0	4,332,990	4,953,840	5,196,898
Intergovernmental	527,075	1,721,638	0	0	2,248,713	558,363	160,291
Charges for services	710,785	0	0	461,500	1,172,285	1,174,275	1,199,338
Fines and forfeitures	423,000	0	0	78,900	501,900	667,200	587,864
Grants	16,692	2,208,000	0	0	2,224,692	1,328,692	404,581
Investment Earnings	208,700	263,000	24,800	4,500	501,000	578,190	1,266,381
Miscellaneous	281,500	0	0	199,000	480,500	487,500	524,267
Total Revenues	40,419,042	4,192,638	24,800	1,237,900	45,874,380	43,472,860	42,892,535
Expenditures:							
General government	6,777,516	145,436	0	368,464	7,291,416	7,975,529	7,448,058
Public safety	16,910,336	1,974,367	0	506,648	19,391,351	19,850,048	17,322,281
Street & sanitation	6,885,444	4,714,608	0	777,468	12,377,520	11,642,452	8,954,860
Recreational	1,377,913	4,420,875	0	0	5,798,788	2,048,906	1,906,907
Library	3,454,789	110,000	0	0	3,564,789	3,649,047	3,366,691
Debt service	0	0	0	0	0	0	0
Total Expenditures	35,405,998	11,365,286	0	1,652,580	48,423,864	45,165,982	38,998,797
Excess (deficiency) of revenues over expenditures	5,013,044	(7,172,648)	24,800	(414,680)	(2,549,484)	(1,693,122)	3,893,738
Other Financing Sources (Uses):							
Proceeds from the issuance of debt	0	0	0	0	0	0	0
Operating transfers in	0	4,224,654	375,000	349,690	4,949,344	4,148,096	5,997,275
Operating transfers (out)	(4,917,344)	0	0	(32,000)	(4,949,344)	(4,148,096)	(5,997,275)
Operating transfers in-component unit	69,000	0	0	0	69,000	80,100	70,841
Proceeds from the sales of assets	0	25,000	0	0	25,000	31,000	85,921
Donations	40,400	0	0	0	40,400	111,400	663,444
Total Other Financing Sources	(4,807,944)	4,249,654	375,000	317,690	134,400	222,500	820,206
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses	205,100	(2,922,994)	399,800	(96,990)	(2,415,084)	(1,470,622)	4,713,944
Fund balance, beginning of year	18,906,892	16,848,163	2,471,792	835,959	39,062,806 (1)	36,834,528	32,120,588
FUND BALANCES, END OF YEAR	\$ 19,111,992	\$ 13,925,169	\$ 2,871,592	\$ 738,969	\$ 36,647,722	\$ 35,363,906	\$ 36,834,532

(1) 2021 beginning fund balance calculated using 2020 projected surpluses.

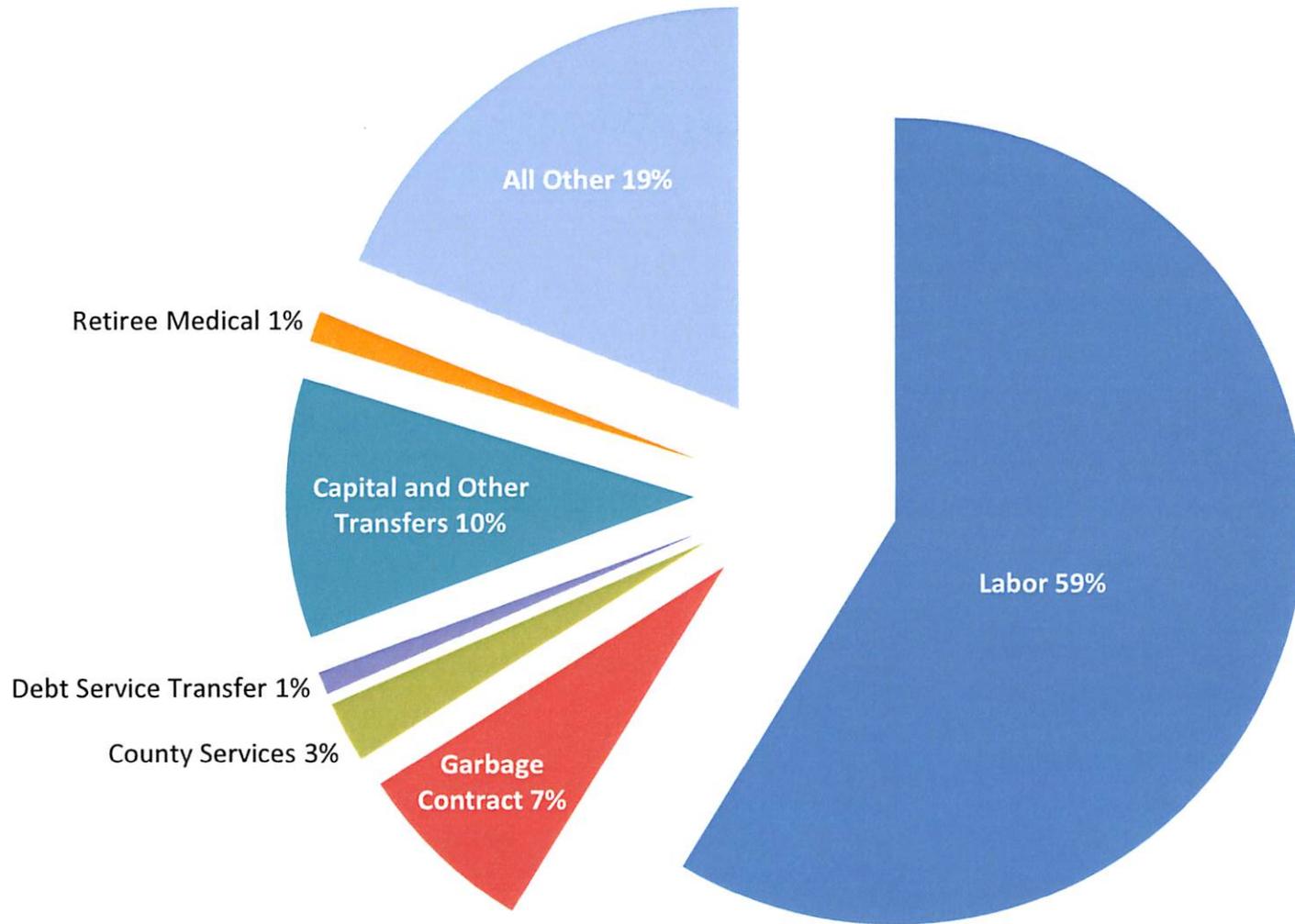
2021 General Fund Revenue Budget



2021 General Fund Expense Budget



2021 General Fund Expense Budget



**General Operations (Fund 100) Budget Summary
City of Mountain Brook, Alabama
Year Ended**

	<u>Actual 2019</u>	<u>Budget 2020</u>	<u>Projected 2020</u>	<u>Budget 2021</u>
Revenues	\$ 40,218,361	\$ 40,057,940	\$ 40,166,342	\$ 39,977,190
Expenses and Intrafund Transfers:				
General Government	14,701,604	13,638,394	12,804,431	13,701,010
Legislation & Management	2,875,918	3,124,935	2,935,864	3,102,924
Planning	397,923	499,731	477,538	524,127
Intergovernmental	973,990	1,035,500	1,002,109	992,500
Benefits (Unassigned)	1,333,070	1,415,200	1,275,956	913,200
Intrafund Transfers-Park Board	1,137,769	1,254,347	1,140,983	1,252,825
Intrafund Transfers-Library Board	3,094,089	3,360,620	3,234,137	3,363,097
Intrafund Transfers-All Other	3,146,044	1,148,214	950,522	1,768,772
Finance	1,742,801	1,799,847	1,787,322	1,783,565
Administration	576,083	637,649	620,940	572,656
Revenue	441,758	356,120	399,355	421,390
Accounting	294,980	313,636	296,943	281,106
Network Administration	429,980	492,442	470,084	508,413
Public Safety	17,332,532	18,646,679	18,045,414	18,668,536
Fire	8,157,166	8,535,670	8,461,845	8,797,251
Administration	1,196,356	1,158,999	1,167,684	1,232,261
Training & Safety	191,925	190,604	193,337	192,703
Prevention	256,951	278,809	277,974	305,677
EMS Transportation	464,280	489,780	413,195	509,896
Suppression	6,047,654	6,417,478	6,409,655	6,556,714
Inspections	493,419	518,169	518,031	521,923
Police	8,681,947	9,592,840	9,065,538	9,349,362
Administration	2,847,801	3,133,613	3,049,659	3,155,300
Training	136,811	162,000	156,500	131,000
Patrol	4,137,656	4,555,777	4,235,754	4,442,565
Detectives	1,011,200	1,071,043	980,385	987,149
School Resource Officers	548,479	670,407	643,240	633,348
Public Works	7,295,279	7,426,867	7,396,286	7,366,644
Administration	1,328,531	1,294,098	1,270,690	1,294,251
Gargage & Trash Contract	2,870,694	2,917,000	2,900,364	2,924,000
Heavy Construction	1,078,280	1,176,564	1,106,579	1,120,772
Traffic & Right-of-Way	1,847,840	1,871,267	1,870,715	1,799,470
Fleet Maintenance	169,934	167,938	247,938	228,151
Total Expenses and Transfers	<u>39,329,415</u>	<u>39,711,940</u>	<u>38,246,131</u>	<u>39,736,190</u>
Surplus (Deficit)	<u>\$ 888,946</u>	<u>\$ 346,000</u>	<u>\$ 1,920,211</u>	<u>\$ 241,000</u>

Schedule of Historical General Fund Revenues by Source
City of Mountain Brook, Alabama
Year Ended September 30,

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>Budget 2020</u>	<u>2021</u>
							<u>Audited</u>	<u>Budget</u>	<u>Projected</u>	<u>Budget</u>
Taxes										
Real property	\$ 13,512,485	\$ 13,867,794	\$ 13,994,315	\$ 14,443,548	\$ 15,155,623	\$ 15,570,510	\$ 16,179,118	\$ 16,629,000	\$ 16,777,000	\$ 17,129,000
Sales and use	9,578,337	9,808,223	10,158,557	10,285,530	10,656,090	10,703,490	11,041,853	10,781,000	10,760,912	10,545,000
Occupational	0	0	0	0	0	0	0	0	0	0
Utility	1,284,421	1,288,163	1,325,088	1,283,444	1,253,385	1,266,010	1,362,195	1,362,000	1,411,000	1,432,000
Personal property	1,208,485	1,217,199	1,306,732	1,392,583	1,382,497	1,286,922	1,269,323	1,294,000	1,286,000	1,299,000
Road and bridge	565,066	550,686	596,475	604,774	627,182	646,115	671,896	647,000	677,000	697,000
Other	1,038,515	1,127,178	1,238,322	1,506,051	1,810,442	2,069,422	2,615,515	2,447,400	2,706,996	2,816,300
Total taxes	27,187,309	27,859,243	28,619,489	29,515,930	30,885,219	31,542,469	33,139,900	33,160,400	33,618,908	33,918,300
Licenses and permits										
Business	2,492,623	2,531,307	2,679,512	2,815,615	3,046,371	2,991,535	2,995,790	2,967,000	2,863,644	2,720,000
Construction permits	1,100,204	1,347,583	1,143,394	1,119,259	1,076,879	1,160,304	1,501,218	1,280,000	1,132,000	906,000
Cable TV franchise fees	424,912	389,500	423,068	432,600	412,824	396,782	392,537	400,000	380,000	380,000
Waterworks Board	216,839	192,875	215,518	208,099	254,138	219,051	237,503	238,000	260,000	264,000
Other	62,115	65,154	63,674	65,373	65,909	66,127	69,850	68,840	62,990	62,990
Total licenses and permits	4,296,693	4,526,419	4,525,166	4,640,946	4,856,121	4,833,799	5,196,898	4,953,840	4,698,634	4,332,990
Intergovernmental	84,547	85,443	92,199	92,199	185,943	189,926	160,291	558,363	519,173	527,075
Charges for services										
Garbage fees	35,589	34,086	33,890	29,175	30,977	29,948	32,395	32,000	30,000	30,000
Other	693,408	730,347	695,790	688,534	678,795	628,736	735,008	707,275	670,425	680,785
Total charges for services	728,997	764,433	729,680	717,709	709,772	658,684	767,403	739,275	700,425	710,785
Fines and forfeitures - court	559,465	577,844	643,492	575,406	586,293	514,978	461,595	454,000	348,831	423,000
Grants	15,755	100,187	53,653	18,438	111,679	29,486	96,880	33,492	34,592	16,692
Other operating revenue										
Investment earnings	138,162	69,522	150,668	170,543	109,328	183,834	575,961	308,700	386,500	208,700
Other	439,492	311,374	296,044	316,717	269,692	363,255	294,378	311,500	283,753	281,500
Total other operating revenue	577,654	380,896	446,712	487,260	379,020	547,089	870,339	620,200	670,253	490,200
Total Revenues	\$ 33,450,420	\$ 34,294,465	\$ 35,110,391	\$ 36,047,888	\$ 37,714,047	\$ 38,316,431	\$ 40,693,306	\$ 40,519,570	\$ 40,590,816	\$ 40,419,042

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

	2021 Budget										
	General Fund Total	General Operations 100	Park Board 115	Drug Asset Forfeitures 132	Community Fund 142	Emergency Reserves 146	Phase 3 Fields 149	Court Cash Bonds 153	Operating 701	Library Books 702	Endowment 703
Revenues:											
Taxes	\$ 33,918,300	\$ 33,918,300	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Licenses and permits	4,332,990	4,332,990	0	0	0	0	0	0	0	0	0
Intergovernmental	527,075	338,000	141,547	0	0	0	47,528	0	0	0	0
Charges for services	710,785	511,900	147,357	0	0	0	47,528	0	4,000	0	0
Fines and forfeitures	423,000	404,000	0	0	0	0	0	0	15,000	4,000	0
Grants	16,692	0	0	0	0	0	0	0	16,692	0	0
Investment Earnings	208,700	200,000	500	0	0	8,200	0	0	0	0	0
Miscellaneous	281,500	272,000	3,000	0	0	0	0	0	6,500	0	0
Total Revenues	40,419,042	39,977,190	292,404	0	0	8,200	95,056	0	42,192	4,000	0
	-0.25%										
Expenditures:											
General government	6,777,516	6,777,516	0	0	0	0	0	0	0	0	0
Public safety	16,910,336	16,910,336	0	0	0	0	0	0	0	0	0
Street & sanitation	6,885,444	6,885,444	0	0	0	0	0	0	0	0	0
Recreational	1,377,913	0	1,235,329	0	0	0	142,584	0	0	0	0
Library	3,454,789	0	0	0	0	0	0	2,980,689	474,100	0	0
Debt service	0	0	0	0	0	0	0	0	0	0	0
Total Expenditures	35,405,998	30,573,296	1,235,329	0	0	0	142,584	0	2,980,689	474,100	0
	-2.04%										
Excess (deficiency) of revenues over expenditures	5,013,044	9,403,894	(942,925)	0	0	8,200	(47,528)	0	(2,938,497)	(470,100)	0
Other Financing Sources (Uses):											
Proceeds from the issuance of debt	0	0	0	0	0	0	0	0	0	0	0
Operating transfers in	0	0	0	0	0	0	0	0	0	0	0
Operating transfers (out)	(4,917,344)	(9,162,894)	942,925	0	0	0	47,528	0	2,938,497	316,600	0
Operating transfers in-component unit	69,000	0	0	0	0	0	0	0	0	69,000	0
Donations	40,400	0	0	0	0	0	0	0	0	40,400	0
Total Other Financing Sources	(4,807,944)	(9,162,894)	942,925	0	0	0	47,528	0	2,938,497	426,000	0
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses	205,100	241,000	0	0	0	8,200	0	0	0	(44,100)	0
Fund balance, beginning of year	18,906,892	15,784,212	125,000	9,201	10,970	2,790,817	0	0	0	134,762	51,930
FUND BALANCES, END OF YEAR	\$ 19,111,992	\$ 16,025,212	\$ 125,000	\$ 9,201	\$ 10,970	\$ 2,799,017	\$ 0	\$ 0	\$ 0	\$ 90,662	\$ 51,930

**Combining Statement of Budgeted Capital Project Funds Revenues, Expenditures, and Changes in Fund Balance
City of Mountain Brook, Alabama
Year Ended**

	2021 Budget			
	Capital Projects Total	Infrastructure Projects 417	Grant Funded 428	Capital 441
Revenues:				
Taxes	\$ 0	\$ 0	\$ 0	\$ 0
Licenses and permits	0	0	0	0
Intergovernmental	1,721,638	1,721,638	0	0
Charges for services	0	0	0	0
Fines and forfeitures	0	0	0	0
Grants	2,208,000	216,000	1,992,000	0
Investment Earnings	263,000	25,000	8,000	230,000
Miscellaneous	0	0	0	0
Total Revenues	4,192,638	1,962,638	2,000,000	230,000
Expenditures:				
General government	145,436	0	0	145,436
Public safety	1,974,367	0	0	1,974,367
Street & sanitation	4,714,608	1,606,000	2,470,000	638,608
Recreational	4,420,875	4,400,875	0	20,000
Library	110,000	0	0	110,000
Debt service	0	0	0	0
Total Expenditures	11,365,286	6,006,875	2,470,000	2,888,411
Excess (deficiency) of revenues over expenditures	(7,172,648)	(4,044,237)	(470,000)	(2,658,411)
Other Financing Sources (Uses):				
Proceeds from the issuance of debt	0	0	0	0
Operating transfers in	4,224,654	3,864,494	470,000	(109,840)
Operating transfers (out)	0	0	0	0
Operating transfers in-component unit	0	0	0	0
Proceeds from the sale of assets	25,000	0	0	25,000
Donations	0	0	0	0
Total Other Financing Sources	4,249,654	3,864,494	470,000	(84,840)
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses	(2,922,994)	(179,743)	0	(2,743,251)
Fund balance, beginning of year	16,848,163	2,163,114	193,160	14,491,889
FUND BALANCES, END OF YEAR	\$ 13,925,169	\$ 1,983,371	\$ 193,160	\$ 11,748,638

Pgs 160-162
Pg 180

[\$812,325 Synthetic Turf installed in 2020, \$855,175 in 2021]
[\$798,125 CBE improvements installed in 2021]
[(\$187,675 Projected from MB BOE in 2020, \$1,721,638 in 2021)]

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

	2021 Budget								
	Other Governmental Funds	Gasoline Tax Funds					E-911 District	Corrections Fund	Debt Service
	Total	10¢	5¢	7¢	4¢	2¢	531	554	600
Revenues:									
Taxes	\$ 494,000	\$ 82,000	\$ 62,000	\$ 217,000	\$ 128,000	\$ 5,000	\$ 0	\$ 0	\$ 0
Licenses and permits	0	0	0	0	0	0	0	0	0
Intergovernmental	0	0	0	0	0	0	0	0	0
Charges for services	461,500	0	0	0	0	0	381,500	80,000	0
Fines and forfeitures	78,900	0	0	0	0	0	1,900	77,000	0
Grants	0	0	0	0	0	0	0	0	0
Investment Earnings	4,500	200	1,100	600	1,200	90	1,300	10	24,800
Miscellaneous	199,000	0	0	199,000	0	0	0	0	0
Total Revenues	1,237,900	82,200	63,100	416,600	129,200	5,090	384,700	157,010	24,800
		13%	10%	68%	21%	1%			
Expenditures:									
General government	368,464	0	0	0	0	0	0	368,464	0
Public safety	506,648	0	0	0	0	0	368,412	138,236	0
Street & sanitation	777,468	58,010	59,718	510,300	145,100	4,340	0	0	0
Recreational	0	0	0	0	0	0	0	0	0
Library	0	0	0	0	0	0	0	0	0
Debt service	0	0	0	0	0	0	0	0	0
Total Expenditures	1,652,580	58,010	59,718	510,300	145,100	4,340	368,412	506,700	0
Excess (deficiency) of revenues over expenditures	(414,680)	24,190	3,382	(93,700)	(15,900)	750	16,288	(349,690)	24,800
Other Financing Sources (Uses):									
Proceeds from the issuance of debt	0	0	0	0	0	0	0	0	0
Operating transfers in	349,690	0	0	0	0	0	0	349,690	375,000
Operating transfers (out)	(32,000)	0	0	0	0	0	(32,000)	0	0
Operating transfers in-component unit	0	0	0	0	0	0	0	0	0
Donations	0	0	0	0	0	0	0	0	0
Total Other Financing Sources	317,690	0	0	0	0	0	(32,000)	349,690	375,000
Excess (Deficiency) of Revenues and Other Financing Sources Over Expenditures and other Financing Uses	(96,990)	24,190	3,382	(93,700)	(15,900)	750	(15,712)	0	399,800
Fund balance, beginning of year	835,959	42,206	176,387	129,682	167,235	14,448	306,001	0	2,471,792
FUND BALANCES, END OF YEAR	\$ 738,969	\$ 66,396	\$ 179,769	\$ 35,982	\$ 151,335	\$ 15,198	\$ 290,289	\$ 0	\$ 2,871,592

**Statement of Changes in Fiduciary Net Position
Other Post-Employment Benefits Trust Fund
Year Ended September 30**

	<u>Actual 2019</u>	<u>Budget 2020</u>	<u>Projected 2020</u>	<u>Budget 2021</u>
ADDITIONS				
Contributions				
215-3408-4810 Employer	\$ 654,303	\$ 707,000	\$ 534,163	\$ 505,000
215-3407-4231 Plan members	132,677	140,000	133,000	140,000
215-3407-4400 Investment earnings	<u>166,117</u>	<u>20,000</u>	<u>22,439</u>	<u>20,000</u>
TOTAL ADDITIONS	953,097	867,000	689,602	665,000
DEDUCTIONS				
Benefits				
215-1115-6130	483,980	542,000	582,000	640,000
215-1100-6*** Administrative expense	<u>3,000</u>	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>
TOTAL DEDUCTIONS	486,980	547,000	587,000	645,000
NET INCREASE	466,117	320,000	102,602	20,000
Net position held in trust for other post-employment benefits, beginning of year	<u>2,886,328</u>	<u>3,352,445</u>	<u>3,352,445</u>	<u>3,455,047</u>
NET POSITION HELD IN TRUST FOR OTHER POST-EMPLOYMENT BENEFITS, END OF YEAR	<u>\$ 3,352,445</u>	<u>\$ 3,672,445</u>	<u>\$ 3,455,047</u>	<u>\$ 3,475,047</u>

Note:

Effective October 1, 2006, GASB 45 required local governments to account for their other post-employment benefit plans (OPEB) similar to its method of accounting for its defined benefit pension plans. The City's OPEB plan includes retiree medical insurance. On July 27, 2009, the City Council authorized the creation of an Internal Revenue Code Section 115 trust (Resolution No. 09-101) and began depositing funds into the trust to offset its obligation for retiree medical benefits. Following is a summary of the City's deposits into the Sec. 115 trust since its creation, and trust balances, actuarial accrued liability (AAL) and unfunded actuarial accrued liability (UAAL) as of September 30 :

	September 30						
	Trust Deposit	Net Premiums	Total Expense	Trust Balance	AAL	UAAL	Funded %
2021 Budgeted	\$ 0	\$ 505,000	\$ 505,000	\$ 3,475,047	\$ (7,006,000)	\$ (3,530,953)	49.6%
2020 Projected	0	354,303	534,163	3,455,047	(6,654,000)	(2,904,202)	53.6%
2019	300,000	354,303	654,303	3,352,445	(6,256,647)	(2,904,202)	53.6%
2018	300,000	348,392	648,392	2,886,328	(5,824,487)	(2,938,159)	49.6%
2017	300,000	332,140	632,140	2,598,720	(5,173,695)	(2,574,975)	50.2%
2016	300,000	311,433	611,433	2,301,227	(4,392,295)	(2,091,068)	52.4%
2015	300,000	358,063	658,063	1,900,232	(3,865,805)	(1,965,573)	49.2%
2014	300,000	359,756	659,756	1,571,336	(3,992,253)	(2,420,917)	39.4%
2013	320,000	350,923	670,923	1,260,448	(3,560,421)	(2,299,973)	35.4%
2012	300,000	354,828	654,828	925,335	(3,155,271)	(2,229,936)	29.3%
2011	200,000	364,016	564,016	613,573	(3,249,729)	(2,636,156)	18.9%
2010	200,000	322,671	522,671	403,024	(3,473,472)	(3,070,448)	11.6%
2009	180,000	35,118	215,118	196,320	(2,859,543)	(2,663,223)	6.9%
	<u>\$ 3,000,000</u>	<u>\$ 4,350,946</u>	<u>\$ 7,530,806</u>				

ORDINANCE NO. 2081

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

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

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

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

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

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

ADOPTED: The 28th day of September, 2020.

Council President

APPROVED: The 28th day of September, 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 September 28, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on September 29, 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

EMPLOYMENT AGREEMENT

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

WHEREAS, Gaston has satisfactorily served as City Manager for the City since June 1993; and

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

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

1. Appointment as City Manager; Duties. Gaston shall serve as City Manager of the City of Mountain Brook, Alabama, and, in such capacity, shall perform such tasks and duties as may be prescribed and/or directed by the governing body or by applicable ordinance or statute. Gaston shall devote all of his productive time, ability and attention to the business of the City during the term of his appointment and shall not engage in any other employment or pursuit that would conflict or interfere with his duties and responsibilities as City Manager, without Council approval.
2. Term of Appointment. The term of Gaston's appointment shall be as provided by law.
3. Cancellation; Notice. Gaston's appointment and the City's obligations hereunder may be terminated by (i) operation of law; (ii) termination thereof by the governing body without cause during his term of appointment; (iii) termination thereof by the governing body for cause during his term of appointment; and (iv) Gaston's voluntary resignation.

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

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

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

4. Compensation and Benefits; Evaluation. Gaston shall receive as base compensation the sum of one hundred seventy-eight thousand two hundred six and 60/100 dollars (\$178,206.60) per annum, which shall be paid in regular increments according to the payroll system and schedule then in effect for the City. Gaston shall also receive and be eligible for the same across-the-board raises and fringe benefits (including but not limited to health, dental, disability, and life insurance, longevity pay, vacation, and sick leave) as are accorded or made available to city employees generally; provided, however, that nothing herein shall be construed to confer merit or civil service status on Gaston. Gaston's job performance shall be evaluated periodically at the discretion of the City Council. Upon receipt of a satisfactory performance evaluation, Gaston shall be entitled to such increase in basic compensation for the duration of the term of his appointment as the governing body may deem appropriate.

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

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

TO GASTON:	Sam S. Gaston 5312 Mountain Park Circle Indian Springs, AL 35124
TO CITY:	City of Mountain Brook c/o The Mayor P. O. Box 130009 Mountain Brook, AL 35213-0009

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

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

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

9. Controlling Law. In the event of a conflict between the terms of this Agreement and applicable state or federal law, said law(s) shall control, and this Agreement shall be construed with reference to and in accordance with applicable law.

10. Effective Date. This Agreement shall be effective upon approval of an ordinance adopting or ratifying same.

DATED this 28th day of September, 2020.

CITY MANAGER

CITY OF MOUNTAIN BROOK

Sam Gaston

By:

Stewart Welch III, Mayor