

**MEETING AGENDA
MOUNTAIN BROOK CITY COUNCIL**

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

AUGUST 22, 2022, 7 P.M.

As a matter of convenience, members of the public are invited to listen, observe and participate in public meetings by Internet video conference. Presenters and others interested in a particular matter for discussion are encouraged to attend the meeting in-person. The City is not responsible for technical issues that may occur that interfere with the virtual meeting. The City Council, at its sole discretion, may proceed with its in-person business meeting regardless of whether virtual attendees can hear and/or observe the proceedings. The City intends to make the meeting available by way of the Zoom app (re: Meeting ID 801-559-1126, password 08222022). Unvaccinated in-person attendees are asked to mask.

1. GYN Cancer Awareness Month Proclamation.
2. Approval of the minutes of the July 25, 2022, regular meeting of the City Council.
3. Consideration: Resolution authorizing the sale or disposal of certain surplus property.
4. Consideration: Resolution authorizing the expenditure of funds for traffic island improvements at the intersection of Fairway and West Jackson.
5. Consideration: Resolution authorizing the Regional Training Center Agreement between the City and the Alabama Fire College.
6. Comments from residents and attendees.
7. Announcement: The City Council shall meet on Tuesday, August 30, 2022 at noon to canvass the results of the August 23, 2022, general municipal election in the Council Chambers of City Hall, 56 Church Street, 35213.
8. Announcement: The next regular meeting of the City Council is September 12, 2022 at 7:00 p.m.
9. Adjourn.

GYNECOLOGIC CANCER AWARENESS MONTH

WHEREAS, gynecologic (GYN) cancers are among the leading cancer killers of women in the United States, and more than 125,000 women will be diagnosed, and more than 33,000 women will die from these diseases this year and the absence they leave in our hearts will be deeply felt forever; and

WHEREAS, the Laura Crandall Brown Foundation and their “A State of Teal” initiative brings awareness of all GYN cancers to the people throughout the State of Alabama; and

WHEREAS, the good health and well-being of women in our state and the City of Mountain Brook are enhanced by increased awareness of GYN cancers and their symptoms and treatments; and

WHEREAS, it is also crucial that all women in our state and the City of Mountain Brook take an active role in learning the symptoms and risk factors associated with GYN cancers, developing healthy habits, and undergoing regular medical examinations so that any occurrence of these diseases may be detected in their early and treatable stages; and

WHEREAS, we reflect upon the memory of those lost to these diseases, the bravery of those currently battling these diagnoses, and the need for increased awareness, screening, and research so that the women of our state and the City of Mountain Brook might be spared from them in the future, and encourage all citizens to work together to raise awareness of GYN cancers; and

NOW, THEREFORE, I, Stewart Welch III, Mayor of the City of Mountain Brook, Alabama, do hereby proclaim September 2022, as

“GYNECOLOGIC CANCER AWARENESS MONTH”

throughout the City and encourage all residents of Mountain Brook to work together to raise awareness of GYN cancers and do commend this observance to all our citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Mountain Brook to be affixed the 22th day of August of the year of our Lord 2022 and of the Independence of the United States of America, the 246th.

Stewart H. Welch III, Mayor

Heather Richards <richardsh@mtnbrook.org>**FW: Request for Proclamation for the Laura Crandall Brown Foundation**

1 message

Sam Gaston <gastons@mtnbrook.org>
To: Heather Richards <richardsh@mtnbrook.org>
Cc: forbesj@mtnbrook.org

Wed, Jul 20, 2022 at 4:54 PM

For August 22nd formal agenda.

Samuel S.Gaston

City Manager

City of Mountain Brook, AL.

56 Church Street

P.O. Box 130009

Mountain Brook AL. 35213

(205) 802-3803 Phone

(205) 870-3577 Fax



From: Betsy Fetner [<mailto:b.fetner@thinkoflaura.org>]
Sent: Wednesday, July 20, 2022 12:09 PM
To: gastons@mtnbrook.org
Subject: Request for Proclamation for the Laura Crandall Brown Foundation

Dear Sam,

I hope this note finds you doing well. I am writing today to once again request Mayor Welch's Proclamation in September of this year to acknowledge GYN Cancer Awareness Month, as has been done for the past several years for The Laura Crandall Brown Foundation.

I have attached wording for the proclamation for your review. I will be happy to come to a council meeting and accept the proclamation. Anytime during the latter half of August or throughout September would be great! Please let me know what additional information you might need for this Proclamation issued in September of 2022.

Thank you so much for your assistance in this important endeavor.

Best,

Betsy Fetner

Betsy Fetner

Program Director

Laura Crandall Brown Foundation

410 Lorna Square

Hoover, AL 35216

Ph: 205-783-1285

www.ThinkofLaura.org

www.Facebook.com/LCBFoundation



RESEARCH-AWARENESS-SUPPORT

 **proclamation wording Mountain Brook.docx**
14K

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
JULY 25, 2022**

[As a convenience, members of the public were invited to listen, observe and participate in the public meeting by Internet video conference.]

The City Council of the City of Mountain Brook, Alabama met informally in-person at 6:15 p.m. on the 25th day of July, 2022 (others were allowed to listen to the meeting by way of Internet video conference). 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
Alice B. Womack
Gerald A. Garner
Lloyd C. Shelton
Stewart Welch III, Mayor

Absent:

Also present were City Attorney Whit Colvin, City Manager Sam Gaston, and City Clerk Heather Richards.

1. AGENDA

1. Fire Chief addressed council

Chris Mullins-Fire Chief

- Thanked the Council for allowing the fire department to purchase ballistic vests

2. Two (2) Villages Design Review Committee appointments

Tyler Slaten-Senior Planner

- Ashley Spotswood and Katie Wohlwend would like to serve another term on VDR
- The Board is in favor of the re-appointments
- No other applications were received

Virginia Smith-Council President

- Items added to the formal meeting (Resolution No. 2022-111 and 2022-112)

3. Right-of-Way encroachment agreement for 2100 English Village Lane

Sam Gaston-City Manager

- Home is on one lot to the right of an unopened right-of-way
- Driveway is on unopened right-of-way

Whit Colvin-City Attorney

- Standard right-of-way agreement
- Up to City to grant permission
- If house is sold, a new agreement would need to be signed

Virginia Smith-Council President

- Item added to the formal meeting (Resolution No. 2022-113)

4. Conditional Use-PM Method Physical Therapy 200 Cahaba Road, English Village

Tyler Slaten-Senior Planner

- This physical therapy use is already established in English Village
- Maximum amount of people for this business is 4 people
- No net change on parking
- 5 parking spaces allocated to building

Virginia Smith-Council President

- Item added to the formal meeting (Resolution No. 2022-114)

5. Dog Waste Issue Discussion

Shanda Williams-Parks and Recreation Superintendent

- Dog waste is an on-going issue on sports field and parks
- They encourage and want people to pick up after their dogs
- This has been discussed by the Park Board, articles have been put in The Reporter and posts on Facebook have all been to encourage residents to pick up after their dogs

Gerald Garner-Council Member

- Dog waste is an issue
- A bigger issue is safety
- Dogs running at large pose a safety concern for both children and adults

Brian Lucas-Head of Park Board

- People are using fields as dog parks
- Frustrated due to the amount of dog waste on fields
- Signs have been put up and posts have been posted on Facebook to encourage individuals to pick up after their dogs

Lloyd Shelton-Council Member

- Must set boundaries-fields are not a dog park

Jaye Loggins-Police Chief

- A fine schedule has already been established for Ordinance violations for dogs in parks
- Owner or person in charge of dog is held responsible
- A non-uniform citation can be issued for violators

Virginia Smith-Council President

- Will look at passing an Ordinance next council session that would prohibit dogs in parks and playgrounds

6. Review of the other matters to be considered at the formal (7:00p.m.) meeting

2. ADJOURNMENT

There being no further matters for discussion Council President Smith adjourned the pre-meeting at approximately 6:54p.m.

3. CERTIFICATION

I, Heather Richards, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct synopsis of the discussion from the regular session of the City Council of the City of Mountain Brook, Alabama held at City Hall, Pre-Council Room (A-106) on July 25, 2022, 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 August 22, 2022

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
JULY 25, 2022**

[As a convenience, members of the public were invited to listen, observe and participate in the public meeting by Internet video conference.]

The City Council of the City of Mountain Brook, Alabama met in person at 7:02 p.m. on the 25th day of July, 2022 (others were allowed to listen to the meeting by way of Internet video conference). 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 Chairman, Council President Pro Tempore
Alice B. Womack
Gerald A. Garner
Lloyd C. Shelton
Stewart Welch III, Mayor

Absent:

Also present were City Attorney Whit Colvin, City Manager Sam Gaston, and City Clerk Heather Richards.

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

1. ALOPECIA AWARENESS MONTH PROCLAMATION NO. 2022-101 (EXHIBIT 1)

Stewart Welch-Mayor

- Presented Sandy Greene, with the Proclamation

Sandy Greene

- Has lived with Alopecia for 15 years
- Alopecia is an auto-immune disease that could affect hair loss

2. CONSENT AGENDA

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

Approval of the minutes of the June 27, 2022, regular meeting of the City Council

2022-101	Alopecia Awareness Month	Exhibit 1
2022-102	Accept the bid for scheduled maintenance of the municipal complex mechanical systems (B-20220610-004) submitted by Comfort Systems USA.	Exhibit 2, Appendix 1
2022-103	Accept the professional services proposal submitted by Sain Associates with respect to on-call/demand contract engineering services.	Exhibit 3, Appendix 2

2022-104	Accept the proposal submitted by Building and Earth with respect to subsurface exploration and geotechnical consultation services for the Mountain Brook Junior High School storm drainage project	Exhibit 4, Appendix 3
2022-105	Authorize the sale or disposal of certain surplus property (Library and Police Department)	Exhibit 5, Appendix 4
2022-106	Authorize the donation of surplus property to the Blount County Coroner's Office.	Exhibit 6, Appendix 5
2022-107	Award the bid for the Public Works metal roof project to GoodGame Company	Exhibit 7, Appendix 6
2022-108	Award the bid for the landscape service contract to Blackjack Horticulture	Exhibit 8, Appendix 7
2022-109	Execute a Construction Contract with Meadows Contracting Inc. with respect to the fire curtain at The O'Neal Library	Exhibit 9, Appendix 8
2022-110	Execute a Construction Contract with Meadows Contracting Inc. with respect to the bullet-resistant windows in the City Manager's office suite	Exhibit 10, Appendix 9
2022-111	Re-appoint Ashley Spotswood to the Village Design Review Committee to serve without compensation through August 12, 2025	Exhibit 11, Appendix 10
2022-112	Re-appoint Katie Wohlwend to the Village Design Review Committee to serve without compensation through August 23, 2025	Exhibit 12, Appendix 11
2022-113	Authorize the Right of Way Encroachment Agreement with Grant and Kacey Todd with respect to 2100 English Village Lane	Exhibit 13, Appendix 12
2022-114	Apprivoise the conditional professional office use application to allow PM Method Physical Therapy at 2000 Cahaba Road, Suite 200 (English Village) as outlined in the application made by Matt and Paige McClees	Exhibit 14, Appendix 13

Thereupon, the foregoing minutes, proclamation, and resolutions (Nos. 2022-101 through 2022-114), were introduced by Council President Smith and a motion for their immediate adoption made by Council Member Womack. 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
Alice B. Womack
Gerald A. Garner
Lloyd C. Shelton

Nays: None

Abstained: None

Council President Smith thereupon declared that said minutes, proclamation, and resolutions (Nos. 2022-101 through 2022-114) were adopted by a vote of 5—0 and as evidence thereof she signed the same.

3. **CONDITIONAL USE FOR MPOWER**

Virginia Smith-Council President

- Received complaints about MPower
- Would like to take a closer look at the conditional use and visit store

Kathy Kelly-2415 Canterbury Road (Owner of White Room)

- During the hours of 10:30-2:30 parking is an issue
- Do not want classes held by MPower during these hours

4. **ORDINANCE AMENDING SECTION 109-31 OF THE CITY CODE (BUILDING CODE) (EXHIBIT 15)**

After said ordinance had been considered in full by the Council, Council Member Shelton then moved for the adoption of said ordinance. The motion was seconded by Council Member Garner. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia C. Smith
William S. (“Billy”) Pritchard III
Alice B. Womack
Gerald A. Garner
Lloyd C. Shelton

Nays: None

Council President Smith declared that the ordinance (No. 2127) is hereby adopted by a vote of 5-0 and, as evidence thereof, she signed the same.

5. **ANNOUNCEMENT**

Council President Smith announced ALDOT will have a public involvement meeting on Thursday, August 11, 2022 from 4:00pm to 6:00pm at the Mountain Brook Community Church located at 3001 US-280 to discuss the proposed 4-laning of Highway 280 from Hollywood Boulevard to I-459 and the replacement of the Pumphouse Road Bridge.

6. **ANNOUNCEMENT**

Council President Smith announced the next regular meeting of the City Council is August 8, 2022, 7:00p.m.

7. **EXECUTIVE SESSION AND ADJOURNMENT**

There being no further topics for discussion, Council President Pro Tempore made a motion that the City Council convene in executive session to discuss a real estate matter. The City Attorney certified that the subject matters were allowed to be discussed in executive pursuant to Alabama Law. 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
Gerald A. Garner
Alice B. Womack
Lloyd C. Shelton

Nays: None

President Smith then adjourned the meeting at approximately 7:12 p.m.

8. CERTIFICATION

I, Heather Richards, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the regular meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A-108) on July 25, 2022, 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 August 22, 2022

EXHIBIT 1 PROCLAMATION NO. 2022-101

WHEREAS, Alopecia is an autoimmune skin disease resulting in the loss of hair on the scalp and elsewhere on the body; and

WHEREAS, Alopecia affects approximately two percent of the population overall, including more than 6.8 million people in the United States alone; and

WHEREAS, Alopecia occurs in males and females of all ages and races with onset most often beginning in childhood; and

WHEREAS, the National Alopecia Foundation (NAF) is dedicated to providing educational information, creating awareness and raising funds to advance research of treatments; and

WHEREAS, the local chapter of the Alopecia Foundation also is dedicated to educating the community through its campaign "*DON'T STARE! JUST ASK?*"

RESOLUTION NO. 2022-123

**A RESOLUTION AUTHORIZING THE SALE OR DISPOSAL
OF CERTAIN SURPLUS PROPERTY**

WHEREAS, the City of Mountain Brook, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property.

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

Section 1. It is hereby established and declared that the following equipment, as described in the form as attached hereto as Exhibit A, owned by the City of Mountain Brook, Alabama is no longer needed for public or municipal purposes and is hereby declared surplus property; and

Section 2. That the City Manager, or his designated representative, is hereby authorized and directed to sell said property by way of public Internet auction or to dispose of said items not sold.

ADOPTED: This 22nd day of August, 2022.

Council President

APPROVED: This 22nd day of August, 2022.

Mayor

CERTIFICATION

I, Heather Richards, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on August 22, 2022, as same appears in the minutes of record of said meeting.

City Clerk

Surplus

Tables - 1

The table has been dismantled. The library does not have a loading deck, and staff are not available to assist with moving/loading.





Heather Richards <richardsh@mtnbrook.org>

Surplus Property 08/15/2022

Micah Smith <smithm@mtnbrook.org>
To: Heather Richards <richardsh@mtnbrook.org>
Cc: Thomas Boulware <boulwaret@mtnbrook.org>

Thu, Aug 18, 2022 at 1:27 PM

Before I forget, we need to add a few more things I came across this week. Here is the updated quantity list:

Qty. 5 - Dispatch 24-hour Desk Chairs

Qty. 2 - Executive style desk chairs

Qty. 2 - Mesh desk chair

Qty. 1 - Dispatch Desk Mic

[Quoted text hidden]

RESOLUTION NO. 2022-124

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes City Manager to pay, or cause to be paid for and on behalf of the City, up to \$2,000.00 for materials and provide City labor and equipment to install beautification improvements at the Fairway Drive and West Jackson Boulevard traffic island as illustrated in Exhibit A attached hereto.

ADOPTED: This 22nd day of August, 2022.

Council President

APPROVED: This 22nd day of August, 2022.

Mayor

CERTIFICATION

I, Heather Richards, 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 August 22, 2022, as same appears in the minutes of record of said meeting.

City Clerk

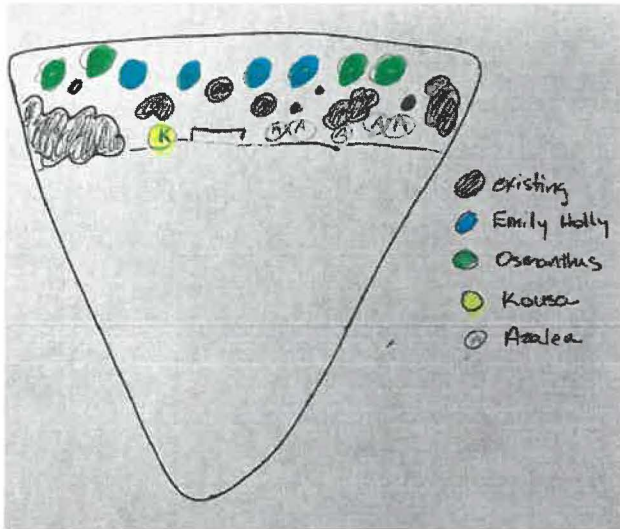
Traffic Island Policy Worksheet

Island Location Jackson and Fairway triangle

Area of Island \$5,000 **Max City Contribution** \$2,000

(< 3,000 sq ft = \$1,000; 3,000-6,000 sq ft = \$2,000; > 6,000 sq ft = \$3,000)

Sketch of Design



Project Details

We added a few plants to this triangle back in 2019 when we cleaned up some of the undergrowth. After that, the property behind the triangle was cleared and a home built. We cleaned up some more of the undergrowth and had to remove trees in danger of falling towards the new house and that left an opening that the new plants have not grown enough to cover. Various neighbors of the triangle have requested that we add more plants to fill in the gaps and create better evergreen screen.

Materials needed	Quantity	Cost
Emily Brunner Holly 6ft	5	\$1,300
Osmanthus 15 gal	4	\$ 370
Kousa Dogwood 15 gal	1	\$ 80
Pinestraw		\$ 250
Total Cost		<u>\$2,000</u>

Traffic Island Policy Worksheet

Resident Contact Information

Name	Email
Chollet Still	cholletstill@gmail.com
Hamilton Huber	Hamilton.huber@srsre.com

Partnership Agreement

None needed.

Island Committee Comments

Date 8/16/22

I consulted with Rosalie Holman and Helen Drennen along with the residents and no one had any objections to the presented plan.

Police Department Comments

Date 8/18/22

The plants are not planned to be near the roadway to obstruct the views of motorists. Lt. Rhoads stated that he did not see any problems with this plan.

Council Comments:

Date:

Amount approved: _____

Construction Issues/Comments/Adjustments

Traffic Island Policy Worksheet

Before Picture:



After Picture:

RESOLUTION NO. 2022-125

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorize the Regional Training Center Agreement between the City and the Alabama Fire College and Personnel Standards Commission for a term of three years. This agreement grants Mountain Brook to function as a Regional Training Center.

ADOPTED: This 22nd day of August, 2022.

Council President

APPROVED: This 22nd day of August, 2022.

Mayor

CERTIFICATION

I, Heather Richards, City Clerk of the City of Mountain Brook, Alabama hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on August 22, 2022, as same appears in the minutes or record of said meeting.

City Clerk



City of
Mountain Brook

Heather Richards <richardsh@mtnbrook.org>

RTC Agreement from the Alabama Fire College

1 message

Stacey Cole <coles@mtnbrook.org>

Tue, Aug 16, 2022 at 10:16 AM

To: Heather Richards <richardsh@mtnbrook.org>

Heather,

This is the agreement that I have from the AFC. The agreement grants the cities mentioned to function as a Regional Training Center as a whole through a partnership with the AFC. This would be a three year term agreement.

I hope this helps.

Stacey L. Cole

Deputy Chief / Emergency Operations

Mountain Brook Fire Department

Office: (205) 802-3831

Cell: (205) 438-2569

Email: Coles@mtnbrook.org

Notice of Confidentiality: This transmission contains information that may be confidential and may also be privileged. Unless you are the intended recipient of the message (or authorized to receive it for the intended recipient), you may not copy, forward, or otherwise use it, or disclose its contents to anyone else. Please be aware that email communication can be intercepted in transmission or misdirected. If you have received this transmission in error, please notify me immediately at coles@mtnbrook.org and delete it from your system.



RTC Agreement .pdf

234K

Mullins

REGIONAL TRAINING CENTER AGREEMENT

This agreement ("Agreement") is hereby made and entered into on the 3rd day of August 2022 by and between the **Alabama Fire College and Personnel Standards Commission** ("Fire College") and Homewood, Hoover, Mountain Brook, and Vestavia Hills, Alabama municipalities ("Cities") and Rocky Ridge Fire Department, a fire district.

WHEREAS, the Fire College has requested and agreed to utilize the premises located at:

- Homewood training location
- Hoover training location
- Mountain Brook training location
- Vestavia Hills training location
- Rocky Ridge training location

Need locations/addresses of classroom and drill facilities where training will occur

(the "Facility") to provide classroom space and associated facilities for training use scheduled from August 3rd, 2022 through August 2, 2025 ("term"). *3 yr terms*

NOW, THEREFORE, considering the above, the parties agree as follows:

SECTION 1. USE OF FACILITY ALLOWED; CLASS REGISTRATION, PARTICIPATION AND SCHEDULING; TUITION; INSTRUCTORS. City agrees to allow Fire College the use of the Facility to provide a training area for the Class during the term set forth herein. Fire College will be responsible for all scheduling and registration of classes and training therein. Only the Fire College may schedule non-Tier I training courses (as defined by the Fire College) if the trainee is to obtain certification. City agrees that such Class will be open to any student enrolled therein by the Fire College and will not be solely limited to City participants, unless otherwise agreed herein. Tuition from Class participants shall be collected and shared between the parties hereto as set forth in Exhibit A hereto. Fire College must approve any and all Class instructors. Instructors for non-Tier I classes are limited to instructors of the Fire College.

SECTION 2. EQUIPMENT. Equipment for the Class will be provided as set forth in Exhibit A hereto. In the event that City agrees to provide certain Class equipment as further delineated on Exhibit A, then the Fire College reserves the right to approve all equipment types and quantities to be used in the Class if the Class participants are to obtain certification. However, the City is responsible for all maintenance of such equipment and for the safety and fitness of purpose for any equipment owned by the City and used in the Classes.

SECTION 3. COMPENSATION. The Fire College shall be compensated for all services performed and/or goods or materials supplied by the Fire College pursuant to this Agreement. Likewise, the City shall be compensated for Facility space provided by the City pursuant to this Agreement. The amount of such compensation shall be specifically set forth in Exhibit A hereto.

SECTION 4. CLASS SIGNAGE. City will permit the Fire College to place signs at the Facility to direct students to Class events. Fire College agrees that any such sign will comply with City sign regulations and that each sign shall be at the expense of the Fire College. In the event that the City desires to place signage at the Facility related to the Class, the Fire College must

approve (in advance of the placement of the sign) the use of the Fire College's name and logo on any such sign(s).

SECTION 5. INDEMNIFICATION FOR CITY AND FIRE COLLEGE. It is agreed that individual Class participants shall release, indemnify and save City and Fire College harmless from any claims made by any person, firm or corporation against City and Fire College for injury to the participant's property or person arising directly or indirectly out of the Class.

SECTION 6. CANCELLATION AND TERMINATION OF AGREEMENT. This Agreement may be cancelled and/or terminated at any time, with or without cause, by either party hereto upon giving seven (7) days written notice to the other party as provided herein. Otherwise, this Agreement shall expire at midnight on August 2, 2025.

IN WITNESS WHEREOF, the undersigned have entered into this Agreement on the date first written above.

ALABAMA FIRE COLLEGE AND PERSONNEL STANDARDS AND EDUCATION COMMISSION

By: David M. Russell

Its: Executive Director

Date: August 3rd, 2022

CITIES

City of Homewood

City of Mountain Brook

By:

By:

Its:

Its:

Date:

Date:

City of Hoover

City of Vestavia Hills

By:

By:

Its:

Its:

Date:

Date:

Rocky Ridge Fire District

By:

Its:

Date:

EXHIBIT A

1. Fire College shall provide _____ hours of instruction to RTC or EMS training site for the class as set forth below. Such instruction will be given at the following location(s) and at the following times(s).

Class Title(s): *RT courses must be approved by Training Group supervisor.*

Class Location:

Class Dates: *This info should be captured in the online course application*

Class Hours:

Instructor(s) Provided By (select one): AFC RTC/EMS site

Class Instructor(s) (indicate lead/asst/etc): *RT courses will be reimbursed for a lead and assistant instructor \$35 Lead, \$30 Assistant (in October)*

2. Personnel, supplies, equipment, props, and expertise necessary to comply with all provisions, stipulations, terms and conditions of this Agreement and the implementation of the class on site at the Facility shall be provided as set forth below. If not specifically delineated, such personnel, supplies, equipment, props, and expertise shall be provided by the RTC.

(a) EQUIPMENT:

(i) RTC/EMS site will supply all equipment needed for the class, excepting any equipment listed in 2(a)(ii) herein.

(ii) Fire College will supply the following equipment for the class:

Indicate which

(b) INSTRUCTORS:

(i) RTC/EMS site will provide all instructors for the class, excepting any instructors listed in 2(b)(ii) herein.

(ii) Fire College will supply the following instructors for the class:

Indicate which

EXHIBIT A

2. (continued):

- (c) SPECIAL AGREEMENT TERMS (if applicable)

Fuel, lumber, vehicles, etc

- (d) FINANCIAL/REVENUE SHARING: The class tuition collected by the Fire College for the Class during the term of this Agreement shall be divided between the parties hereto as indicated below:

FC pays for instructors. If you provide the instructor we will reimburse the consortium instructor sts. If we provide the instructor we will pay the instructor directly.

- a. Instructional costs for each class will be deducted from gross revenue and paid to the training consortium based on the number of instructors provided. Instructional costs will be paid based on the current Fire College scale.
- b. Certain courses might require a separately-negotiated division of revenue based on the increased need for consumable supplies or other specialized resource requirements, as indicated in 2. (c) above.
- c. 70% of remaining revenue will be paid to the Fire College for administrative overhead and 30% will be paid to the RTC/EMS site for use of the facility and equipment.

- (e) PAYMENT TERMS TO RTC/EMS SITE FOR COST SHARING AMOUNTS (select one of the following):

a. ACCOUNT CREDIT

RTC agrees to accept credit in an amount equal to the financial/revenue sharing amount (set forth in 2. (d) above) that is due to the RTC/EMS Site from the Fire College.

RTC/EMS sites can use their account credit for:

CLASSROOM TUITION CREDIT

RTC/EMS site agrees to accept classroom tuition credit in an amount equal to the financial/revenue sharing amount (set forth in 2. (d) above) that is due to the RTC/EMS Site from the Fire College.

TEXTBOOK CREDIT

RTC/EMS site agrees to accept credit to be spent on course textbooks obtained from the Alabama Fire College Bookstore in an amount equal to the financial/revenue sharing amount (set forth in 2. (d) above) that is due to the RTC/EMS site from the Fire College.

RTC can receive either credit or we can make a cash (check) payment to the consortium

EXHIBIT A

 b. **CASH PAYMENT**

RTC/EMS site desires to obtain any financial/revenue sharing amounts to which it is due (set forth in 2. (d) above) as a cash payment. This amount shall be paid by the Fire College to the RTC/EMS site no longer than forty five (45) days from the date of receipt of the last class tuition payment as long as a timely invoice has been received by the AFC from the RTC/EMS site.