MEETING AGENDA MOUNTAIN BROOK CITY COUNCIL

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

NOVEMBER 27, 2023, 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 inperson 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 11272023).

- 1. Approval of the minutes of the November 9, 2023, special meeting of the City Council.
- 2. Approval of the minutes of the November 13, 2023, regular meeting of the City Council.
- 3. Mountain Brook Director of Student Services, Amanda Hood, to address council regarding Gaggle (student safety software enabling K-12 schools to monitor student activity on school-provided devices for concerning content).
- 4. The Board of Landscape Design presenting the 29th year Tree City USA and the 21st Growth Award to the City of Mountain Brook.
- 5. Consideration: Resolution accepting the proposal with PRI Management for the Police Department's inventory and purge of records.
- 6. Consideration: Resolution approving the conditional office use application at 2701 Cahaba Road.
- 7. Public Hearing: Request to rezone property from Local Business district to Planned Unit Development (PUD) district for a senior living facility. 2900 Cahaba Road MTB Office Park, LLC (Case P-23-18)
- 8. Comments from residents and attendees.
- 9. Announcement: The next regular meeting of the City Council is December 11, 2023 at 7:00 p.m.
- 10. Adjourn.

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK NOVEMBER 9, 2023

[As a convenience, members of the public were invited to listen and observe in the public meeting by Internet video conference. There were no virtual attendees at the meeting.]

The City Council of the City of Mountain Brook, Alabama met in person at 11:47 a.m. on the 9th day of November, 2023 (others were invited to listen to the meeting by way of Internet video conference—no one attended). Council President Virginia Smith called the meeting to order and the roll was called with the following results:

Present: Virginia Smith, Council President

William S. Pritchard III, Council President Pro Tempore

Stewart Welch III, Mayor

Gerald A. Garner Lloyd C. Shelton Graham L. Smith

Absent:

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

Council President Virginia Smith stated that a quorum was present and that the meeting was open.

1. EXECUTIVE SESSION

Council President Pro Tempore made a motion that the City Council convenes in executive session to discuss matters of good name and character and that the City Council shall reconvene upon conclusion of the executive session to the special council meeting. 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 Member Graham Smith. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith

William S. Pritchard III Graham L. Smith Lloyd C. Shelton Gerald A. Garner

Nays: None

2. CONSIDERATION: RESOLUTION NO. 2023-185 EXECUTING A PURCHASE AND SALE AGREEMENT WITH ALABAMA VETERANS MEMORIAL FOUNDATION INC. (EXHIBIT 1, APPENDIX 1)

Stewart Welch-Mayor

The Alabama Veterans Memorial Foundation donated the 22 acre memorial park to the City

- Honored the Foundation entrusted the City with the responsibility of preserving the memorial of our fallen Alabama Veterans
- Wants to make the Alabama Veterans Park a signature park within the city
- This park will become the 8th park in Mountain Brook

Council Member Gerald Garner made a motion to approve the resolution executing a Purchase and Sale Agreement with Alabama Veterans Memorial Foundation Inc. The motion was seconded by Council President Pro Tempore Pritchard. Thereupon, Council President Virginia Smith called for vote with the following results:

Ayes: Virginia C. Smith

William S. ("Billy") Pritchard III

Gerald A. Garner Lloyd C. Shelton Graham L. Smith

Nays: None

Council President Virginia Smith declared Resolution (No. 2023-185) is hereby adopted by a vote of 5—0 (Exhibit 1, Appendix 1)

3. COMMENTS FROM RESIDENTS AND ATTENDEES

(There were no public comments)

4. ANNOUNCEMENT

The next regular meeting of the City Council is November 13, 2023 at 7:00 p.m.

5. ADJOURNMENT

There being no further business to come before the City Council, Council President Virginia Smith adjourned the special meeting at approximately 12:03 p.m.

6. CERTIFICATION

I, Heather Richards, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the special meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A-108) on November 9, 2023, 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 November 27, 2023

EXHIBIT 1

RESOLUTION NO. 2023-185

MOUNTAIN BROOK CITY COUNCIL PRE-MEETING DISCUSSION NOVEMBER 13, 2023

[As a convenience, members of the public were invited to listen and observe in the public meeting by Internet video conference. There were 0 virtual attendees at the meeting.]

The City Council of the City of Mountain Brook, Alabama met informally in-person at 6:00 p.m. on the 13th day of November, 2023 (others were allowed to listen to the meeting by way of Internet video conference-no one did). Council President Smith 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

Graham L. Smith Lloyd C. Shelton Gerald A. Garner

Stewart Welch III, Mayor

Absent:

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

1. AGENDA

- 1. Recognized special guests (Boy Scouts)
 - Troup 63 out of Canterbury Church
 - Working on Citizen of the Community Merit badge
- 2. Guardrail costs for east Cherokee Road

Ronnie Vaughn-Public Works Director

- There is about 737 feet of guardrail that would need to be installed
- This is not in the budget for this year
- Having the guardrail would be a good improvement for east Cherokee Road
- Since this is not a dire emergency, could put in next year's budget

Lloyd Shelton-Council Member

Would not want to delay until next year's budget, would like to proceed now

Gerald Garner-Council Member

- Once a safety issue is recognized, the council needs to what can be done
- Would like to proceed with the guardrail

Virginia Smith-Council President

- Item added to the formal agenda (Resolution No. 2023-192)
- 3. Update on the City's United Way campaign

Ronnie Vaughn-Public Works Director

 Summary of campaign: Increased in 4 of 6 departments, bypassed what was raised last year by \$934, and collected a total of \$16,828

Sam Gaston-City Manager

- Mountain Brook employee's have been #1 for over 20 years (per capita giving) of all the municipalities in our 6 county area
- 4. Speed limit recommendations for Colonial Hills

Jaye Loggins-Police Chief

- Verified the speed limits for Alden Lane, Warren Drive, and Winthrop Avenue
- There has not been a report of a speed issue in the area
- These speed limits are consistent with basic residential speed limits
- Would not recommend changing speed limits
- The traffic consultant agreed the speed limits do not need to be changed
- 5. Contract amendment with Gresham Smith Partners for the Old Brook Trail and Canterbury Road bridge projects

Sammy Harton-Gresham Smith Partners

- In June the council approved a supplemental agreement to redesign the bridge to avoid a sewer main conflict
- This was forwarded to ALDOT for their review
- ALDOT came back with markups that cut it in half
- ALDOT agreed to \$78,000
- Cut fee down to \$115,000
- This request saves the city \$150,000 to not relocate the sanitary sewer

Virginia Smith-Council President

- Item added to the formal agenda (Resolution 2023-193)
- Conditional Use for an office in the 2nd floor of the old Barton Clay Jewelers location at 2701 Cahaba Road

Dana Hazen-Director of Planning, Building, and Sustainability

- Based on the survey of the subject property, parking spaces are in the public right-of-way
- There are uses all through the villages that do not have the required number of parking spaces on site
- Previously this was a retail jeweler
- This application looks at the main floor and the second floor
- Do not know, at this time, what the future use would be at the ground level
- The second floor is before the council for a conditional use

Billy Pritchard-Council President Pro Tempore

- This is asking for a second floor approval without knowing what is going on the first floor
- According to ordinance it would require 33 parking spaces
- There are only 13 parking spaces in the right-of-way and zero on-site
- According to our ordinance, the council needs to consider the issue of parking
- Troubled with trying to decide the second floor without knowing what will be on the first floor

Ken Pulp-Applicant

- The offices would be for himself and affiliated company who are located in Europe
- There may be 1-3 people in the office space

Lloyd Shelton-Council Member

• The usage on the second floor would be so irregular, feels comfortable in moving forward without knowing what will be on the first floor

Billy Pritchard

- Heard from a tenant: they stated everything is great at Lane Parke except for lunchtime
- Would like more time to consider

Virginia Smith

- Will take it up at the next council session on November 27th
- 7. ROW encroachment agreement for property at 3613 Montclair Road between Brookshire Condos and Gaywood Circle

Dana Hazen-Director of Planning, Building, and Sustainability

- There is an unimproved right-of-way that was established in 1927 and there is a parcel of land in the back
- This went to the planning commission to have the property resurveyed into one lot
- There have been individuals interested in buying it; however, have been turned off by how to access the property
- Currently there is not a buyer
- The issue is how to control drainage on right-of-way and the weight of emergency vehicles and their ability to turn around at the end
- This is a request for an encroachment agreement which is typically what happens when someone puts a driveway in an alley or parking pad in ROW
- The driveway will come after the sidewalk installation

Phillip Currie-Sain Associates

- The sidewalk project would not interfere with the driveway in the future
- Regarding drainage: Can keep existing drainage facilities in that ditch and ROW
- The existing water would flow just like existing water flows

Charlie Beavers-Attorney for property owner

- A provision in the agreement states the drainage and how the culvert will be has to be permitted by the city
- This is an old dedicated public road that was never accepted by the city for maintenance and never improved
- This is the only way to the property and the only way to sell it is to have a driveway
- Asking the city to allow the owner to build a driveway
- This is a license only that does not accrue any right or title and allows the property owners to use it and improve it (subject to full permitting by the city)

Whit Colvin-City Attorney

- Wants to make sure the driveway profile matches up
- Could always make note on exhibit to allow wiggle room to prevent amendments in the future
- This is an unimproved ROW that will have an improved encroachment on it
- If approved, it will need to be approved subject to appropriate revisions of the exhibit to reflect flexibility

Charlie Beavers

• The property owner will maintain it, the city has no responsibility to maintain it

Virginia Smith-Council President

- Item added to the formal agenda (Resolution No. 2023-194)
- 8. Review of the other matters to be considered at the formal (7:00p.m.) meeting

2. EXECUTIVE SESSION AND ADJOURNMENT

Council President Pro Tempore made a motion that the City Council convenes in executive session to discuss matters of good name and character and real estate and that the City Council shall reconvene upon conclusion of the executive session to the regular council meeting. 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 Member Graham Smith. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith

William S. Pritchard III Graham L. Smith Lloyd C. Shelton Gerald A. Garner

Nays: None

There being no further matters for discussion Council President Virginia Smith adjourned the pre-meeting at approximately 6:49 pm.

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 November 13, 2023, 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 November 27, 2023

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK NOVEMBER 13, 2023

[As a convenience, members of the public were invited to listen and observe in the public meeting by Internet video conference. There were 0 virtual attendees at the meeting.]

The City Council of the City of Mountain Brook, Alabama met in person at 7:09 p.m. on the 13th day of November, 2023 (others were allowed to listen to the meeting by way of Internet video conference-no one did). Council President Virginia Smith 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

Graham L. Smith Lloyd C. Shelton Gerald A. Garner

Stewart Welch III, Mayor

Absent:

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

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

1. CONSENT AGENDA

Council President Virginia 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 October 23, 2023, regular meeting of the City Council

2023-186	Accept the proposal submitted by Sain Associates with respect to the supplement services regarding the Pine Ridge Road sidewalk project	Exhibit 1, Appendix 1
2023-187	Ratify the Mountain Brook Fire Department's application for a \$75,000 grant from Jefferson County Commission's Community Grant and Infrastructure Assistance program	Exhibit 2, Appendix 2
2023-188	Establish the employees' and retirees' monthly premiums for medical insurance effective for employee payroll checks dated December 8, 2023, and retiree premiums due on January 1, 2024	Exhibit 3, Appendix 3
2023-189	Execute an Intergovernmental Agreement with Jefferson County with respect to the contingency funding to support the Electronic Collection Event held at the Birmingham Zoo	Exhibit 4, Appendix 4

2023-190	Award bid [B-20231030-902] for one Public Works Administrative Vehicle to Hendrick Dodge Ram	Exhibit 5, Appendix 5
2023-191	Authorize the sale or disposal of certain surplus property	Exhibit 6, Appendix 6
2023-192	Accept the proposal submitted by Alabama Guardrail Inc with respect to the guardrail for east Cherokee Road	Exhibit 7, Appendix 7
2023-193	Accept the revised additional services proposal submitted by Gresham Smith with respect to the bridge replacement on Old Brook Trail over Little Shades Creek and Bridge Rehabilitation on Canterbury Road over Watkins Creek	Exhibit 8, Appendix 8

Thereupon, the foregoing minutes and resolutions (Nos. 2023-186 through 2023-193), were introduced by Council President Virginia Smith and a motion for their immediate adoption made by Council Member Shelton. The minutes and resolutions were then considered by the City Council. Council President Pro Tempore Pritchard seconded the motion to adopt the foregoing minutes and resolutions. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith

William S. Pritchard III Graham L. Smith Lloyd C. Shelton Gerald A. Garner

Nays: None

Abstained: None

Council President Virginia Smith thereupon declared that said minutes and resolutions (Nos. 2023-186 through 2023-193) were adopted by a vote of 5—0 and as evidence thereof he signed the same.

2. CONSIDERATION OF RESOLUTION (NO. 2023-194) AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY (ROW) ENCROACHMENT AGREEMENT WITH PATRICK COONEY AND VIRGINIA COONEY AS TRUSTEES OF THE LIZBETH COONEY QUALIFIED PERSONAL RESIDENCE TRUST NO. 1 WITH RESPECT TO THE PROPERTY LOCATED AT 3613 MONTCLAIR ROAD SUBJECT TO APPROPRIATE LANGUAGE BEING ADDED TO PROVIDE FLEXIBILITY (EXHIBIT 9, APPENDIX 9)

Richard Abernethy-2312 Brookshire Place

- Issue is the drainage
- There is a lot of water that comes through behind Brookshire Place
- All of the water from Brookshire drains to the southeast corner of the property
- If anything was done to block the water (such as a driveway), it would flood Brookshire Place

Whit Colvin-City Attorney

- There will have to be provisions made for drainage
- This would not increase the storm water runoff that is already there at the property

Virginia Smith-Council President

• The encroachment agreement comes with a picture that includes the drainage

Charlie Beavers-Attorney for property owner at 3613 Montclair Road (4348 Old Brook Trail)

- The agreement requires that they comply with all requirements of the city that apply to drainage
- The city's ordinance does not allow a development to increase the surface water and drainage

Council Member Shelton made a motion to approve Resolution 2023-194 authorizing the execution of a right-of-way (ROW) encroachment agreement with Patrick Cooney and Virginia Cooney as trustees of the Lizbeth Cooney Qualified Personal Residence Trust No. 1 with respect to the property located at 3613 Montclair Road subject to appropriate language being added to provide flexibility. The motion was seconded by Council Member Graham Smith. Thereupon, Council President Virginia Smith called for a vote with the following results:

Ayes: Virginia C. Smith

William S. ("Billy") Pritchard III

Lloyd C. Shelton Graham L. Smith Gerald A. Garner

Nays: None

Council President Virginia Smith declared Resolution (No. 2023-194) is hereby passed by a vote of 5-0 (Exhibit 9)

3. COMMENTS FROM RESIDENCES AND ATTENDEES

Ila Broyles-2916 Pump House Road

- Moved to Pump House Road about a year ago
- Was aware of the plans to rebuild Pump House Road; however, it was not clear the property would be directly impacted
- In reviewing the documents: they are making a three lane bridge and changing the trajectory that Pump House come to Highway 280
- Speeding is a concern in neighborhood
- Concerned as a neighborhood that this will encourage speeding
- In general the concern is ALDOT plans to help commute times for travelers are at a direct cost to the quality of life of the neighborhood

Sam Gaston-City Manager

- Spoke with DeJarvis Leonard, the head of the ALDOT district
- May have some opportunities with ALDOT to make traffic calming
- Leonard stated he would work with the City and some residents to make some changes to calm some of the traffic
- Currently doing a traffic speed study in that area, should have the data next week

Ila Broyles

- Spoke with ALDOT engineer who stated their main rational to moving it to a three lane bridge is to keep it open for the residents
- This seems like overbuilding for a short term pain
- Would like to have a constructive conversation to come up with more creative solutions

Laura Denson-2917 Pump House Road

- This will be a major impact on life and for the City of Mountain Brook
- Felt blindsided with ALDOT's plans, did not know about it until it was too late
- Looked at traffic study from 2022: There will be about 100 people a day that will be suffering at that end of the road
- Would rather have 18 months of pain from ALDOT closing the bridge, than see a lifetime of looking at traffic speeding through
- This is a residential road where families play in the road and speeding in the neighborhood is a problem

Virginia Smith-Council President

• Will try to get a meeting with DeJarvis Leonard scheduled

4. ANNOUNCEMENT

Council President Virginia Smith announced the next regular meeting of the City Council is November 27, 2023, 7:00p.m.

5. ADJOURNMENT

There being no further business to come before the City Council, Council President Virginia Smith adjourned the meeting at approximately 7:29 p.m.

6. 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 November 13, 2023, 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 November 27, 2023

EXHIBIT 1

RESOLUTION NO. 2023-186

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby accepts the proposal submitted by Sain Associates, in the form as attached hereto as Exhibit A, with respect to supplement services regarding the Pine Ridge Road sidewalk project.

APPENDIX 1

EXHIBIT 2

RESOLUTION NO. 2023-187

Mountain Brook Crisis Line

205-92SAVES

Crisis Line Information

- Live monitored 24/7 Crisis Line supported by trained Crisis Counselors
- Call, text, or webchat features
- Provided through a partnership with Mountain Brook Schools, ALL IN Mountain Brook, and the City of Mountain Brook
- Designed for students but can be shared and utilized with the entire community
- 3 year contract at \$1.75/student

Why a Community Crisis Line?

Increased need for support post-COVID

Overwhelmed services for crisis and mental health support

Long wait times for national hotlines

Support provided for students in the evenings and weekends

Help accessing local resources for more longterm support Serve as a de-escalation resource for all community members

Connected to local emergency services

Can serve as a connection between families and a child in crisis

Confidential place to talk when facing life's challenges

Crisis Call Follow Up

Students

Crisis Counselor will follow up with school counselor to connect the student to local support

School will communicate with the family

Resources will be provided if needed

Imminent Harm- Mountain Brook Police/Fire will be contacted via local dispatch for wellness checks

Adults

Service will report number of calls but not details of the call

Crisis Counselors will provide local support groups and service

Imminent Harm- Mountain Brook Police/Fire will be contacted via dispatch for wellness checks

Mountain Brook Community Crisis Line

CALL OR TEXT:

205 92 **SAVES**

TEXT, CHAT OR CALL ANYTIME

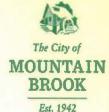


Mountain Brook Community Crisis Line

TEXT, CHAT OR CALL ANYTIME

205-92SAVES















Mountain Brook Crisis Line

205-92SAVES

RESOLUTION NO. 2023-195

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby accepts the proposal submitted by PRI Management, in the form as attached hereto as Exhibit A, with respect to the Police Departments inventory and purge of records.

ADOPTED:	This 27th day of November, 2023.	
APPROVED:	This 27th day of November, 202	Council President
		Mayor
hereby certify to f the City of M	ner Richards, City Clerk of the C he above to be a true and correct	rication ity of the City of Mountain Brook, Alabama, copy of a resolution adopted by the City Council eting held on November 27, 2023, as same
		City Clerk



November 15, 2023

Lieutenant Christopher Thompson Mountain Brook Police Department Via email: Thompsonc@mtnbrook.org

Re: Records Management Services

Dear Lieutenant Christopher Thompson,

Thank you for considering PRI Management Group for your agency's records management needs. This fixed price quote ensures you know upfront what the project costs and furthermore, should any aspect of the project take longer than expected, you will not be charged for the additional time. The quote is valid for 90 days upon receipt.

Please contact me for any questions you may have at <u>amanda@policerecordsmanagement.com</u> or 305-460-0096 x 412. I look forward to serving you in this project.

Sincerely,

Amanda Moore

Amanda Moore, Account Executive PRI Management Group

I. Overview

The Mountain Brook Police Department seeks to reduce its liability by conducting a records inventory and purge of records that have met retention periods and disposition. The department also seeks assistance developing a records management SOP and policy to establish written guidance and consistency with regard to records retention and public records requests moving forward. The current environment includes the following:

- Southern Software RMS (2022-Present)
- Prior RMS Tyler (2009-2022)
- 65 banker boxes containing master reports from 2009 and prior
- 1 FT Records Clerk, Lieutenant and Corporal over records

II. Objectives

The objectives of this project include inventorying agency records and developing a records management SOP and policy regarding records retention and public records requests. The inventory will identify cases that, per retention requirements, should be purged to achieve compliance with legal mandates, reduce agency liability, and provide for the efficient management of records in the future. Developing a written records retention and public records request management SOP and policy will enable efficient and consistent records management processes. This includes:

- Obtain a customized Standing Operating Procedure (SOP) manual for the records unit to establish precise records retention management and public record request policies and procedures.
- Identify paper records that have met disposition and are eligible for destruction.
- Obtain training in records retention and public records management best practices and business processes to establish a core knowledge base within the unit.

III. Results

The value that the Mountain Brook Police Department will derive from the successful completion of this project will include but not be limited to:

- Established records retention and public records management procedures and policies and an understanding of records retention management best practices;
- Limited liability and potential workload stemming from the management of unnecessary records.
- Ensured compliance with all legal requirements, retention schedules, public records requests, and legal liability stemming from any improper management of records.

IV. Resources

PRI is a highly specialized law enforcement records management and IT consulting firm, in business since 2008. Each consultant has worked in the field of law enforcement records management and technology, serving in both sworn and civilian capacities as either records managers, commanders or IT support staff. The consultants assigned to this project through its completion are listed below.

Edward Claughton, President

The company's president, Lt. Ed Claughton (ret.), specializes in police records operations including public records and UCR compliance, records management, case management, quality control, organizational structure, workflow and records management systems administration. Mr. Claughton is a premier, nationally recognized expert in law enforcement information management having provided project management, business process design and technical consultative and training services to over 350 public safety agencies.

He is a selected speaker for the IACP along with various other industry organizations, has written numerous articles on law enforcement records and technology as published in Police Magazine, GovTech, GCN and in the book "Modernizing Crime Statistics" by the National Academy of Sciences. He served on the recent National Academy of Sciences and FBI panel convened to assist with the nationwide transition to NIBRS reporting as a subject matter expert.

Mr. Claughton is a certified records manager, auditor and instructor in UCR and public records, having created state certified police records training curriculum in various states.

Education

- Master of Science in Criminal Justice, Boston University
- Bachelor of Arts in Political Science, Loyola University New Orleans
- Certificate in Public Records, Florida State University
- FBI Law Enforcement Executive Development Association, Executive Development Program

Carl Brooks, Consultant

Carl Brooks, a retired Captain, has 28 years of law enforcement experience with 18 years of executive leadership within criminal justice. He is a graduate of the Federal Bureau of Investigation (FBI) National Academy class #277.

As a consultant with PRI, Carl has led many records management projects, ranging from records assessments, CAD/RMS implementations, to NIBRS support and transitions. He has also worked on numerous records retention projects, including inventorying records, updating records retention schedules based on state laws and requirements, and creating records management policy and procedure manuals.

Education

- Bachelor's Degree in Criminal Justice, University of Maryland
- Master's Degree in Management, John Hopkins University

V. Scope of Work

Develop a Records Retention and Public Records Request SOP and Policy

PRI will develop a manual and policy for the department's management of records retention and public records requests for review and use. The manual will be developed with staff according to agency and state requirements. The policy will include documented workflows and business practices to include but not be limited to:

- Records retention processes and procedures
- Current records retention schedule
- Required state and departmental forms
- Public records request processing

Onsite Records Retention and Destruction Workshop

PRI will provide two days of hands-on training. Alongside staff, PRI will

- Review a sampling of paper records to determine the purging eligibility based on the current retention schedule.
- Review a sampling of records with staff and provide training regarding best practices for sorting and searching disposition.
- Review best practices for managing and purging paper files.
- Develop records inventory tracking forms and tools designed to ensure compliance with state and department retention requirements, including digital forms, calendaring, policy language, and training.

Inventory, Pull and Purge 65 banker boxes of Paper Records

PRI will inventory, pull, and purge 65 banker boxes containing case reports. This work includes guiding and assisting personnel with the research they need to verify what records are eligible for destruction. Agency staff will be responsible for destroying the records. PRI's work will include the following:

- Review paper files within the identified banker boxes, sort, document the time, records series types, and eligibility for purging;
- Pull the physical files eligible for purging;
- Record the volume of records to be destroyed;
- Log and index all findings;
- Complete the required disposition forms, allowing the Department to easily access and destroy the appropriate records.

VI. Timing

PRI is able to begin at any mutually agreeable time beginning in 2024. The below time frames are estimates. The time frame to complete both the onsite and offsite site work may be longer due to any unexpected circumstances beyond our control.

PRI anticipates this project to be completed in approximately a 4-5 month timeframe.

VII. Joint Accountabilities

Mountain Brook Police Department will be responsible for providing PRI access to and coordinating agency personnel availability, facilities and records management related systems, and providing available personnel to work with PRI staff during the onsite work. Police department personnel will also be required to conduct research that will be needed to help determine the status of records involved in the purge effort.

PRI will be responsible for carrying out the work requested, maintaining confidentiality of agency information and adhering to all mutually agreed upon schedules. Both parties will keep each other informed of any unforeseen changes or other issues that impact and influence the project so we can both adjust accordingly.

We will mutually accommodate each other's unexpected scheduling conflicts and agree to err on the side of over communication to keep each other abreast of all aspects of the project.

VIII. Terms and Conditions

Final payment in full due upon completion of the project.

Total Project Cost: \$25,485.00

Plus expenses: Expenses will be billed at actual cost. You will *not* be billed for phone calls, email, fax, supplies, administrative work or duplication costs. Travel and living expenses including standard airfare, hotel, rental car, and per diem will be billed separately at standard U.S. Government rates. Expenses are not to exceed \$ 7,500.00.

Guarantee

We guarantee the quality of our work. We provide the highest caliber management consulting services available and are the only consulting firm in the nation of its kind working solely in the field of police records management and crime reporting compliance. If you are not satisfied with any aspect of our services, we will correct it.

SIGNATURE PAGE

TODAYS DATE: October 19, 2023	
AGENCY CONTACT: Chris Thompson, Lieutenant Mountain Brook Police Department 101 Tibbett Street Mountain Brook, AL 35213 (205) 802- 3853	
E-MAIL:	
Thompsonc@mtnbrook.org	
FINANCE CONTACT:	
(Name)	
(Agency)	
(Email)	
APPROVED BY:	APPROVED BY:
Typed or printed name of Authorized Officer or Agent	Ed Claughton, CEO & PRI President
Title of Authorized Officer or Agent	
Date signed	Date signed

RESOLUTION NO. 2023-196

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby approves the conditional office use application at 2701 Cahaba Road.

ADOPTED:	This 27th day of November, 202	23.
APPROVED:	This 27th day of November, 2022	Council President 3.
		Mayor
the above to be Mountain Broo	ther Richards, City Clerk of the Carte and correct copy of a resol	ity of Mountain Brook, Alabama hereby certify ution adopted by the City Council of the City of lovember 27, 2023, as same appears in the
		City Clerk

CITY OF MOUNTAIN BROOK



Dana O. Hazen, AICP City Planner 56 Church Street

Mountain Brook, Alabama 35213 Telephone: 205/802-3816

Fax: 205.879.6913 hazend@mtnbrook.org www.mtnbrook.org

MEMO

DATE: November 13, 2023

TO: Mayor, City Council, City Manager, City Attorney

FROM: Dana Hazen, City Planner

RE: 2701 Cahaba Road, Mountain Brook Village (previous Barton-Clay building)

Conditional Use – Office Use

The Barton-Clay building is under new ownership, and the new owner seeks to establish his personal business office use on the second floor. The future tenant for the first floor has not been selected, but it is anticipated that it may be may be food use or retail use (*proper city approvals to be applied for at such time*).

The proposed second floor office use is what has been described by the new owner of the building as an alternate (second location); the primary office use being located in Birmingham is to remain. As such, it is not anticipated that there will be full-time use of the proposed second floor office.

The attached floor plan indicates 5 offices with one a reception desk, for a potential for 6 people to utilize the offices at any given time. The applicant has indicated that the second floor previously contained offices for three people (in conjunction with the Barton-Clay operation). Of course the previous second floor office use was ancillary to the primary retail use on the first floor (Barton-Clay), so there were likely no full-time employees utilizing the second floor.

The total square footage for the leasable area of both floors is 7,343 (4091 for the first floor, and 3252 for the second floor; the basement is excluded from parking calculations per the zoning code). The on-site parking required for the building (based on second floor office and first floor retail) is 33 parking spaces.

Attached is a survey of the property indicating that all of the street parking abutting this site along Cahaba Road and Culver Road is in the public ROW (even though it has historically been signed for private use by Barton-Clay patrons). Therefore, the 13 parking spaces shown on the survey cannot be credited toward onsite parking. However, the zoning code allows existing uses (that are non-conforming with regard to on-site parking) to continue and be replaced with like uses in spite of on-site parking deficits. Therefore, this office use (and any future retail use or evening food use on the first floor) would be allowed without parking being to-code.

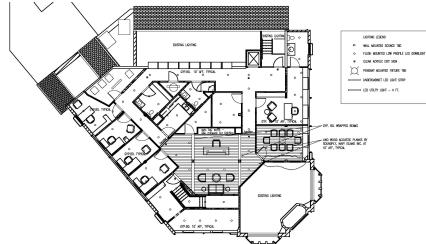
The zoning ordinance requires council approval of office uses as a conditional use, and states that any proposed conditional use will be reviewed as to the following:

- Whether the use would disparately impact public parking in the area;
- Whether vehicular or pedestrian circulation would be impacted by the use;
- Whether the use is compatible with surrounding existing uses;
- Whether the hours of operation or peak traffic times would impact existing uses.

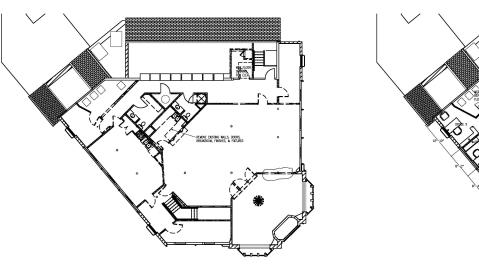
Notes from Applicant:

- number of employees during peak hour; [3-5 depending on the day. Most employees do not live local and one has another office downtown Birmingham]
- where the employees will park [long term parking on perimeter of village]
- hours of operation; [9:00 am -5:00 pm]
- days of the week; [Monday Friday]
- general description; [The space is to be primarily for the owner's family office and related entities. One initial tenant will be Trivela, a European League Soccer Club owner. There will be 3-4 offices used by Trivela and the most employees do not live in Alabama. The building owner will occupy 2 spaces for his family office. The owner has a business that is primarily located in downtown Birmingham and will not be full time at the Mtn Brook location often.]
- patrons expected during a peak hour; [This is not an office for regular visitors/customers. I can only estimate it would average less than one per day]

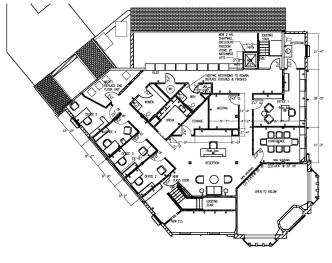
23004



LEVEL 2 - REFLECTED CEILING PLAN

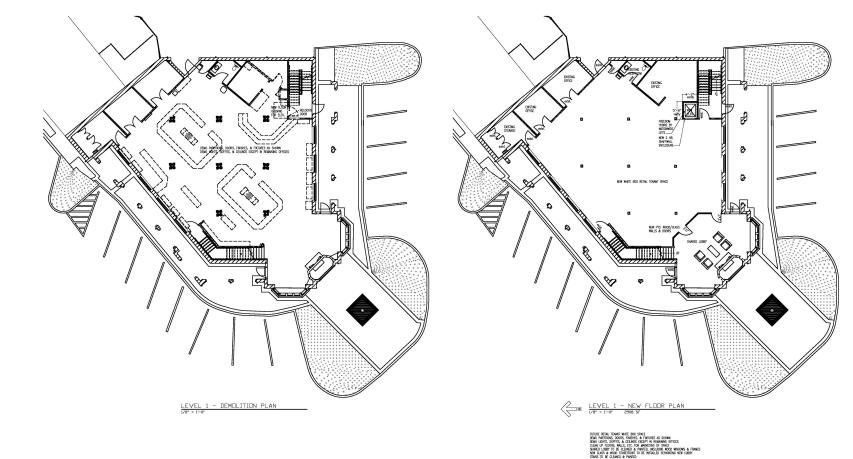


LEVEL 2 - DEMOLITION PLAN



LEVEL 2 - NEW FLOOR PLAN
2332 SF

JOB NUMBER: 23004



2920 FIRST AVENUE SOUTH BIRMINGHAM, ALABAMA 35233 CCRARCHITECTS.NET 205-324-8864 P 205-324-8496 F

GENERAL NOTES

BUILDING CODES: 2021 INTERNATIONAL BUILDING CODE 2021 INTERNATIONAL FIRE CODE 2021 INTERNATIONAL FIRE CODE 2021 INTERNATIONAL PLUMBING CODE 2021 INTERNATIONAL ELECTRIC CODE

ALL WORK MUST MEET APPLICABLE BUILDING CODES & ORDINANCE CONTRACTOR TO BOMUSH EXISTING PARTITIONS, DOORS, & FINISHES AS SHOWN.
CONTRACTOR TO NOTIFY ARCHITECT IN ADVANCE OF ANY DISCREPANCIES IN EXISTING CONDITIONS, DIMENSIONS, ETC.
CONTRACTOR TO PROVIDE SUBMITIALS ON ALL MATERIALS, LIGHTING, FINISHES, EQUIPMENT FOR REVEW AND APPROVINGING AND AND ANTERNALS IN ACCORDANCE WITH INDUSTRY STANDARDS AND MANUFACTURER'S IN ACCORDANCE WITH INDUSTRY STANDARDS AND MANUFACTURER'S INSTRICTIONS.

INSTRUCTIONS.
CONTRACTOR TO COORDINATE OWNER CONSULTANTS FOR TELEPHONE, DATA, SECURITY, FURNITURE, & EQUIPMENT.

CODE SYNOPSIS

CONSTRUCTION TYPE: EXISTING MASONRY & STEEL STRUCTURE TYPE IIIA SPRINKLERED

OCCUPANCY: GROUP B BUSINESS & M MERCANTILE

2ND FLOOR AREA: 3646 GSF EXISTING 1ST FLOOR AREA: 4031 GSF EXISTING BASEMENT AREA: 2169 GSF EXISTING

TYPE IIIB - GROUP B 19,000 SF PER FLOOR & 3 STORIES ALLOWED

STRUCTURAL FRAME 0 HOURS - EXISTING BEARING WALL 2 EXTERIOR EXTERIOR NONBEARING 0 INTERIOR NONBEARING 0 HOUR - EXISTING ROOF CONSTRUCTION 0 HOUR - EXISTING

SHAFT ENCLOSURE 2 HOURS

MINIMUM INTERIOR FINISHES ARE TO BE CLASS C

OCCUPANT LOADS: 2ND FLOOR - 14 OCCUPANTS BUSINESS 1ST FLOOR - 6 OCCUPANTS RETAIL BASEMENT - STORAGE EXISTING 36" EXIT DOORS ALLOW 160 OCCUPANTS

COMMON PATH OF TRAVEL DISTANCE - 100 FEET

EXIT ACCESS TRAVEL DISTANCE - 100 FEET

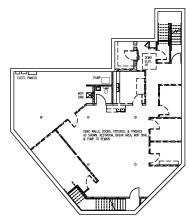
MINIMUM CORRIDOR WIDTH 44" PROVIDED

DEAD END CORRIDOR 50 FEET MAXIMUM

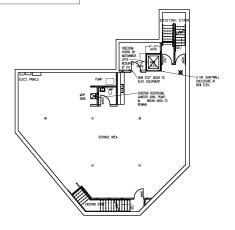
NUMBER OF REQUIRED EXITS: 1 (LESS THAN 49 OCCUPANTS & LESS THAN 75 FEET EXIT ACCESS TRAVEL DISTANCE)

EXITS PROVIDED: 1 - SECOND FLOOR 2 - FIRST FLOOR 1 - BASEMENT

RESTROOMS - 2 REQUIRED AND 2 EXISTING FOR 2ND FLOOR BUILDOUT









BASEMENT - NEW FLOOR PLAN

BASEMENT WHITE BOX TENANT SPACE DEMO PARTITIONS, DOORS, FIXTURES, & FINISHES AS SHOWN CLEAN & PAINT WHITE BOX SPACE FOR FUTURE TENANT







09-20-23

23004

TABLE A NOTES

TABLE A1: ALL MAJOR PROPERTY BOUNDARY CORNERS HAVE BEEN FOUND OR SET AS SHOWN ON SURVEY

TABLE A2: THE ADDRESS OF THE PROPERTY IS 2701 CAHABA ROAD, BIRMINGHAM, AL 35223

TABLE A3: THE SUBJECT PROPERTY IS LOCATED IN:

ZONE X, SHADED (AREAS OF 0,2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD
WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1
SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.)
ZONE X, UNSHADED (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)
ZONE AE, BASE FLOOD ELEVATIONS DETERMINED.

AS SHOWN ON FEMA FEDERAL INSURANCE RATE MAP # (01073C0557J PANEL 557 OF 775 MAP EFFECTIVE DATE. SEPTEMBER 24, 2021

THE SPECIAL FLOOD HAZARD AREA (SHFA) LINES SHOWN ON THIS SURVEY WERE TAKEN FROM THE CURRENT NATIONAL FLOOD HAZARD LAYER (NFHL). THE NFHL IS A GEOSPATIAL DATA BASE AND A PART OF FEMA'S NATIONAL FLOOD INSURANCE PROGRAM.

TABLE A4: THE GROSS LAND AREA OF THE SUBJECT PROPERTY IS 5966 SQUARE FEET OR 0.14 ACRES, BASED ON MONUMENTS FOUND OR SET.

TABLE AS: THE SURVEYOR WAS NOT PROVIDED WITH ANY ZONING INFORMATION FROM THE CLIENT, THE PROPERTY IS ZONED LOCAL BUSINESS DISTRICT ACCORDING TO CITY OF MONTAIN BROOK ZONING MAP POSTED AT https://www.mthbrook.org/pbs/page/zoning-map, THE ZONING REQUIREMENTS SHOWN ON THIS SURVEY ARE BASED ON THE MOUNTAIN BROOK ZONING ORDINANCE

TABLE A8: ALL SUBSTANTIAL FEATURES AS DESCRIBED BY THE ALTA/NSPS STANDARDS ARE SHOWN ON THE SUBVEY

TABLE A9:ALL PARKING SPACES HAVE BEEN SHOWN ON THE SURVEY, THE SURVEYOR DOES NOT CERTIFY THAT THE PARKING SPACES MEET ZONING CODE OR THAT THE PARKING SPACES ARE AMERICAN DISABILITY OF COMPLIANT.

TABLE A10(A): THE CLIENT DID NOT SPECIFY ANY PARTY WALLS TO BE OBSERVED.

TABLE A11: THE LOCATION OF THE UTILITIES SHOWN ON THIS SURVEY ARE BASED ON OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES AND EQUIPMENT. THE SURVEYOR WAS NOT PROVIDED A UNDERGROUND UTILITY MAP.

TABLE A13: THE NAMES OF THE ADJOINING PROPERTY OWNERS SHOWN ON THE SURVEY WERE OBTAINED FROM THE JEFFERSON COUNTY ALABAMA TAX ACCESSOR'S WEBSITE ON 2-3-2023.

TABLE A18: THE SURVEYOR OBSERVED NO EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS, ON THE DATE SHOWN HEREON.

TABLE A17: THE SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES AND OBSERVED NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS

TABLE A19: THE SURVEYOR WAS NOT PROVIDED WITH ANY DOCUMENTATION OF OFFSITE EASEMENTS OR SERVITUDES THAT BENEFIT THE SUBJECT PROPERTY.

SCHEDULE B ITEMS

SCHEDULE B SECTION II EXCEPTIONS FILE NO:A-08618 A DATED APRIL JANUARY 4, 2023 AT 08:00 AM (EXCEPTIONS ARE NUMBERED THE SAME AS THE TITLE COMMITMENT) (EXCEPTIONS 1,2,3,6,7,9 AND 10 ARE NOT A SURVEY MATTER.)

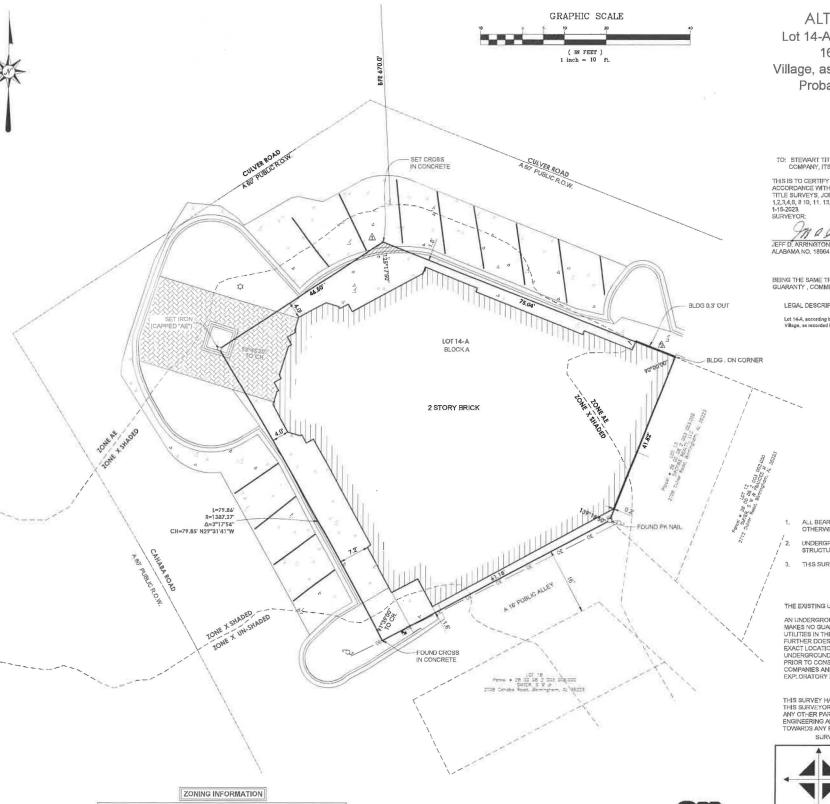
- 4. ANY ENGROACHMENT, ENGLIMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND CIRCUMSTANCE AFFECTING THE LAND, ANY ENGROACHMENTS EXISTING ON THE DATE OF THE SURVEY ARE AS SHOWN AND ON NOTED DIS SURVEY, APPROXIMATION THE DATE OF FRET OF THE SUBJECT LOT'S ENCUMBERED BY LIPBUE PARRINGS AND CURB AS SHOWN ON
- EASEMENT, BUILDING LINE(S), NOTES AND RESTRICTIONS AS SHOWN ON RECORDED MAP, DOES NOT AFFECT SUBJECT PROPERTY. THERE ARE NO EASEMENT BUILDING CODES. OR RESTRICTIONS ON THE MAP. THE PROPERTY IS SUBJECT TO THOSE RESTRICTIONS OUTLINED IN THE CURRENT CROMANCE.

STATEMENT OF ENCROACHMENTS

⚠ THE CURB AND GUTTER OF CULVER ROAD ON THE NORTH SIDE OF THE SUBJECT PROPERTY ENCROACHES 0 TO 2.8 FEET ONTO THE PROPERTY WITHOUT A KNOWN EASEMENT.

A
THE BUILDING ON THE NORTHEAST SIDE OF THE SUBJECT PROPERTY ENCROACHES 0.3 FEET ONTO THE CULVER ROAD RIGHT OF WAY WITHOUT A KNOWN EASEMENT.





ZONING CONDITION	REQUIRED	EXISTING
FRONT SETBACK	NONE	VARIES
REAR SETABOK	NONE	VARIES
SIDE SETBACK	NONE	VARIES
MAXIMUM HEIGHT	30 '	
PARKING SPACES	NONE	NONE

ALTA/NSPS LAND TITLE SURVEY OF Lot 14-A, according to the Resurvey of Lots 14, 15,

16 and 17, Block "A", Mountain Brook Village, as recorded in Map Book 183, Page 48, in the Probate Office of Jefferson County, Alabama

SURVEYORS CERTIFICATION

TO: STEWART TITLE GUARANTY, AND MAIN STREET CAPITAL LLC, AN ALABAMA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTEREST MAY APPEAR

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTANSPS LAND THE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES TERMS #9-12,34,6,8 10, 11, 13, 14, 18, 17, 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 1-19-2023.

JEFF D. ARRINGTON 2-4-2023

BEING THE SAME TRACT OF LAND DESCRIBED IN A TITLE REPORT PREPARED BY STEWART TITLE GUARANTY. COMMITMENT FILE NUMBER A-06618 DATED JANUARY 4, 2023 AT 08:00 AM

LEGAL DESCRIPTION FROM TITLE COMMITMENT

Let 14-A, seconding to the Resurvey of Lots 14, 15, 16 and 17, Black "A", Mountain Brook
Village, as recorded in Man Book 183 Page 48 in the Probate Office of Jefferson County Alabor.

Non

- ALL BEARINGS AND/OR ANGLES, AND DISTANCES ARE DEED AND ACTUAL UNLESS OTHERWISE NOTED: DEED=(D); MEASURED=(M); PLAT/RECORDED MAP=(P).
- 2. UNDERGROUND PORTIONS OF FOUNDATIONS, FOOTINGS, OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED UNLESS OTHERWISE NOTED.
- THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.

UTILITY STATEMENT

THE EXISTING UNDERGROUND UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE.

AN UNDERGROUND UTILITY SURVEY WAS NOT PERFORMED. THIS ENGINEER/SURVEYOR MAKES NO GUARANTEE THE UNDERGROUND UTILITIES SHOWN COMPROMISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE ENGINEER/SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. THE CONTRACTOR SHALL LOCATE ALL UTILITIES IN THE AREA PRIOR TO CONSTRUCTION. THIS LOCATION SHALL INCLUDE NOTIPHING ALL UTILITY COMPANIES AND ALBARMA ONE CALL AT 1-800-292-8525. THIS MAY ALSO REQUIRE EXPLORATORY HAND EXCAYATION TO DETERMINE THE EXACT LOCATION OF THE UTILITIES.

THIS SURVEY HAS BEEN PREPARED SOLELY FOR THE BENEFIT OF THE PARTIES SET FORTH IN THIS SURVEYOR'S CERTIFICATION AND MAY NOT BE USED, NOR MAY COPIES SE DELIVERED TO, ANY OTHER PARTY OR USED FOR ANY OTHER PURPOSE, WITHOUT LIMITATION, ARRINGTON ENGINEERING AND LAND SURVEYING INC EXPRESSLY DISCLAMS ANY DUTY OR COLLIGATION TOWARDS ANY PARTY THAT IS NOT IDENTIFIED IN THE SURVEYOR'S CERTIFICATE.



OFFICE: (205) 985-9315 Fax: (205) 985-9395 2032 Vauceyouc Roso Birminsham AL 35244

DRAWING TITLE ALTA/NSPS LAND TITLE SURVEY

Know what's below.

Call before you dig.

Call 2 working days before digging it's the Law! TION & DESCRIPTION



lo.	DRAWN BY	DBA
S. S	CHECKED BY:	JDA
S/SPI	DATE:	2-1-2023
AL)*	SCALE:	1" = 10"
1.	PARTY CHIEF	JJ
O Mariante	PROJECT NO.:	81072
mi.	SHEET	1 DF 1

PUD Document Link

https://www.mtnbrook.org/sites/default/files/fileattachments/city_council/meeting/15388/proposed_pud_rezoning_-council_packet_materials_-20231127_case_p-23-18_.pdf