

**MEETING AGENDA
MOUNTAIN BROOK CITY COUNCIL**

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

APRIL 22, 2024, 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 04222024).

1. Expression of gratitude to Brian Lucas for his dedicated service to the City on the Parks and Recreation Board.
2. Police Week Proclamation.
3. Small Business Week Proclamation.
4. Mountain Brook Chamber of Commerce Annual Report
5. Approval of the minutes of the April 8, 2024, regular meeting of the City Council.
6. Consideration: Resolution authorizing the sale or disposal of certain surplus property.
7. Consideration: Resolution recommending to the State of Alabama Alcoholic Beverage Control Board the issuance of a 020-Restaurant Retail Liquor license to Fridas Cosina and Cantina.
8. Consideration: Ordinance amending Chapter 38 of the Mountain Brook City Code.
9. Comments from residents and attendees.
10. Announcement: The next regular meeting of the City Council is May 13, 2024 at 7:00 p.m.
11. Adjourn.

**EXPRESSION OF GRATITUDE TO BRIAN LUCAS
FOR HIS DEDICATED SERVICE TO THE CITY ON THE
PARKS AND RECREATION BOARD**

RESOLUTION NO. 2024-063

WHEREAS, Brian Lucas served with dedicated distinction on the Mountain Brook Parks and Recreation Board from March 24, 2014 through April 8, 2024 and as Chairman for over eight years; and

WHEREAS, Brian Lucas used his time, talent, and influence to provide input and guidance to the Mountain Brook Parks and Recreation Department for future planning for numerous projects, including the renovations to the Athletic Complex at Mountain Brook High School and Mountain Brook Junior High and the conversion to artificial turf fields; the renovations and addition of LED lights at Mountain Brook Elementary and Cherokee Bend Elementary; the renovations to make Jemison Park more accessible to all; the installation of water fountains at several of our fields, parks, and trails; and adding public restrooms at all our sports fields including the first one at Mountain Brook Elementary affectionately called “Lucas Loo”; and

WHEREAS, Brian Lucas has been a selfless servant of the youth in Mountain Brook by coaching, mentoring, and advocating for them through Mountain Brook Athletics and Mountain Brook Lacrosse; and also played an instrumental part in re-organizing the unique partnership between the city, the Mountain Brook Board of Education, and the recreational programs; and mentoring members of Leadership Mountain Brook and Boy Scouts of America on their projects in the parks, two of which are popular dog parks; and

WHEREAS, In Brian Lucas’s tenure on the Parks and Recreation Board he consistently exhibited a dedication to the natural integrity of Mountain Brook’s green spaces that resulted in the continued enrichment of the quality of life for residents and visitors; and

NOW, THEREFORE, BE IT RESOLVED that the City Council and Mayor, on behalf of the residents of Mountain Brook, do publicly thank Brian Lucas, for his many years of exemplary service and wish him well in future endeavors.

ADOPTED: This 22nd day of April, 2024.

Virginia C. Smith
Council President

APPROVED: This 22nd day of April, 2024.

Stewart H. Welch III
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 April 22, 2024 as same appears in the minutes of record of said meeting.

Heather Richards, City Clerk

PROCLAMATION
NATIONAL POLICE WEEK AND
NATIONAL PEACE OFFICERS MEMORIAL DAY

WHEREAS, in 1963 the Congress of the United States and President John F. Kennedy proclaimed May 15 as National Peace Officers Memorial Day, and the week in which it falls as National Police Week; and

WHEREAS, National Police Week is a collaborative effort of many organizations dedicated to honoring America's law enforcement community; and

WHEREAS, there are approximately 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Mountain Brook Police Department; and

WHEREAS, since the first recorded death in 1786, more than 24,000 law enforcement officers in the United States have made the ultimate sacrifice and died or been killed in the line of duty, including Sergeant Freddie Jackson Harp, Officer George Todd Herring, and Officer Theron Houlditch of the Mountain Brook Police Department; and

WHEREAS, the members of the Mountain Brook Police Department play an essential role in safeguarding the rights and freedoms of the citizens of Mountain Brook; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their law enforcement agencies, and that members of the Mountain Brook Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the men and women of the Mountain Brook Police Department unceasingly provide a public service in a professional and courteous manner;

NOW, THEREFORE BE IT RESOLVED, I Mayor Stewart H. Welch III of the City of Mountain Brook, Alabama, do hereby proclaim the week of May 12th through 18th, 2024, as National Police Week and call upon all citizens of Mountain Brook to observe the 15th day of May 2024, as National Peace Officer's Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to the City of Mountain Brook and also, honor those survivors of our fallen heroes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Mountain Brook to be affixed the 8th day of May of the year of our Lord 2024 and of the Independence of the United States of America, the 248th.

Stewart H. Welch III, Mayor

PROCLAMATION

WHEREAS, the government of Mountain Brook, celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the United States Small Business Administration, there are 32.5 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 62% of net new jobs created since 1995, and small businesses employ 46.8% of the employees in the private sector in the United States; and

WHEREAS, In 1963, after the proclamation from President John F. Kennedy, the first National Small Business Week was celebrated to honor the top entrepreneurs in every state with awards and special recognition; and

WHEREAS, after this inaugural celebration, the week became an annual practice to encourage other small business owners and enable them to learn from the success stories of the top performers; and

WHEREAS, since 1963, the U.S. Small Business Administration has worked to assist and counsel small businesses to flourish in the land of opportunity which led to an annual increase in the number of small businesses in the country; and

WHEREAS, according to statistical data, more than half of Americans either own or work for a small business, and they create about two out of every three new jobs in the U.S. each year; and

WHEREAS, Mountain Brook supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

NOW, THEREFORE, I, Stewart H. Welch III, Mayor of Mountain Brook, Alabama do hereby proclaim, April 28 – May 4, 2024, as

“SMALL BUSINESS WEEK”

and urge the residents of our community, and communities across the country, to support small businesses and merchants during Small Business Week and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Mountain Brook to be affixed the 22nd day of April of the year of our Lord 2024 and of the Independence of the United States of America, the 248th.

Stewart H. Welch III, Mayor

Annual City Council Presentation
April 22, 2024



MOUNTAIN BROOK
CHAMBER OF COMMERCE



2024 Board of Directors and Chamber Staff




MOUNTAIN BROOK
CHAMBER OF COMMERCE

2023 Annual Report Highlights

- Record Number of New Members
- Completed the 2024-2027 Strategic Plan
- New Website
- Developed and Implemented Chamber Connect Program



MOUNTAIN BROOK
CHAMBER OF COMMERCE



2023


Annual Report

Social Media Reach
2022 vs. 2023
Instagram: 78% Increase
Facebook: 70% Increase



19


Networking & Member Training Events




33
Ribbon Cuttings



59
New Members




The Chamber continued to advocate for our members by proposing a mobile vending ordinance and working in tandem with the City of Mountain Brook to support the business community during the Jefferson County Sewer Improvement Project




5

Shopping Events




6
Luncheons



Formed a strategic media plan to promote tourism to Mountain Brook through statewide print and social media advertising campaigns.



Completed the 2024-2027 Mountain Brook Chamber of Commerce Strategic Plan to ensure the forward trajectory of the organization and our business community.




13

Community Events



Village Gold
67 Active Merchants
\$100,000 Issued
Reloadable Gift Card Format Available Early 2024



The Chamber launched a redesigned website in 2023 with a fresh look and more user-friendly capabilities.



www.mtnbrookchamber.org

2023 In Review

Partnered with City on communication surrounding the Jefferson County Sewer Improvement Project, and also hosted informational meetings for business owners



Hired Lizzie Maymon as a part-time Membership and Events Coordinator



MOUNTAIN BROOK
CHAMBER OF COMMERCE



Nominated 8 local businesses for Alabama Retailer of the Year, with ExVoto Vintage earning the award in the Silver Category



Business | Schools | Sports | Columns | Events | Sponsored Content | About Us

Council passes ordinance prohibiting commercial business out of vehicles

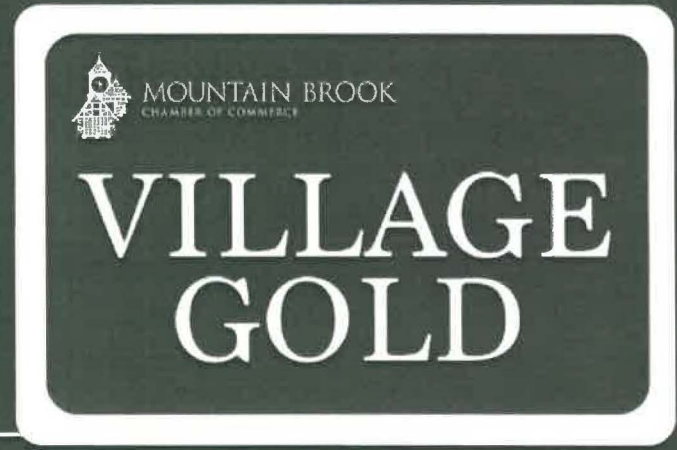
Worked with City Council and Planning to draft ordinance prohibiting commercial business from vehicles

2024 Year to Date

Chamber Ambassador Program



Village Gold Gift Card



Alabama Tourism Grant



Leadership Mountain Brook and Junior Board Collaboration



2024 Highlights



2024 Annual Luncheon



2024 Guide to Mountain Brook



22 New Members YTD



21st Annual Village to Village Run



Coffee and Connections



Community Easter Egg Roll




MOUNTAIN BROOK VILLAGE
Market Day
SATURDAY, JULY 20TH



 *Crestline* TENT SALE
SATURDAY, AUGUST 17TH, 2024
MTNBROOKCHAMBER.ORG 

Save the Date
THE MOUNTAIN BROOK CHAMBER
PRESENTS
Harvest
ON HOYT
—
A COMMUNITY SUPPER
SUNDAY,
OCTOBER 27, 2024
4:00 IN THE AFTERNOON
HOYT LANE IN CRESTLINE VILLAGE



**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
APRIL 8, 2024**

[As a convenience, members of the public were invited to listen and observe in the public meeting by Internet video conference-1 virtual attendee.]

The City Council of the City of Mountain Brook, Alabama met informally in-person at 6:30 p.m. on the 25th day of March, 2024 (others were allowed to listen to the meeting by way of Internet video conference, 1 attendee). Council President Virginia Smith called the pre-meeting to order and the roll was called with the following results:

Present: William S. Pritchard III, Council President Pro Tempore
Graham L. Smith
Gerald A. Garner
Stewart Welch III, Mayor

Absent: Virginia C. Smith, Council President
Lloyd C. Shelton

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

1. AGENDA

1. Bids for the new Fire Station No. 2

Adam Kent-Barrett Architecture Studio

- Stone Building LLC is the lowest responsible bid
- The bids received came within budget
- Once Stone Building develops a schedule, it should take 365 days to complete

Sam Gaston-City Manager

- The bids came in well below what was budgeted

Billy Pritchard-Council President Pro Tempore

- Item added to the formal agenda (Resolution No. 2024-059)

2. Indigent Attorney's Fee for Municipal Court

Heather Richards-City Clerk

- Historically, our public defenders filled out the attorney fee declaration in order to get reimbursed for their time
- This is a form that is utilized by district and circuit court
- This form is not necessary at the municipal level
- The form limits the pay of the public defenders to \$70 an hour per client
- Proposing paying \$300 per attorney, per court session (or the amount of the Fair Trial Tax- whichever is lesser)

Billy Pritchard-Council President Pro Tempore

- Item added to the formal agenda (Resolution 2024-060)

3. Convert Memory Triangle to a clover and wildflower cover

Dana Hazen-Director of Planning, Building, and Sustainability

- With the sewer project going on at Memory Triangle, this leaves a clean slate for a pollinator habitat
- Researched what would be used, how it would look during different seasons, how it would be maintained, etc.
- This is an experimental project
- Would like to install a seed mix of wildflowers that would bloom throughout a 9 month season
- It could take 1-3 years before it really takes hold
- It would cost about \$400 for the seeds
- Would have to manage expectations of the public due to it changing to a more relaxed vegetative feel
- This project would not have to be irrigated
- The Board of Landscape Design was in favor of the project

Billy Pritchard-Council President Pro Tempore

- Item added to the formal agenda (Resolution 2024-061)

4. Amendments to the City Code to address dirty and unmaintained awnings

Dana Hazen-Director of Planning, Building, and Sustainability

- Planning and Zoning would issue a written notice of the violation and give individuals 60 days to clean, repair, remove, etc.
- After 60 days of non-compliance, the ordinance provides for a fine of \$500 collected at the business license renewal
- There will also be an additional \$50 a month per month it is not remedied
- The awning issuance fee will be increased to \$100

Whit Colvin-City Attorney

- Added a sentence to the ordinance to make it clear that this did not cover awnings on residential structures

Billy Pritchard-Council President Pro Tempore

- Item added to the formal agenda (Ordinance 2159 and 2160)

5. Re-appointment of Jenifer Kimbrough to the Board of Education

Billy Pritchard-Council President Pro Tempore

- Jenifer Kimbrough's term is about to expire
- She is willing to serve again
- Received a letter from the Board recommending Jenifer Kimbrough to be re-appointed
- Item added to the formal agenda (Resolution 2024-062)

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 Virginia Smith adjourned the pre-meeting at approximately 6:53 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 April 8, 2024, 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 April 22, 2024

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
APRIL 8, 2024**

[As a convenience, members of the public were invited to listen and observe in the public meeting by Internet video conference-1 virtual attendee.]

The City Council of the City of Mountain Brook, Alabama met in person at 7:00 p.m. on the 8th day of April, 2024 (others were allowed to listen to the meeting by way of Internet video conference). Council President Virginia Smith called the meeting to order, and the roll was called with the following results:

Present: William S. Pritchard III, Council President Pro Tempore
Lloyd C. Shelton
Gerald A. Garner
Graham L. Smith

Absent: Virginia C. Smith, Council President
Lloyd C. Shelton

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

The Council President Pro Tempore 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 March 11, 2024, regular meeting of the City Council

2024-058	Authorize the sale or disposal of certain surplus property	Exhibit 1, Appendix 1
2024-059	Award the bid [B-20240215-911] for the Mountain Brook Fire Station No. 2 to Stone Building LLC	Exhibit 2, Appendix 2
2024-060	Approve the rate of pay for indigent defense services for the Mountain Brook Municipal Court	Exhibit 3, Appendix 3
2024-061	Approve the establishment of a native plant pollinator habitat at Memory Triangle	Exhibit 4, Appendix 4
2024-062	Re-appoint Jenifer G. Kimbrough to the Board of Education with the term of office to end May 31, 2029	Exhibit 5, Appendix 5

Thereupon, the foregoing minutes and resolutions (Nos. 2024-058 through 2024-062), were introduced by Council President Pro Tempore Pritchard and a motion for their immediate adoption made by Council Member Graham Smith. 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: William S. Pritchard III
Graham L. Smith
Gerald A. Garner

Nays: None

Abstained: None

Council President Pro Tempore Pritchard thereupon declared that said minutes and resolutions (Nos. 2024-58 through 2024-062) were adopted by a vote of 3—0 and as evidence thereof he signed the same.

2. CONSIDERATION OF ORDINANCE (NO. 2159) AMENDING CHAPTER 121 OF THE CITY CODE OF MOUNTAIN BROOK (EXHIBIT 6)

Council President Pro Tempore Pritchard introduced the ordinance in writing. It was then moved by Council Member Garner 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 be given and that the reading of the ordinance at length be waived. The motion was seconded by Council Member Graham Smith and was unanimously carried, as follows:

Ayes: William S. ("Billy") Pritchard III
Graham L. Smith
Gerald A. Garner

Nays: None

Council President Pro Tempore Pritchard declared the motion carried by a vote of 3-0.

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

Ayes: William S. ("Billy") Pritchard III
Graham L. Smith
Gerald A. Garner

Nays: None

Council President Virginia Smith declared that the ordinance (No. 2159) is hereby adopted by a vote of 3—0 and, as evidence thereof, he signed the same.

3. CONSIDERATION OF ORDINANCE (NO. 2160) AMENDING CHAPTER 14 OF THE CITY CODE OF MOUNTAIN BROOK (EXHIBIT 8)

Council President Pro Tempore Pritchard introduced the ordinance in writing. It was then moved by Council Member Garner 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 be given and that the reading of the ordinance at length be waived. The motion was seconded by Council Member Graham Smith and was unanimously carried, as follows:

Ayes: William S. ("Billy") Pritchard III
Graham L. Smith
Gerald A. Garner

Nays: None

Council President Pro Tempore Pritchard declared the motion carried by a vote of 3-0.

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

Ayes: William S. ("Billy") Pritchard III
Graham L. Smith
Gerald A. Garner

Nays: None

Council President Virginia Smith declared that the ordinance (No. 2160) is hereby adopted by a vote of 3—0 and, as evidence thereof, he signed the same.

4. COMMENTS FROM RESIDENCES AND ATTENDEES

(There were no public comments)

5. ANNOUNCEMENT

Council President Pro Tempore Pritchard announced the next regular meeting of the City Council is April 22, 2024, 7:00p.m.

6. ADJOURNMENT

There being no further matters for discussion Council President Pro Tempore Pritchard adjourned the formal meeting at approximately 7:03 pm.

7. 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 April 8, 2024, 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 April 22, 2024

RESOLUTION NO. 2024-066

**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 property, as described in the form as attached hereto as Exhibit A, owned by the City of Mountain Brook, Alabama are 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 April, 2024.

Council President

APPROVED: This 22nd day of April, 2024.

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 April 22, 2024, as same appears in the minutes of record of said meeting.

City Clerk



Heather Richards <richardsh@mtnbrook.org>

Monitors for Bid

1 message

Michael Aycock <aycockm@mtnbrook.org>

Wed, Apr 10, 2024 at 1:30 PM

To: Heather Richards <richardsh@mtnbrook.org>, it personnel <itpersonnel@mtnbrook.org>

Good afternoon,

Here are (2) monitors that will need to go out for bid:

(1) HP/Compaq LA2205wg 22" Monitor s/n 3CQ116BT50

(1) HP/Compaq LA2205wg 22" Monitor s/n 3CQ116BT4R

Pictures are attached.

Thanks,

Mike Aycock

Information Technology

City of Mountain Brook

[p] 205.864.4544

[e] aycockm@mtnbrook.org

[a] 56 Church Street, Mountain Brook, AL 35213



The City of
**MOUNTAIN
BROOK**
Est. 1992

2 attachments



HP Monitor 3CQ116BT50.jpg
643K



City of
Mountain Brook

Heather Richards <richardsh@mtnbrook.org>

Additional Auction Items

1 message

Michael Aycock <aycockm@mtnbrook.org>
To: Heather Richards <richardsh@mtnbrook.org>
Cc: it personnel <itpersonnel@mtnbrook.org>

Tue, Apr 9, 2024 at 8:17 AM

Good morning,

Here are (4) more items for auction.

1. HP Laserjet Pro 200 Printer (Color) s/n CND1H24790
2. Fujitsu FI-6110 Scanner s/n 018890
3. Vizio 42" TV Model E420i-A1 s/n LTYWNRDP0650220
4. Vizio 42" TV Model E420i-A1 s/n LTYWNRDP0650272

Thank you so much,

Have a wonderful day

Mike Aycock

Information Technology

City of Mountain Brook

[p] 205.864.4544

[e] aycockm@mtnbrook.org

[a] 56 Church Street, Mountain Brook, AL 35213



The City of
**MOUNTAIN
BROOK**
Est. 1942





BERNEY
Office Solutions
For Service and Supplies call
(334) 271-4750 or 1-800-239-3025
1 400000 0000 0000 0000 0000 0000
ID# 68614

Ameritek Equipment ID:
13224

Sales Service & Supplies
Guntersville 256-571-9612 Huntsville 256-895-6003
Birmingham 205-856-9925 Scottsboro 256-574-2300

LaserJet Pro 200 color M251nv





HP Compaq LA2205wg



HP Compaq LA2





HP Compaq L1220







RESOLUTION NO. 2024-067

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby recommends to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 020 – Restaurant Retail Liquor license to De La Huerta LLC, (trade name: Fridas Cosina and Cantina), 2031 Cahaba Road Suite A1, Mountain Brook, AL 35223.

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

ADOPTED: This 22nd day of April, 2024.

Council President

APPROVED: This 22nd day of April, 2024.

Mayor

CERTIFICATION

I, Heather Richards, City Clerk of the City of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its regular meeting held on April 22, 2024, as same appears in the minutes of record of said meeting.

City Clerk



CITY OF MOUNTAIN BROOK

P. O. Box 130009
Mountain Brook, Alabama 35213-0009
Telephone: 205.802.2400
Facsimile: 205.879.6913
www.mtnbrook.org

April 23, 2024

Ms. Valencia Johnson
Alabama ABC Board
234 Aquarius Drive, Suite 103
Homewood, AL 35209

Facsimile: (205) 942-2101

Gentlemen:

Attached is a copy of a resolution passed at the April 22, 2024, City Council meeting recommending the issuance of 020 – Restaurant Retail Liquor license as follows:

De La Huerta, LLC
Trade name: Fridas Cosina and Cantina
2031 Cahaba Road, Suite A1
Mountain Brook, AL 35223

If you have any questions, please call me at 802-3823.

Sincerely,

Heather Richards
City Clerk

Enclosure

c: Maribel Perez
perezm0510@gmail.com



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20240405110540935

Type License: 020 - RESTAURANT RETAIL LIQUOR **State:** \$300.00 **County:** \$300.00
Type License: **State:** **County:**
Trade Name: FRIDAS COSINA AND CANTINA **Filing Fee:** \$50.00
Applicant: DE LA HUERTA LLC **Transfer Fee:**
Location Address: 2031 CAHABA RD STE A1 MOUNTAIN BROOK, AL 35223
Mailing Address: 131 HIGHLAND DR HUEYTOWN, AL 35023
County: JEFFERSON **Tobacco sales:** NO **Tobacco Vending Machines:**
Product Type: **Type Ownership:** LLC
Book, Page, or Document info: 001 103 158
Do you sell Draft Beer?:
Date Incorporated: 10/10/2023 **State incorporated:** AL **County Incorporated:** JEFFERSON
Date of Authority: 10/10/2023
Federal Tax ID: 933836836 **Alabama State Sales Tax ID:** R012022067

Name:	Title:	Date and Place of Birth:	Residence Address:
MARIBEL PEREZ 25579475 - TX	OWNER	05/10/1980 SALINAS CA	131 HIGHLAND DR HUEYTOWN, AL 35023
MIGUEL ALEJANDRO HUERTA GARCIA 25579473 - TX	OWNER	01/11/1975 MEXICO	131 HIGHLAND DR HUEYTOWN, AL 35023

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES
Does ABC have any actions pending against the current licensee? NO
Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO
Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO
Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES
Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO
Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO
Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: MARIBEL PEREZ **Home Phone:** 832-457-6810
Business Phone: 832-457-6810 **Cell Phone:** 832-457-6810
Fax: **E-mail:** PEREZM0510@GMAIL.COM

PREVIOUS LICENSE INFORMATION: **Previous License Number(s)**
Trade Name: BOBBY CARLS TABLE **License 1:** 011261037
Applicant: JOCO HOSPITALITY LLC **License 2:**



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20240405110540935

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **ENGLISH VILLAGE LLC 205-540-0102**
 What is lessors primary business? **RENTAL PROPERTIES**
 Is lessor involved in any way with the alcoholic beverage business? **NO**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

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

Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **2533** Display Square Footage:
 Building seating capacity: **75** Does Licensed premises include a patio area? **YES**
 License Structure: **SHOPPING CENTER** License covers: **OTHER**
 Number of licenses in the vicinity: **0** Nearest: **0**
 Nearest school: Nearest church: Nearest residence: **0 miles**
 Location is within: **CITY LIMITS** Police protection: **CITY**

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

Name:	Violation & Date:	Arresting Agency:	Disposition:
ARRESTS OVER 10 YEARS AGO - SEE BACKGROUND CHECKS	ARRESTS OVER 10 YEARS AGO - SEE BACKGROUND CHECKS	ARRESTS OVER 10 YEARS AGO - SEE BACKGROUND CHECKS	ARRESTS OVER 10 YEARS AGO - SEE BACKGROUND CHECKS



STATE OF ALABAMA

ALCOHOLIC BEVERAGE CONTROL BOARD

ALCOHOL LICENSE APPLICATION



Confirmation Number: 20240405110540935

Initial each

MH

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

MH

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

MH

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

X

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

X

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

X

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

MH

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

MH

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

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

MH

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

Applicant Name (print): Miguel Alejandro Huerta Garcia
 Signature of Applicant: Miguel H
 Notary Name (print): Wendy Abbott
 Notary Signature: Wendy Abbott

WENDY LYNNE ABBOTT
NOTARY PUBLIC
STATE OF ALABAMA

Commission expires: 7/22/26

Application Taken: 04/05/24 **App. Inv. Completed:**
Submitted to Local Government:
Received in District Office: **Reviewed by Supervisor:**

Forwarded to District Office:
Received from Local Government:
Forwarded to Central Office:



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20240405110540935

**Private Clubs / Special Retail / Special Events / Wine Festival or Wine Festival
Participants licenses ONLY**

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Wine Festival / Wine Festival Participant licenses (5 Days or Less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

License Covers: STE A1

Receipt Confirmation Page

Receipt Confirmation Number: **20240405110540935**
Application Payment Confirmation Number: **99144268**

Payment Summary	
Payment Item	Fee
Application Fee for License 020	\$50.00
Total Amount to be Charged	\$50.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
020 - RESTAURANT RETAIL LIQUOR	\$300.00	\$300.00	\$600.00
			\$0.00
Total Amount to be Charged	\$300.00	\$300.00	\$600.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 020 - RESTAURANT RETAIL LIQUOR

License Type 2:

License County: JEFFERSON

Business Type: LLC

Trade Name: **FRIDAS COSINA AND CANTINA**

Applicant Name: **DE LA HUERTA LLC**

Location Address: 2031 CAHABA RD STE A1
MOUNTAIN BROOK, AL 35223

Mailing Address: 131 HIGHLAND DR
HUEYTOWN, AL 35023

Contact Person: **MARIBEL PEREZ**

Contact Home Phone: **832-457-6810**

Contact Business Phone: **832-457-6810**

Contact Fax:

Contact Cell Phone: **832-457-6810**

Contact Email Address:

Contact Web Address:

Contact Relationship to Applicant: **OWNER**

ORDINANCE NO. 2161

AN ORDINANCE AMENDING CHAPTER 38 OF THE CITY CODE

WHEREAS, the City of Mountain Brook, Alabama (the "City") operates certain public parks for recreational use by the public; and

WHEREAS, the Park and Recreation Board of the City of Mountain Brook promulgates rules and regulations for ordinary use of those parks; and

WHEREAS, the City Council of the City of Mountain Brook (the "City Council") has determined that it is in the public interest, and in the interest of the students, athletic participants and community members that use the City's parks that the parks should be closed for nighttime use, except as might be permitted in conjunction with authorized and approved events and overnight use of the parks should be prohibited altogether; and

WHEREAS, the adoption of the City's Park Use ordinance to establish a closing time for all parks, to prohibit post-closing activities in the parks, except as may be undertaken in conjunction with authorized events, and to prohibit any overnight use in the enumerated areas will promote the public safety, health and general welfare of its students, athletic participants and coaches, employees, community members and all other persons who use such areas.

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

Section 1. Chapter 38 of the City Code shall be amended as by adding the following section:

"Sec. 38-2 – Prohibited activities in public parks.

- (a) All Parks, as defined herein, shall close thirty minutes after sunset, except for events scheduled or authorized by the Recreation Board of the City of Mountain Brook or the Director of Parks and Recreation. No camping or overnight use of any Park shall be permitted at any time. It shall be unlawful for any individual to be in or upon the premises of any Park after the Park closes, unless the individual is participating in an event authorized as set forth above.
- (b) For the purposes of this Chapter, "Parks" shall be defined as follows: Alabama Veteran's Memorial Park, Cahaba River Walk, Canterbury Park, Crestline Tot Lot, Irondale Furnace, Jemison Park, Mountain Brook Athletic Complex, Mountain Brook Presbyterian Church Trails, Nature Trail (Overbrook Road), Overton Park, Rathmell Sports Park and Watkins Trace Trail, all public property surrounding such parks whether posted or designated as a Park or not, and any other public place in the City designated as a park by the City Council.
- (c) It shall be unlawful to violate any of the terms and provisions of this section. Any person, firm or corporation violating any of the said terms and provisions of this section shall,

upon conviction, be punished in accordance with Code of Ala. 1975, § 11-45-9 for a misdemeanor violation for each such offense. Each day any violation of this section shall continue shall constitute a separate offense.”

Section 2. This ordinance is cumulative in nature and is in addition to any power and authority which the City of Mountain Brook may have under any other ordinance or law.

Section 3. 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.

Section 4. All other ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama which are inconsistent with the provisions of this ordinance are hereby expressly repealed.

Section 5. This ordinance shall be effective immediately after adoption and publication as provided by law.

ADOPTED: This 22nd day of April, 2024.

Council President

ADOPTED: This 22nd day of April, 2024.

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 an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on April 22, 2024, as same appears in the minutes of record of said meeting, and published by posting copies thereof on April 23, 2024, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street

Overton Park, 3020 Overton Road

Gilchrist Pharmacy, 2850 Cahaba Road

Cahaba River Walk, 3503 Overton Road

City Clerk