

Due to COVID-19, attendees to the meeting may be limited. Public participation is invited by way of teleconference. To participate by phone, please call 425-436-6317 and enter Access Code 868882# when prompted.

**MEETING AGENDA OF THE  
MOUNTAIN BROOK CITY COUNCIL**

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

**MARCH 23, 2020, 7:00 P.M.**

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- ~~1. **Donate Life proclamation**~~ ~~XXXXXXXXXXXXXXXXXXXX~~ Scratched. Not considered essential minimum function or COVID-19 related.
- ~~2. **Consideration: Resolution recognizing Deputy Police Chief Gregory Hagood for his 28 years of service to the City**~~ ~~XXXXXXXXXXXXXXXXXXXX~~ Scratched. Not considered essential minimum function or COVID-19 related.
3. **Approval of the minutes of the March 8, 2020, regular meeting of the Mountain Brook City Council.**
4. **Approval of the minutes of the March 16, 2020, special meeting of the Mountain Brook City Council.**
5. **Announcement: The next regular meeting of the City Council is April 13, 2020, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.**
- ~~6. **Comments from residents**~~ ~~XXXXXXXXXXXXXXXXXXXX~~ Scratched.
7. **Adjourn.**

**MOUNTAIN BROOK CITY COUNCIL  
PRE-MEETING DISCUSSION  
MARCH 9, 2020**

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The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 6:00 p.m. on the 9th day of March, 2020. The Council President called the meeting to order and the roll was called with the following results:

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

Absent: None

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

**1. AGENDA**

1. Mariellan and Billy Morris and residents of Brookwood Road, between Crosshill Road and the northern city limits, to request sidewalks along this section of street (Appendix 1). Matt Stoops with Sain Associates was asked to determine whether there are any TAP grant funds available that the City could apply for and report back to the City Council
2. Additional evaluation for repairs on Smyer Road—David Marsh of ECS (Resolution No. 2020-038 was added to the formal meeting agenda.)
3. Construction, engineering and inspection contract with Sain Associates for the Dunbarton sidewalk project—Matt Stoops of Sain Associates (Resolution No. 2020-039 was added to the formal meeting agenda.)
4. Property at 3339 North Woodridge (code violations)—Glen Merchant (Appendix 2). The best outcome for the City is for HUD to take ownership of the property and then sell same. Mr. Merchant shall continue to monitor the situation for any new developments.
5. Fiscal 2020 street paving list—Ronnie Vaughn (Resolution No. 2020-037 was added to the formal meeting agenda.)
6. Traffic Island beautification project on Ridgeview Drive West—Shanda Williams (Resolution No. 2020-040 was added to the formal meeting agenda.)
7. Review of the other matters to be considered at the formal (7 p.m.) meeting

**8. EXECUTIVE SESSION AND ADJOURNMENT**

Council President Pro Tempore Pritchard made a motion that the City Council convene in executive session to discuss a real estate matter and another matter that could lead to litigation. The City Attorney verbally certified that the subject matter of the executive session is permissible under the Open Meetings Act.

The motion was seconded by Council President Smith. There being no further discussion, the vote was called with the following results:

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

Nays: None

Council President Smith thereupon declared that said motion carried by a vote of 5—0. She then announced that the City Council shall reconvene upon conclusion of the executive session at approximately 7 p.m. in Room A108. The pre-meeting was then adjourned at approximately 6:45 p.m.

#### 9. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct synopsis of the discussion from the work session of the City Council of the City of Mountain Brook, Alabama held at City Hall, Pre-Council Room (A106) on March 9, 2020, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that no formal action or votes were conducted at said work session.

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City Clerk  
Approved by City Council March 23, 2020

**MINUTES OF THE REGULAR OF THE  
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK  
MARCH 9, 2020**

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The City Council of the City of Mountain Brook, Alabama and met in public session in the City Hall Council Chamber at approximately 7:00 p.m. on the 9th day of March, 2020. The Council President called the meeting to order and the roll was called with the following results:

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

**Absent:** None

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

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

**1. PRESENTATION**

Mayor Welch, Fire Chief Chris Mullins and Deputy Fire Chief Stacy Cole presented Resolution No. 2020-034 (Exhibit 1) to Dr. Adam Robertson.

**2. LEADERSHIP MOUNTAIN BROOK CLASS OF 2019-2020**

The high school students participating in the 2019—2020 Leadership Mountain Brook presented their project plans as follows:

- A promotion video illustrating the amenities, culture and benefits of the City of Mountain Brook.

The video is expected to be approximately 2 minutes in length, to cost approximately \$2,000 to produce, will be housed on the Mountain Brook Chamber website and distributed through other social media outlets as well.

- A street map of the City to educate prospective and current residents including features of interest throughout the community.

It is estimated that maps can be produced for \$4,950 plus \$800 for 1,000 copies. The students are soliciting a sponsor to cover \$4,000 of the cost, \$1,000 from the Chamber and \$1,000 from the City. The maps will be sold by the Chamber for \$2 each and available for distribution by the sponsor for free.

The elected officials agreed that both proposals are worthy projects that the City would like to see implemented and agreeable to committing \$1,000 for each of the two projects. The matter was added to the consent agenda below.

**3. CONSENT AGENDA**

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

Approval of the minutes of the February 24 2020, regular meeting of the City Council

<b>2020-034</b>	Resolution expressing gratitude to Dr. Adam Robertson for his volunteer service as medical director for the Fire Department	Exhibit 1
<b>2020-035</b>	Authorize the execution of a professional services contract between the City and Skipper Consulting for a traffic study of the intersection of Dexter Avenue at Vine Street	Exhibit 2, Appendix 1
<b>2020-036</b>	Authorize the execution of the MWCF Deductible Addendum – 2020 with respect to the City’s high deductible workers’ compensation policy	Exhibit 3, Appendix 2
<b>2020-037</b>	Approve the proposed street paving/resurfacing list for fiscal 2020 under the City’s 3-year street resurfacing contract (see Resolution No. 2017-058 adopted May 8, 2017)	Exhibit 4, Appendix 3
<b>2020-038</b>	Authorize the execution of a professional services agreement between the City and ECS Southeast, LLP with respect to a Smyer Road repair feasibility study	Exhibit 5, Appendix 4
<b>2020-039</b>	Authorize the execution of a professional services agreement between the City and Sain Associates with respect to construction, engineering and inspection services for the Dunbarton TAP Sidewalk Project (TAPBH-TA18(931))	Exhibit 6, Appendix 5
<b>2020-040</b>	Authorize City Manager to pay, or cause to be paid for and on behalf of the City, up to \$1,000.00 for materials and provide City labor and equipment as necessary to install beautification improvements at the Ridgeview Drive West traffic island	Exhibit 7, Appendix 6
<b>2020-041 Motion</b>	Authorize the expenditure of \$1,000 (each) for the following 2019-2020 Mountain Brook Leadership Class projects: 1) promotional video for the Chamber website and Facebook and 2) community maps to be sold by the Chamber of Commerce	

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

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

Nays: None

Abstained: None

Council President Smith thereupon declared that said minutes, resolutions (Nos. 2020-034 through 2020-040) and motion (No. 2020-041) were adopted by a vote of 5—0 that and as evidence thereof she signed the same.

**4. ANNOUNCEMENTS**

The next regular meeting of the City Council will be March 9, 2020, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

**5. ADJOURNEMENT**

There being no further business or matters for discussion, Council President Smith adjourned the meeting at approximately 7:25 p.m.

**6. CERTIFICATION**

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the regular meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A108) on March 9, 2020, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

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City Clerk  
Approved by City Council March 23, 2020

**EXHIBIT 1****RESOLUTION NO. 2020-034**

**HONORING DR. ADAM ROBERTSON FOR HIS COMMUNITY SERVICE  
TO THE CITY OF MOUNTAIN BROOK**

**WHEREAS**, The City of Mountain Brook deems it necessary to highlight the community service and bestow honor on citizens who are committed to excellence and consistently strive to improve our community; and

**WHEREAS**, Dr. Adam Robertson is one of those people, as he has voluntarily served over 20 years as the Fire Department's Medical Director; and

**WHEREAS**, through Adam's leadership, he has provided the necessary medical training and credentials required to maintain a high-quality emergency medical service to the Birmingham area; and

**WHEREAS**, Dr. Adam Robertson is well connected with members of our medical community and has earned their well-deserved trust and respect, just retiring from his position as Birmingham Regional Emergency Medical Services System (BREMSS) Medical Director.

**NOW, THEREFORE**, I, Stewart H. Welch III, as Mayor issue this resolution to honor Dr. Adam Robertson in recognition and appreciation of his many years of dedicated service to humanity and our community.

**EXHIBIT 2****RESOLUTION NO. 2020-035**

**BE IT RESOLVED** by the City Council of the City of Mountain Brook, Alabama that the City Council hereby authorizes the execution of a professional services agreement between the City and Skipper

**MINUTES OF THE SPECIAL OF THE  
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK  
MARCH 16, 2020**

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The City Council of the City of Mountain Brook, Alabama and met in public session in the City Hall Council Chamber at approximately 4:00 p.m. on the 16th day of March, 2020. The Council President called the meeting to order and the roll was called with the following results:

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

Absent: None

Also present were City Attorneys Whit Colvin and Ben Pressley, City Manager Sam Gaston and City Clerk Steven Boone.

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

**1. CONSIDERATION: MAYORAL DECLARATION [MOTION NO. 2020-042] OF PUBLIC HEALTH AND SAFETY EMERGENCY RELATED TO THE COVID-19 VIRUS AND PROPOSED MEASURES TO MITIGATE ITS SPREAD (EXHIVIT 1)**

Council President Smith invited the Mayor to introduce the proposed declaration and initiate the discussion.

[Attendees of the public meeting included department supervisors and other City employees, a member of the news media, and the President and Executive Director of the Mountain Brook Chamber of Commerce. The President waived formalities and the attendees engaged in a work session-like discussion summarized as follows:]

Mayor Welch:

- Expressed thanks to City Staff, especially the Fire Chief, for their efforts in drafting the proposed declaration
- Minor editorial revisions were discussed and agreed upon with respect to the declaration and directives

Fire Chief Chris Mullins:

- The declaration outlines measures to minimize the potential for exposure to the virus
- City facilities are being closed to the public and non-essential services are being modified or discontinued temporarily

Mayor Welch:

- City Hall doors shall be locked and signage placed outside informing the public that city services shall continue remotely by way of telephone, fax, email and website
- Public or organized gatherings of 10 people or more shall not be permitted (following the guidelines suggested by the President of the United States)
  - “Prohibited” changed to “shall not be permitted”
  - “25” changed to “10”

- Restaurant and bars shall close for one week as mandated by the Jefferson County Department of Health
- Parks that will be closed will be locked to the extent possible
- The High School track is not covered and its use shall be governed by the Board of Education
- Public restrooms shall be closed and locked

Chief Mullins:

- Three paramedics have been assigned to the reserve ambulance and stationed at the Police and Fire Training Facility. This unit will respond to all COVID-19 and flu-type calls to avoid possible contact by other first responders as such contact will require their quarantine and inability to respond to future calls.
- Triage tents have been placed at the entrances of Stations 2 and 3 to keep the public out of the fire stations
- The Station 1 lobby shall serve as a triage area
- The public is being asked to contact their physicians or the emergency room for questions or treatment

Police Chief Ted Cook:

- Procedures have been implemented to minimize interactions with the public
- Voluntary public fingerprinting services have been discontinued
- Police reports will be taken by telephone when practical/possible
- The prescription drug depository will be closed

Mayor Welch

- Health officials are warning that the number of cases will double every two days hence the measures to minimize contact with others

Lindsay Gardner, Library Director:

- Expressed concern about her employees who either do not accrue or otherwise ineligible to take paid time off and fears that they may report to work when sick to avoid a disruption of their income
- Uncomfortable having workers report to the building even though the building is closed to the public
- Is exploring the possibility of her staff working from home
- There are 11 part-time and 3 full-time employees still in their probationary period all of which are at risk of missing pay in the event of illness or closure
- Would like to see paid time off extended to those who are currently ineligible

[There is federal legislation proposed that mandates paid time off for Corona virus-related sick leave.]

It was suggested by Ms. Gardner that the Library Board take up the matter.

Elected officials suggested that the City Manager and Finance Director be included in the conversation.

Finance Director Steven Boone expressed his opinion that any proposed paid time off or other policy revisions involving public funds should ultimately be approved by the City Council.

Mayor Welch:

- Suggested that the department heads start immediately formulating specific action plans to address such concerns and report back to the City Manager (e.g., employees working from home, self-isolation measures and symptoms that warrant self-isolation)

There being no further discussion, President Smith invited a motion to ratify the Mayor declaration of public health and safety emergency. Council President Pro Tempore Pritchard made a motion ratifying the Mayor declaration and authorizing future modifications that may be necessary to reflect federal, state or local

mandates or guidelines. Council President Smith seconded the motion to ratify the declaration and future modifications that may be warranted. Then, upon the question being put and the roll called, the vote was recorded as follows:

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

Nays: None

Abstained: None

Council President Smith thereupon declared that said Mayoral declaration (No. 2020-042) was adopted by a vote of 5—0 and as evidence thereof the Mayor signed the same.

## 2. ANNOUNCEMENTS

The next regular meeting of the City Council will be March 23, 2020, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

## 3. ADJOURNEMENT

There being no further business or matters for discussion, Council President Smith adjourned the meeting at approximately 4:40 p.m.

## 4. CERTIFICATION

I, Steven Boone, 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 A108) on March 16, 2020, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

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 City Clerk  
 Approved by City Council March 23, 2020

## EXHIBIT 1

[MOTION NO. 2020-042]

### DECLARATION OF PUBLIC HEALTH EMERGENCY

**WHEREAS**, on March 13, 2020, Donald J. Trump, the President of the United States, declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19); and

**WHEREAS**, Kay Ivey, Governor of the State of Alabama, declared a State Public Health Emergency in the State of Alabama; and

**WHEREAS**, Dr. Mark Wilson, Health Officer, Jefferson County Health Department, has declared a Health Emergency for Jefferson County; and

**WHEREAS**, the appearance of COVID–19 in the City of Mountain Brook indicates the potential of widespread exposure to an infectious agent that poses significant risk or substantial harm to a large number of residents; and

**WHEREAS**, the City Council of the City of Mountain Brook and Mayor Stewart Welch wish to remain proactive and vigilant with regard to our residents, workers, patrons and visitors to the City and city employee’s safety;

**NOW, THEREFORE**, I, Stewart Welch, Mayor of the City of Mountain Brook, hereby declare that a public health and safety emergency exists.

**Declared this 16<sup>th</sup> day of March, 2020 by:**

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Stewart Welch, Mayor

**FURTHER**, I hereby proclaim and direct all City Departments to adhere to the following:

**Directives**

**TO THE PUBLIC**

- There are to be **NO** visitors to any city buildings or facilities.
- Administrative city services shall be conducted remotely (e.g., telephone, fax, e-mail and online)
- Any public or organized gathering of **10** people or more shall not be permitted.
- The City will follow the Jefferson County Health Department mandate, that all restaurants and bars will be closed to dine-in/bar service for a minimum of one week. Take-out/curb service will be allowed.
- The Emmet O’Neal Library will be closed to the public until further notice (online services shall continue).
- All City Parks that have playgrounds or that are fenced are closed (Overton Park, Canterbury Park, Crestline Tot-Lot, Cahaba River Walk – including the dog park, Athletic Complex). Parks/Trails that will remain **open** are: Jemison Trail, Watkins Trail, Nature Trail, Irondale Furnace Trail, Mountain Brook Presbyterian Church Trail. However, maintenance on the trails will be limited. The rental of the Cahaba River Walk and Overton Park Pavilions is suspended until further notice.
- All sports fields (Mountain Brook Elementary, Brookwood Forest, Crestline Elementary, Cherokee Bend Elementary, Mountain Brook Junior High School, Mountain Brook High School), and public restrooms are closed.
- All non-emergency fire department functions (CPR classes, car seat installations, fire station tours, non-emergency blood pressure screenings, fire drills) will cease until further notice.
- City fire stations are closed to all non-emergency traffic. **No** non-departmental personnel (including family members) will be allowed in the fire stations until further notice.

**TO OUR CITY EMPLOYEES**

- Non-essential business travel by city employees is suspended until further notice unless approved by the City Manager.
- Personal travel by city employees is highly discouraged. Additionally, city employees should inform their supervisor of any travel or potential exposure to the Covid-19 Virus. If employees (or family members) choose to travel or has any potential exposure to the Covid-19 Virus, the employee may be prohibited from returning to work for a minimum of 48 hours and up to 14 days or more. The length of time the employee may be prohibited from returning to work will be made on a case-by-case basis, taking into consideration the most current information from the Centers for Disease Control (CDC).
- Do not report to work if sick or if you have reason to believe you have been exposed to someone who has Covid-19. If an employee reports to work and it is determined that the employee is sick, based on signs and symptoms and/or an elevated temperature, at the discretion of the department head or his/her designee, the employee will not be allowed to work and may use any available paid time off under City policy.

**General Advice**

- ✓ Avoid gatherings of people (religious services, auditoriums).
- ✓ When in a crowd, use 'social distancing', staying at least six feet apart if possible.
- ✓ Be mindful of surfaces touched (especially handles, of all types).
- ✓ Use your knuckle or elbow to turn on light switches.
- ✓ Use a paper towel to lift gas handles at the gas pumps.
- ✓ Wash hands thoroughly (at least 20 seconds) with soap and water after any potential exposure, and frequently throughout the day for good measure (use of hand sanitizer with > 60% alcohol will suffice in lieu of soap and water).
- ✓ Keep a bottle of hand sanitizer at the entrance of your house; use it upon entering and leaving your residence.
- ✓ No handshaking.
- ✓ No hugging or 'social kissing' when greeting friends or relatives
- ✓ Use sanitizing wipes on surfaces in public areas prior to use.
- ✓ If you feel sick: STAY AT HOME. Do not go out and risk infecting others.

**Attachment 1****Links for Coronavirus Information**

Centers for Disease Control Link:

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Alabama Department of Public Health Link:

<http://alabamapublichealth.gov/infectiousdiseases/2019-coronavirus.html>

World Health Organization Link:

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

Jefferson County Department of Public Health Link:

<http://www.jeffcohealth.org/coronavirus-covid19>

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