

**Vestavia Hills
City Council Agenda
Special Meeting
March 18, 2014
11:59 AM**

1. Call to Order
2. Roll Call
3. Invocation – John Henley
4. Pledge of Allegiance

New Business (Unanimous Consent Requested)

5. Ordinance Number 2464 – An Ordinance Canvassing And Declaring The Results Of A Special Municipal Election Held In The City Of Vestavia Hills, Alabama, On Tuesday, February 25, 2014, Regarding A Property Tax For March 11 Public School Purposes
6. Citizens Comments
7. Motion For Adjournment

ORDINANCE NUMBER 2484

The Mayor stated that this was the date fixed by law for the canvass of the returns of the special municipal tax election held in the City on March 11, 2014, which had been called by Ordinance No. 2475, adopted on December 23, 2013. The Mayor and Council, constituting a board of canvassers, thereupon proceeded to canvass the returns respecting the proposition submitted to the electors of the City at the said election, and upon completion of such canvass the following ordinance, together with the preambles thereto, was introduced in writing by Councilmember Henley:

AN ORDINANCE CANVASSING AND DECLARING THE RESULTS OF A SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF VESTAVIA HILLS, ALABAMA, ON TUESDAY, FEBRUARY 25, 2014, REGARDING A PROPERTY TAX FOR MARCH 11 PUBLIC SCHOOL PURPOSES

WHEREAS, at a meeting of the City Council ("the Council") of the City of Vestavia Hills ("the City") in the State of Alabama held on December 23, 2013, Ordinance No. 2475 was duly adopted by the Council in which a special municipal election was called to be held in the City on March 11, 2014 (being the second Tuesday in the month of March), for the purpose of submitting to the qualified electors of the City to determine their will with respect to the following proposition:

Shall the 10.5 mill (or \$1.05 on each \$100 of the assessed value of taxable property) ad valorem tax presently being levied by the City of Vestavia Hills, Alabama, for use by the Vestavia Hills City Board of Education for public school purposes, pursuant to the general provisions of the Constitution and laws of the State of Alabama and an election held in the City on May 8, 1990, as part of an annual special municipal school tax now being levied at the rate of 25.6 mills on each dollar (or \$2.56 on each \$100) of the assessed value of taxable property in the City until and including the tax year for which municipal taxes will become due and payable on October 1, 2017, continue to be levied annually, commencing with the tax year for which taxes will become due and payable on October 1, 2018, and for each consecutive tax year thereafter, without limit as to time, in continuation of the tax increase approved at the election held in the City on May 8, 1990?

WHEREAS, notice of the said election was posted in four public places in the City (viz., Vestavia Hills Municipal Center, Vestavia Hills Public Library, Vestavia Hills Civic Center, and the Cahaba Heights Senior Center [New Merkle House], and also on the City's website), there being no newspaper published and having general circulation in the City, in the form provided in the said ordinance, said posting having been more than thirty days before the date of the said election, and having also been on or before the second Tuesday of the second month next preceding the month in which the said election was held;

WHEREAS, the said election was held in the City on March 11, 2014, in all respects as provided in the said notice between the hours of 7:00 o'clock, a.m., and 7:00 o'clock, p.m., being the legal hours provided by law for holding the said election, and the ballot used in the said election was in all respects in the form therefor set out in the said ordinance, and the officials who conducted the said election have duly made and duly filed with the Council their respective reports, returns, and certificates; and

WHEREAS, the Council is required by law to canvass the returns of the said election on the first Tuesday next after the said election, and declare the results thereof, and at a meeting of the Council held on March 18, 2014, the Council, acting as a board of canvassers, has duly canvassed the said returns and ascertained the results of the said election with respect to the said proposition;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Vestavia Hills, acting as a board of canvassers for the purpose of canvassing the results of the said election, as follows:

(1) the recitations contained in the foregoing preambles are hereby found and declared to be true and are hereby adopted as a part of this ordinance;

(2) the said election was duly called, notice thereof was duly given, and the said election was duly held and the ballots used thereat were in all respects as provided by law;

(3) at the said election on the said proposition, the canvass of the returns indicated the following:

<u>For the Location of Voting Place</u>	<u>Against the Proposed Tax</u>	<u>Proposed Tax</u>
Vestavia Hills United Methodist Church 2061 Kentucky Avenue Vestavia Hills, Alabama	422	38
Horizon Church 2345 Columbiana Road Vestavia Hills, Alabama	202	27
Liberty Park Baptist Church 12001 Liberty Parkway Vestavia Hills, Alabama	194	17
Mountaintop Community Church 225 Centerview Drive Vestavia Hills, Alabama	217	14
Town Village Vestavia Hills 2385 Dolly Ridge Road Vestavia Hills, Alabama	506	39
Cahaba Heights Community and Senior Citizens Center 4401 Dolly Ridge Road Vestavia Hills, Alabama	141	27
Absentee Balloting - Vestavia Hills City Hall 513 Montgomery Highway Vestavia Hills, Alabama	33	1
Provisional ballots	<u>00</u>	<u>00</u>
TOTALS	1,715	163

(4) at the said election on the said proposition a total of 1,878 votes were received and cast; of the said votes so received and cast 1,715 votes were received and cast for the levy of the said special tax and 163 votes were received and cast against the levy of the said special tax; that the number of votes received and cast in the said election in favor of the levy of the said special tax exceeded by 1,552 votes the number of votes received and cast in the said election against the levy of the said special tax; and that at the said election a majority of the qualified electors of the said City who voted thereat voted in favor of the levy of the said special tax.

BE IT FURTHER ORDAINED, that this ordinance shall comprise the canvass and declaration by the Council of the results of the aforesaid election and shall be recorded in the minutes of the proceedings of the City.

ADOPTED and APPROVED this 18th day of March, 2014

Mayor

ATTEST:

City Clerk

[S E A L]

Councilmember _____ moved that the rules be suspended and unanimous consent be given for immediate consideration of and action on the said ordinance, which motion was seconded by Councilmember _____ and, upon the same being put to vote, the following vote was recorded:

YEAS

NAYS

Mayor Alberto C. Zaragoza, Jr.
Councilmembers Steve Ammons
John Henley
George B. Pierce
Jim Sharp

The Mayor thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember _____ thereupon moved that the foregoing ordinance be adopted, which motion was seconded by Councilmember _____ and, upon the same being put to vote, the following vote was recorded:

YEAS

NAYS

Mayor Alberto C. Zaragoza, Jr.
Councilmembers Steve Ammons
John Henley
George B. Pierce
Jim Sharp

The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.