

**Vestavia Hills
City Council Agenda
October 9, 2017
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Reverend Nate French, Interim Pastor of Liberty Park Baptist Church
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. Proclamation – Fire Prevention Month – October 2017
7. City Manager’s Report
8. Councilors’ Reports
9. Approval of Minutes – September 18, 2017 (Work Session), September 18, 2017 (Regular Meeting), and September 25, 2017 (Regular Meeting)

Old Business

New Business

10. Resolution Number 4989 – A Resolution Accepting A Bid For Police Uniforms For The Police Department Of The City Of Vestavia Hills, Alabama
11. Resolution Number 4990 – A Resolution Declaring A Weed And Other Vegetation Nuisance Pursuant To Ordinance Number 2567 And Directing The City Manager To Abate Said Nuisance (*public hearing*)
12. Resolution Number 4991 – A Resolution Declaring A Weed And Other Vegetation Nuisance Pursuant To Ordinance Number 2567 And Directing The City Manager To Abate Said Nuisance (*public hearing*)
13. Resolution Number 4992 – A Resolution Rescheduling A Regular Meeting Of The Vestavia Hills City Council
14. Resolution Number 4993 – A Resolution Determining That Certain Personal Property Is Not Needed For Public Or Municipal Purposes And Directing The Sale/Disposal Of Said Surplus Property
15. Resolution Number 4994 – A Resolution Authorizing The Mayor And City Manager To Execute And Deliver A Memorandum Of Understanding (MOU) Agreement With Jefferson County For Storm Debris Removal From Devastating Storms Which May Occur In The City Of Vestavia Hills, Alabama

New Business (Unanimous Consent Requested)

First Reading (No Action Taken At This Meeting)

16. Citizen Comments
17. Motion For Adjournment

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

WORK SESSION

SEPTEMBER 18, 2017

The City Council of Vestavia Hills met in a regular work session on this date at 4:30 PM following posting/publication as required by Alabama law. The Mayor called the meeting to order and the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor
Paul J. Head, Councilor
George Pierce, Councilor

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick Boone, City Attorney
Rebecca Leavings, City Clerk
Keith Blanton, Building Official
Christopher Brady, City Engineer
Cinnamon McCulley, Comm. Specialist

Mr. Downes addressed the Council on the following issues:

- Pedestrian Bridge across Montgomery Highway: Blair Perry from Gresham, Smith and Partners gave a brief background of the proposed bridge and showed designs as they are being studied now by ALDOT. He explained the location on both sides of the highway, building materials and estimated cost of \$1.6 million including CEI (construction, engineering and inspection). Mrs. Cook asked if landscaping elements, similar to the High Line in New York City, could be incorporated into the design. Mr. Downes advised that these elements could be considered later, but warned that consideration now could slow the ALDOT approval process.
- Public/private stormwater management issues:
 - Allen Arrington, President of the Vestavia Lake Association, addressed the Council and gave a presentation regarding the current situation of Vestavia Lake Drive, including the collection of sediment from construction upstream to the weakening of the earthen dam on the south end of the lake. Discussion ensued as to responsibility for the maintenance of the lake and the dam, the current and proposed depth of

the lake, etc. He requested assistance from the City for corrective actions to keep the lake clean and strengthen the dam.

- John Turner, resident, stated that there is an old terra cotta pipe that spans 200' behind his property, which has failed and is causing problems for the drainage system. He explained the flumes that are north of his property conduct water onto his and his neighbors' properties and requested assistance of the City for corrective action.

Discussion ensued as to the Supreme Court decision in the flooding case of Patton Creek and whether if the City begins to take up maintenance of these areas it will eventually become the City's responsibility.

There being no further business, the meeting adjourned at 5:55 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

SEPTEMBER 18, 2017

The City Council of Vestavia Hills met in special session on this date at 6:00 PM(rescheduled from September 11, 2017 due to severe weather conditions). Mayor Curry called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor
Paul Head, Councilor
George Pierce, Councilor

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick Boone, City Attorney
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Terry Ray, Asst. Fire Chief
Scott Key, Fire Marshal
Melvin Turner, Finance Director
George Sawaya, Asst. Treasurer
Christopher Brady, City Engineer
Lori Beth Kearley, Asst. City Engineer

Jim Sharp, former Councilor and Planning and Zoning Commissioner, provided the invocation, followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION

- Mrs. Cook announced that the City Schools Foundation will be hosting a luncheon fundraiser on October 3, 2017. Mike Lutzenkirchen will be the keynote speaker.
- Mr. Pierce asked everyone to save the date for “Viva Vestavia Hills – Eat, Drink and Be Scary” to be held on October 26, 2017, from 6:30 to 9 PM. Tickets are on sale at the Chamber office.
- Mr. Pierce introduced Karen Odle, President, Vestavia Hills Chamber of Commerce, for announcements.
 - Mrs. Odle recognized Board Member, Rachel Patterson, who was present representing the chamber.

- The 3rd Helping Hands in the Hills was held on September 9, which turned out to be a beautiful day. The event also offered e-recycle, shredding, hazardous waste disposal and police “take-back” of drugs. Record volumes of all items were received that day. She stated that they also helped 28 residents with needed projects throughout the City. She read some feedback that she received in relation to these projects.
- Mr. Head stated that the regular Parks and Recreation Board meeting will be held here at City Hall tomorrow morning beginning at 7:30 AM.

PRESENTATION – VESTAVIA HILLS POLICE FOUNDATION

Mr. Downes introduced a Police Foundation representative, Burke Swearingen.

Mr. Swearingen presented a design proposal for a Thin Blue Line Monument to be erected at the City Hall in front of the Police Department building. Doug Travis, designer, stated that they feel this monument will be a fitting tribute for many years in honor of our men in blue. The Foundation will be working to raise funds for this purpose.

PRESENTATION – BOY SCOUT TROOP 76

Mr. Downes introduced Boy Scouts from Troop 76. Harrison Downes, on behalf of Troop 76, presented a check to the Vestavia Hills Police Foundation in the amount of \$800 raised from their annual pine-straw sale. He stated that his troop feels this would be a wonderful project for the City and wanted to contribute.

PRESENTATION – VESTAVIA SUNRISE ROTARY

Mr. Downes introduced Andy Tunnell from the Sunrise Rotary Club.

Mr. Tunnell stated that the Rotary Club recently hosted a First Responders celebration, which is the primary means of raising money to aid the City’s first responders. He stated that the proceeds from this year’s celebration were used to obtain night-vision equipment for the Police Department along with \$8,000 for the Fire Department to purchase a large-diameter rolling rack for hoses. He invited everyone to next year’s celebration to help assist the City’s first responders.

PROCLAMATION – GYNECOLOGIC CANCER AWARENESS MONTH

The Mayor presented a Proclamation designating the month of September 2017 as “Gynecologic Cancer Awareness Month.” Mr. Downes read the Proclamation and presented it to Dr. Alice Laurendine, ovarian cancer survivor and former Vestavia Hills school system administrator.

PROCLAMATION – NATIONAL ASSISTED LIVING WEEK

The Mayor presented a Proclamation designating the week of September 10-16, 2017, as National Assisted Living Week. Mr. Downes read the Proclamation and presented it to Morningside of Vestavia Hills, formerly Chateau Vestavia. Attending on behalf of Morningside were Yarlardo Henderson Peals, Executive Director; Joyce Jones, Resident Council President; Kimberly Turner, Resident Services Director; Sheila Lackey, Sales Director.

PROCLAMATION – CONSTITUTION WEEK

The Mayor presented a Proclamation designating the week of September 17-23, 2017 as Constitution Week. Mr. Downes read the Proclamation and presented it to Daughters of the American Revolution (Lily of the Cahaba Chapter). Members Cindi Akins and Melinda Shackleford received the proclamation on behalf of their organization.

CERTIFICATE OF RECOGNITION – LONNIE TERRY

The Mayor presented a Certificate of Recognition to Lonnie Terry in honor of his retirement. Mr. Downes stated that Mr. Terry has given 43 years of service to the City through the library. He read the certificate and honored Mr. Terry on his services to the City and wished him well on his retirement. His fellow employees shared in this moment and the Mayor presented him the proclamation along with a tribute from Daniel Tackett.

Mr. Terry thanked the City Council for the honor and for the recognition and the ability to serve the City.

PROMOTIONAL CEREMONY – MARVIN GREEN, FIRE CHIEF

Mr. Downes introduced Fire Chief Marvin Green and his wife, Stacy, and son, Mason. He announced that Chief Green has been appointed as the new Fire Chief for the City of Vestavia Hills. He is a 21-year veteran of the fire service with 19 of years of that service in Vestavia Hills. He holds several degrees, has served as fire chief of Green Pond, Alabama and is a trainer for several training programs around the state.

The Mayor congratulated Chief Green and pinned his badge on his coat. Stacy Green then pinned the bugle on his collar.

Chief Green thanked the Mayor, Council and City Manager for the opportunity to lead the Fire Department for the City.

CITY MANAGER'S REPORT

- None.

COUNCILOR REPORTS

- Mr. Pierce stated he will be at the Chamber Board meeting on Thursday at 7:45 AM.
- Mr. Pierce announced several upcoming ribbon cuttings, including one on September 22.
- Mayor stated that the Help the Hills Coalition program will be held tomorrow evening, September 19, at Tyson Hall, Vestavia Hills Methodist Church. He stated that, at 6 PM, Dr. Hal Saunders will make a presentation about teens, stress and anxiety. Following this event, on October 3, there will be a follow-up event, the annual Community Night Out.

APPROVAL OF MINUTES

The minutes of the August 16, 2017 (Special Work Session), August 16, 2017 (Special Meeting) and August 28, 2017 (Regular Meeting) were presented for approval.

The minutes of the August 16, 2017 (Special Work Session), August 16, 2017 (Special Meeting) and August 28, 2017 (Regular Meeting) were presented for approval.

MOTION Motion to dispense with the reading of the minutes of August 16, 2017 (special work session), and approve them as presented was by Mr. Weaver and second by Mrs. Cook. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

MOTION Motion to dispense with the reading of the minutes of August 16, 2017 (special meeting) and approve them as presented was by Mr. Pierce and second by Mrs. Cook. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

MOTION Motion to dispense with the reading of the minutes of August 28, 2017 (regular meeting) and approve them as presented was by Mr. Weaver and second by Mr. Head. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

OLD BUSINESS

RESOLUTION NUMBER 4975

Resolution Number 4975 – A Resolution Approving And Adopting The General Fund Budget, A Special Revenue Fund Budget, A Capital Project Fund Budget, And A Community Services Fund Budget For The City Of Vestavia Hills For The Period Beginning October 1, 2017 Until September 30, 2018 (public hearing)

MOTION Motion to approve Resolution Number 4975 was made by Mrs. Cook and second was by Mr. Weaver.

Mr. Downes stated that this was presented several weeks ago and that the Council met in work session to discuss it in depth. He stated that the expenditures equal the forecasted revenues. The budget includes a special funds budget for capital expenditures, including funding for several public stormwater infrastructure projects, which were deemed to be of immediate concern, and also a Community Spaces project fund to provide for revenues and expenditures related to the Gold's Gym property.

The Mayor opened the floor for a public hearing.

David Harwell, 1803 Catala Road, stated that the total budget is \$45 million for this year and asked about the increase from last year. Mr. Downes stated this is a 3% increase from last year. He then explained the additional revenues were derived from ad valorem and sales tax revenue growth. This budget does not include any proposed increase in sales taxes.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

RESOLUTION NUMBER 4978

Resolution Number 4978 – A Resolution Accepting A Bid For Right-Of-Way Vegetation Control For FY 2018 (public hearing)

Mr. Downes stated that this contract bid provides vegetation control for areas that are difficult to mow along the city rights-of-way. He explained the bids and the recommendation.

Mr. Davis explained the purpose of the bids and the proposed three-year bids. He explained that it has been the City's experience these type contractors will not bid against one another and he believes that is the reason the City only received one bid.

Mr. Downes stated this is a nominal increase from the previous bid and contract.

MOTION Motion to approve Resolution Number 4978 was made by Mrs. Cook and second was by Mr. Weaver.

The Mayor opened the floor for a public hearing. There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

RESOLUTION NUMBER 4979

Resolution Number 4979 – A Resolution Accepting A Bid For “Inside The Fence” Recreational Field Maintenance For FY 2018 (public hearing)

Mr. Davis stated that this is a bid for maintenance of the City’s recreational field areas located “inside the fence,” a contracted service that has improved the condition of the fields in past years. Bids were invited and only one bid was received. He recommended the bid for acceptance. He stated that this bid was all inclusive.

MOTION Motion to approve Resolution Number 4979 was made by Mr. Pierce and second was by Mr. Weaver.

Mr. Pierce asked if this contract also includes lining and dragging the fields. Mr. Davis stated it is included in the contract.

Mr. Pierce stated he could see a major difference in the Cahaba Heights fields and that they really looked good. Mr. Davis stated they have experienced a dramatic decrease in complaints.

Mrs. Cook asked about the cost of preparing for special events such as tournaments. Mr. Davis stated some of that is built-in and, if it were an outside event, the host would pay for anything extra.

The Mayor opened the floor for a public hearing. There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

NEW BUSINESS

RESOLUTION NUMBER 4980

Resolution Number 4980 – A Resolution Granting Alabama Power Company A Utility Easement For Connection Of Electrical Service At The Former Altadena Valley Country Club

MOTION Motion to approve Resolution Number 4980 was made by Mr. Pierce and second was by Mr. Weaver.

Mr. Downes explained that this Resolution is an Alabama Power easement across some City property at the old Altadena Valley Country Club. He stated it is to provide electrical service to an Alagasco facility.

Mr. Brady explained the location and indicated he finds no problem.

Mr. Boone asked if this will be underground. Mr. Brady stated it is a pole providing service to an underground utility.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

RESOLUTION NUMBER 4981

Resolution Number 4981 – A Resolution Granting Alabama Power Company A Utility Easement For Connection Of Electrical Service At Byrd Park

MOTION Motion to approve Resolution Number 4981 was made by Mr. Pierce and second was by Mr. Weaver.

Mr. Brady stated that he has reviewed this request and find no problems. This services an expansion and new construction at the school.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

RESOLUTION NUMBER 4982

Resolution Number 4982 – A Resolution Authorizing The City Manager To Issue A Refund To Alliance Wealth Builders For Overpayment Of Their 2013-2017 Business License

MOTION Motion to approve Resolution Number 4982 was made by Mrs. Cook and second was by Mr. Weaver

Mr. Downes explained that this is an overpayment of a business license over multiple years due to the fact this company overstated their gross receipts. RDS has reviewed the request and finds it is in order.

Mr. Turner stated the information was submitted to his department and he finds the refund is in order.

Doug Estes was present representing RDS.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

RESOLUTION NUMBER 4983

Resolution Number 4983 – A Resolution Authorizing The Mayor And The City Manager To Execute And Deliver A Three-Year Agreement With Rivertree Systems, Inc., For Auditing Services

MOTION Motion to approve Resolution Number 4983 was made by Mr. Weaver and second was by Mrs. Cook.

Mr. Downes explained that this Resolution renews a three-year contract with Rivertree for auditing services.

Mrs. Cook asked about the auditing services being performed.

Jim Thomas was present representing Rivertree Systems, Inc., explained that they audit for business licenses, sales/use taxes and others for businesses located outside of the City of Vestavia Hills, while RDS audits businesses within the City limits.

Mr. Turner stated that they do an exceptional job for the City and he has used them for years.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes Mr. Head – yes
Mr. Pierce – yes Mr. Weaver – yes
Mayor Curry – yes Motion carried.

RESOLUTION NUMBER 4984

Resolution Number 4984 – A Resolution Granting Alabama Power Company A Utility Easement For Connection Of Electrical Service At Wald Park

MOTION Motion to approve Resolution Number 4984 was made by Mrs. Cook and second was by Mr. Head.

Mr. Brady explained that this Resolution allows an electrical easement for access to another school expansion at Wald Park. He indicated he has reviewed the request and find no problems.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes Mr. Head – yes
Mr. Pierce – yes Mr. Weaver – yes
Mayor Curry – yes Motion carried.

RESOLUTION NUMBER 4985

Resolution Number 4985 – A Resolution Accepting A Bid For Right-Of-Way Mowing Along Montgomery Highway And Columbiana Road

MOTION Motion to approve Resolution Number 4985 was made by Mr. Pierce and second was by Mr. Weaver.

Mr. Davis explained that this Resolution accepts a bid for ROW mowing along Montgomery Highway and Columbiana Road. He stated that this is only a two-year agreement in order to eventually align the right-of-way contracts. Out of three bids received, he recommends the low-bidder, Turf Management. He explained that this contract includes monument mowing at the southern and northern gateways.

Mr. Pierce asked about the price difference in the returned bids.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes Mr. Head – yes

Mr. Pierce – yes
Mayor Curry – yes

Mr. Weaver – yes
Motion carried.

RESOLUTION NUMBER 4986

Resolution Number 4986 – A Resolution Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With Jefferson County Regarding Maintenance Of “Through Roads” In The City Of Vestavia Hills, Alabama

MOTION Motion to approve Resolution Number 4986 was made by Mr. Weaver and second was by Mrs. Cook.

Mr. Downes explained that this Resolution revives an old Jefferson County through-road agreement, which was discontinued when Jefferson County hit financial hardships. This assists with maintenance of certain designated through-roads and bridges and allows the city to apply for various grant opportunities. He explained the terms of the agreement, the collaboration of the jurisdictions and the inclusion of new roads and bridges. He read the roadways designated in the agreement. Jefferson County has restructured some debt and the resulting savings will allow maintenance and improvement funding for some of these roadways.

Mr. Pierce asked if this would affect the intersection of Green Valley and Crosshaven.

Mr. Downes stated that this project predates annexation, the right-of-way has already been purchased and the City is collaborating with a future commercial entity to move forward with the improvements.

Mrs. Cook asked why the portion of Dolly Ridge Rd. on the Cahaba Heights side of Highway 280 was not included in the agreement. Mr. Downes stated that it was deemed ineligible by Jefferson County.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes
Mr. Pierce – yes
Mayor Curry – yes

Mr. Head – yes
Mr. Weaver – yes
Motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)

The Mayor stated that the following resolutions and/or ordinances will be presented at a public hearing at the Council’s next regular meeting on September 25, 2017, at 6:00 PM.

- None.

CITIZEN COMMENTS

Katherine McRee, 3944 Riverview Drive, stated that, in the past, she was told Jefferson County would always maintain Crosshaven and she is confused why the City had ever taken over maintenance of Crosshaven Drive.

Mr. Downes explained that there was no direct responsibility of Jefferson County to maintain Crosshaven except that, prior to annexation, they commissioned designs to be drawn for the improvement of the Green Valley/Crosshaven intersection and, because of that, their leadership had continued even after all responsibility was abandoned by the County.

Mr. Brady explained that the County had stated if the City were to take over complete maintenance, the City would have to pay for that new design.

Ms. McRee asked about the through-road agreement and whether it would be possible to put in a date for the infrastructure improvement completion. Mr. Downes responded this might slow down the process.

Mrs. Cook stated that, earlier, she had reviewed the agreement and requested a termination option so that, if the funding does not come through, the City can abandon the contract. Mr. Downes stated this bilateral termination option is part of the agreement.

Missy Turner, 3309 Ridgely Circle, asked about who has had responsibility for stormwater drainage systems over the last ten years, particularly along Crosshaven Drive.

Mr. Downes stated that this is the intersection that they have been discussing and the roadwork is within the City's realm of responsibility. He stated responsibility for the stormwater system maintenance is determined by the location.

Robert DeBuys, 3467 Mossbrook Lane, asked if the agreement would change the role of zoning approvals, right-of-way ownership and sidewalk location.

Mr. Downes stated that regulatory review would require collaboration. He stated this would not constrain sidewalk installation at all.

Mr. DeBuys stated he understands there is a sidewalk fund that several businesses have paid into and have not seen a sidewalk installed. He asked what needs to happen for this to occur.

Mr. Downes stated that sidewalk funding has only been collected from Winn Dixie and the funding from the budget passed tonight contains funding up to \$100,000 for sidewalk construction in this area.

Mr. Debuys stated that there is a building requirement that requires a business to pay into this, but we have allowed other businesses to build without contributing.

Mr. Brady stated they require developers to pay \$50 per linear foot, but they have only collected from Zaxby's, which has a small frontage, and Winn Dixie. He stated that, with the County improvements on the horizon, it did not make sense to install sidewalks right now that might be destroyed by the improvements.

Mrs. Cook asked if these sidewalk funds are segregated. Mr. Downes stated the funds are put into a sidewalk fund.

Mr. Pierce stated that the County will widen the roadway and later the sidewalks will be constructed using City funds.

At 7:24 PM, Mrs. Cook made a motion to adjourn. The meeting adjourned at 7:24 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

SEPTEMBER 25, 2017

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM. Mayor Curry called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor
Paul Head, Councilor
George Pierce, Councilor

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick Boone, City Attorney
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Melvin Turner, Finance Director
George Sawaya, Asst. Treasurer
Brian Davis, Public Services Director

Todd Lafferty, Pastor of Mobilization at Shades Mountain Baptist Church, provided the invocation, followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION

- Mrs. Cook announced that the next Vestavia Hills Board of Education meeting will be on September 27, 2017, beginning at 6 PM.
- Mr. Pierce reminded everyone of the Eat Drink and Be Scary event, which is scheduled for October 26, 2017, from 6-9 PM, at Hollywood Pool and Spa, benefitting the Chamber Foundation.
- Mr. Pierce welcomed Doug Dean, representing the Chamber of Commerce.
- Mayor Curry encouraged everyone to get out and vote tomorrow on the special Senate runoff election.

PROCLAMATION

The Mayor presented a proclamation designating September 24-30 as Family Week. Mr. Downes read the proclamation aloud and the Mayor presented it to Mr. Tim Holmes, representing The Exchange Club of Shelby County

Mr. Holmes thanked the Mayor and Council for the Proclamation and wished to share it with others to show the importance of family.

FINANCIAL REPORTS

Mr. Sawaya presented the financial reports for month ending August 2017. He read and explained the balances.

Mr. Pierce asked about the loss of utility fees.

CITY MANAGER'S REPORT

- Mr. Downes gave a brief presentation concerning cyber-security. He showed a news report that showed Montgomery County was recently paralyzed due to a ransomware attack. He indicated that the County did pay a \$32,000 ransom today. However, even after paying the ransom, the backup data was still corrupted. He stated this is happening all over the nation and, thanks to the Council, some efforts were recently funded and the new firewall is installed. While nothing is foolproof, they are trying to keep up with the cyber-security technology. Discussion ensued as to the corruption of the backup data and Mr. Downes indicated that the City will collaborate with the City of Montgomery staff to determine the cause of their weakness so our City can better protect our backup data and have more robust recovery techniques. The damage to the backups had occurred by the time the virus attack was discovered.
- Mr. Downes stated some steps have been taken to ensure that the City's website has some redundancy in order to allow it to come back if a major catastrophe occurs. He stated the only way to do this would be to have the website hosted in multiple locations so they are looking at other providers. Mr. Pierce stated he heard a speaker from FBI who might be willing to come and discuss cyber-security with City officials.
- Replacement of the streetlight fixtures along Montgomery Highway is continuing to progress. Mr. Downes indicated that the LED lighting along the highway would be completed within about three weeks, if the weather holds, and the City should soon be seeing the savings as a result.
- Mr. Downes called Mr. Davis and Gary Stignani, Republic Services, to address the Council in regard to the new sanitation contract, which goes into effect on October 1.
 - Mr. Stignani thanked the Chamber and the Helping Hands in the Hills group for collaboration on the e-recycling and hazardous waste disposal that was very successful. He stated they collected close to 13 tons of waste this year from that

program. The new contract allows for this to be held twice a year. He explained the new contract parameters regarding scheduling and indicated that the company is in the process of purchasing new trucks for the bulk pickup. He introduced interactive routing application as well as incentive driver programs to assist in more efficient pickups.

- Mr. Pierce asked if there was direct access from Republic to the city's Action Center. Mr. Stignani stated they now have direct access to the Action Center. He stated they encourage residents to use the Action Center, but the driver can report it also. The debris should be picked up within 10 days. Discussion ensued as to the number of supervisors out in the field, requests falling through the cracks, things that residents can do to assist in the pickup if all bags are not in the container, the type of truck that'll be used for general pickup, etc. Mr. Stignani indicated they will be providing drivers access to an online application that will improve efficiency of reporting and faster action on bulk debris pickup requests.

COUNCILOR REPORTS

- Mrs. Cook thanked the Interim Superintendent of Education Dr. Charles Mason for reaching out to the City Manager and the members of the City Council for recent meetings. She stated she felt her conversation with him was very productive and she learned about his goals, provided to him by the Board of Education.
- Mrs. Cook stated she has gotten a lot of questions regarding the status of the Green Valley/Crosshaven intersection improvements and that she has asked the City Manager to set up a public meeting to explain the status of the project. She indicated that Mr. Downes must coordinate with several other officials, so it would take some time to get the meeting together. She encouraged people to come to this meeting so they could ask questions and get information.
- Mr. Pierce thanked the Chamber for the Helping Hands in the Hills project which assisted a lot of Vestavia Hills residents. He stated Holiday in the Hills will be coming up shortly.
- The Mayor stated that a citizen survey will be going out in the mail within the next week. This survey has been done every couple of years and will be compared against a baseline of prior years. He encouraged everyone who receives this survey to return it. He stated residents will be contacted by either mail, email or telephone.

APPROVAL OF MINUTES

None.

OLD BUSINESS

NEW BUSINESS

RESOLUTION NUMBER 4987

Resolution Number 4987 – A Resolution Approving An Wine License For Chuck E Cheese; John Cardinale, Thomas Leverton, and David Deck, Executives; Carla Brown, Manager, Representing (*public hearing*)

MOTION Motion to approve Resolution Number 4987 was made by Mr. Pierce and second was by Mr. Weaver.

Mr. Downes stated that this is a request to add table wine to the existing beer license at the Chuck E. Cheese restaurant. The police department has reviewed the requested and noted no problems.

Carla Brown, Manager, was present in regard to this request.

Mr. Pierce asked about training of employees to ensure legal sales.

Ms. Brown explained that all registers have the software to scan a customer's driver's license and it is company policy to only allow two drinks per guest and these must be sold at least one hour apart.

The Mayor opened the floor for a public hearing. There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

RESOLUTION NUMBER 4988

Resolution Number 4988 – A Resolution Authorizing The Mayor And City Manager To Execute And Deliver Agreements With Regions Bank For Lease/Purchase Of Capital Equipment

MOTION Motion to approve Resolution Number 4988 was made by Mr. Weaver and second was by Mrs. Cook.

Mr. Downes stated that this is a Resolution to finance capital equipment budgeted in the FY18 budget, through Regions Bank. He showed the quotes received from area banks and indicated that the Finance Director had recommended approval of these agreements.

Mr. Boone indicated he has reviewed the agreements and found no problems.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)

The Mayor stated that the following resolutions and/or ordinances will be presented at a public hearing at the Council's next regular meeting on October 9, 2017, at 6:00 PM.

- Ordinance Number 2730 – Rezoning To B-2 With Conditions And Conditional Use For Outdoor Recreation – 2221 And 2301 Old Columbiana Road; Lots 1 & 2, Polhemus Addition To Vestavia Hills; Continental Equity Corp. And Russell Polhemus, LLC, Owners (*public hearing rescheduled to October 9*)

CITIZEN COMMENTS

At 6:48 PM, Mrs. Cook made a motion to adjourn seconded by Mr. Pierce. The meeting adjourned at 6:48 PM.

Ashley Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 4989

A RESOLUTION ACCEPTING A BID FOR POLICE UNIFORMS FOR THE POLICE DEPARTMENT OF THE CITY OF VESTAVIA HILLS, ALABAMA

WHEREAS, on September 29, 2017 at 10:00 a.m. the City of Vestavia Hills publicly read aloud bids submitted for Police Uniforms; and

WHEREAS, the Police Chief has reviewed the bids, detailed them in an Interoffice Memorandum to the City Manager dated October 4, 2017 and recommended acceptance of the bid submitted by MAC Uniform. A copy of said Interoffice Memorandum is marked as Exhibit A attached to and incorporated into this Resolution Number 4989 as if written fully therein; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to accept the recommendation of the Police Chief and accept said bid as detailed in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The bid submitted by MAC Uniform as detailed in attached Exhibit A and recommended by the Police Chief, is hereby accepted; and
2. This Resolution Number 4989 shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 9th day of October, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

EXHIBIT A

VESTAVIA HILLS POLICE DEPARTMENT

To: Mr. Downes

MEMO

From: Chief Dan Rary

CC: Becky Leavings

Date: 4 Oct 2017

Re: Request for Council agenda

Mr. Downes,

I am requesting that the following item be placed on the City Councils agenda for 9 Oct 2017 for first read.

I am recommend that we accept the low bid for the Police Department uniform allowance. The low bid was from MAC's Uniform.

MAC's Uniform	\$1,980.65
---------------	------------

Gail's Uniform	\$2,128.99
----------------	------------

RESOLUTION NUMBER 4990

**A RESOLUTION DECLARING A WEED AND
OTHER VEGETATION NUISANCE PURSUANT TO
ORDINANCE NUMBER 2567 AND DIRECTING THE
CITY MANAGER TO ABATE SAID NUISANCE**

WHEREAS, on May 11, 2015, the City Council of the City of Vestavia Hills, Alabama, adopted and approved Ordinance Number 2567 to establish a procedure for the abatement of grass and weeds and for the prosecution and abatement of grass and weed violations; and

WHEREAS, the City's Compliance Officer has made a "First Demand" on the property located at 3404 East Street; a copy of which is marked as "Exhibit A," attached to and incorporated into this Resolution Number 4990 as if written fully therein; and

WHEREAS, a public hearing was conducted at the regularly scheduled City Council meeting of October 9, 2017 at 6:00 PM in which the facts of the matter were discussed; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to declare the property a nuisance and direct the City Manager to abate said nuisance pursuant to the provisions set forth in Ordinance Number 2567; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. The property located at 3404 East Street is hereby declared a nuisance pursuant to the provisions of Ordinance Number 2567 and the City Manager is hereby authorized to abate said nuisance pursuant to the terms and provisions of said ordinance.
2. This Resolution shall become effective immediately upon its approval and adoption.

APPROVED and ADOPTED this the 9th day of October, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

1 ORI # AL0010900	2 Date of Report 09 28 17	3 Time of Report 12:00	4 Incident Type Report <input type="checkbox"/> Incident <input checked="" type="checkbox"/> Offense <input type="checkbox"/> Supplement	5 Supplement Date	6 Agency Case Number 2017-00028143
----------------------	------------------------------	---------------------------	---	-------------------	---------------------------------------

8 Agency Name
Vestavia Hills Police Department

9 Sector

10 Type of Incident or Offense Weeds <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Attempted <input checked="" type="checkbox"/> Completed	11 Degree (Circle) 1 2 3	12 UCR Code	13 State Code/Local Ordinance VHC 302.4
--	-----------------------------	-------------	---

14 Type of Incident or Offense <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Attempted <input type="checkbox"/> Completed	15 Degree (Circle) 1 2 3	16 UCR Code	17 State Code/Local Ordinance
--	-----------------------------	-------------	-------------------------------

18 Place of Occurrence <input type="checkbox"/> Check here if event occurred at victim's residence	Victim Demographics (Where victim is an individual)		
19 Sex <input type="checkbox"/> M <input type="checkbox"/> F	20 Race <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I	21 Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Other	22 Multiple Victims <input type="checkbox"/> LE Officer
	23 Age		27 Bias Code

If offense occurred at victim's residence, then only the approximate location should be listed in this section. (For example, a block number should be entered.) If the offense occurred elsewhere, then the specific address should be listed here.

29 Point of Entry <input type="checkbox"/> Door <input type="checkbox"/> Roof <input type="checkbox"/> Window <input type="checkbox"/> Other	30 Method of Entry <input type="checkbox"/> Forcible <input type="checkbox"/> Attempted Forcible <input type="checkbox"/> No Force	31 Local Use	32 Lighting 1 Natural 2 Moon 3 Artificial Exterior 4 Artificial Interior 5 Unknown
---	---	--------------	---

33 Weather 1 Clear 2 Cloudy 3 Rain 4 Fog 5 Snow 6 Hail 7 Unknown	34 Location Type (Circle) 01 Terminal 02 Bank 03 Bar 04 Church 05 Commercial 06 Construction 07 Conv Store 08 Dept Store 09 Drug Store 10 Field/Woods 11 Govt/Public Building 12 Supermarket 13 Highway/Street 14 Hotel/Motel 15 Jail/Prison 16 Lake/Waterway 17 Liquor Store 18 Parking Lot/Garage 19 Storage Facility 20 Residence/Home 21 Restaurant 22 School/Cottage 23 Service/Gas Station 24 Specialty Store 25 Other/Unknown
---	---

35 Occurred from MM/DD/YY 09 11 17	36 Time of Event 12:00 <input checked="" type="checkbox"/> MIL	37 Day of Week Monday
---------------------------------------	--	---------------------------------

38 Occurred to MM/DD/YY 09 11 17	39 Time of Event 12:00 <input checked="" type="checkbox"/> MIL	40 Day of Week Monday	41 # Premises Entered (Burglary)
-------------------------------------	--	---------------------------------	----------------------------------

42 Type Criminal Activity A Buying/Receiving B Distributing/Selling C Operating/Promoting T Transporting/Importing D Cultivating/Manu E Exploiting Children P Possessing/Concealing U Using/Consuming	43 Victim Type I Individual F Financial (Bank) R Religious Org S Society B Business G Government
---	--

44 Loss Code	45 Property Code	46 Qty	47 Property Description Include Make, Model, Size Type, Serial #, Color, Drug Type, Drug Qty, Etc.	48 Dollar Value		49 Recovered	
				Stolen	Damaged	Date	Value

Loss Code (Enter letter in loss code column) S Stolen B Burned R Recovered F Forged/ D Damaged/ Counterfeited Destroyed N None C Confiscated/ Seized	Property Code (Enter # in property type column) 01 Aircraft 02 Alcohol 03 Autos 04 Bicycles 05 Buses 06 Clothes	07 Computer 08 Consumables 09 Credit Card 10 Drugs 11 Drug Equip 12 Farm Equip 13 Firearms 14 Gambling Equipment 15 Heavy Construction	16 Household Goods 17 Jewelry 18 Livestock 19 Merchandise 20 Money 21 Negotiable Instrument 22 Non-negotiable instru 23 Office Equipment 24 Other Motor Vehicle	25 Purse/Wallet 26 Radios/TV/VCR 27 Recordings 28 RV's 29 Structure - Single Occupancy Dwelling 30 Structure - Other Dwelling 31 Structure - Other Commercial 32 Structure - Industrial/ Manufacturing 33 Structure - Public/Community	34 Structure - Storage 35 Structure - Other 36 Tools - Power/Hand 37 Trucks 38 Vehicle Parts/Accessories 39 Watercraft 77 Other
---	--	--	---	--	---

50 Stolen Vehicle Only <input type="checkbox"/> Area Stolen <input type="checkbox"/> Residence <input type="checkbox"/> Business <input type="checkbox"/> Rural	51 Ownership verified by: <input type="checkbox"/> Tag Receipt <input type="checkbox"/> Title <input type="checkbox"/> Bill of Sale <input type="checkbox"/> Other	52 Veh. Categories <input type="checkbox"/> Recovered <input type="checkbox"/> Stolen <input type="checkbox"/> Victim's Vehicle <input type="checkbox"/> Suspect's Vehicle <input type="checkbox"/> Unauthorized Use <input type="checkbox"/> Abandoned <input type="checkbox"/> Other
--	---	---

53 Vehicle Year	54 Vehicle Make	55 Vehicle Model	56 Number Veh Stolen	57 Vehicle Description
-----------------	-----------------	------------------	----------------------	------------------------

58 Vehicle Style	59 Vehicle Color Top _____ Bottom _____	60 License	61 LST	62 LIY	63 Tag Color
------------------	--	------------	--------	--------	--------------

64 Vehicle VIN Number	65 Warrant Signed <input type="checkbox"/> Yes <input type="checkbox"/> No	Warrant Number
-----------------------	---	----------------

Motor Vehicle Recovery Only Required For 24XX UCR Code	66 Stolen in your jurisdiction? <input type="checkbox"/> Yes <input type="checkbox"/> No Where?	67 Recovered in your jurisdiction? <input type="checkbox"/> Yes <input type="checkbox"/> No Where?
--	--	---

68 Case #	69 SFX	70 Case #	71 SFX	72 Case #	73 SFX
-----------	--------	-----------	--------	-----------	--------

74 Case Status 1 Pending 2 Inactive 3 Closed	75 Multiple Cases Closed Listed Above <input type="checkbox"/> Multiple Cases Closed Listed On Supplement <input type="checkbox"/>	Coleman, James	
76 Entered NCIC/ACJIC <input type="checkbox"/> Yes <input type="checkbox"/> No	77 Case Disposition 1 Cleared by Arrest (Juvenile) 2 Cleared by Arrest (Adult) 3 Unfounded 4 Exceptional Clearance 5 Administratively Cleared	78 Exceptional Clearance (Circle One) A Suspect/Offender Dead B Prosecution Declined/ Other Prosecution C Extradition Denied D Victim Refused to Cooperate E Juvenile (No Custody) F Death of Victim	79 Reporting Officer Officer ID Number
Date (MM/DD/YY)		80 Assisting Officer Officer ID Number	
NIC/AIN #		81 Supervisor Approval Officer ID Number	
		82 Watch Commander Officer ID Number	

EVENT

PROPERTY

VEHICLES

ADMINISTRATION

Yes No 25 Domestic Violence

Vestavia Hills Police Department

Incident/Offense Report - Continued	83 Date of Report (MM/DD/YY) 09 28 17			84 Time of Report 12:00		85 Agency Case Number 2017-00028143							87 <input type="checkbox"/> Offender <input type="checkbox"/> Check if Multiple <input checked="" type="checkbox"/> Suspect <input type="checkbox"/> Missing Person							
	88 Reported By (Last, First, Middle Name) <input type="checkbox"/> Victim Or Corporal J. Coleman,											89 Suffix		90 <input type="checkbox"/> Resident <input type="checkbox"/> Non-Resident		91 Home Phone		92 Work Phone (205)978-0113		93 Other Phone

94 Victim #	95 Victim (Last, First, Middle Name) City of Vestavia				96 Suffix	97 Address (Street, City, State, Zip) 1032 Montgomery Highway Vestavia Hills, AL 35216				98 Home Phone		99 Work Phone (205)978-0140		100 Other Phone	
-------------	--	--	--	--	-----------	--	--	--	--	---------------	--	-----------------------------	--	-----------------	--

101 Employer/School			102 Occupation			103 Address (Street, City, State, Zip)						104 Work Phone		105 Other Phone	
---------------------	--	--	----------------	--	--	--	--	--	--	--	--	----------------	--	-----------------	--

106 Sex <input type="checkbox"/> M <input type="checkbox"/> F	107 Race <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I		<input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other	108	109 HGT	110 WGT	111 Date of Birth	112 Age	113 Victim SSN		114 Complainant SSN				
--	---	--	--	-----	---------	---------	-------------------	---------	----------------	--	---------------------	--	--	--	--

<input type="checkbox"/> Multiple Victims <input type="checkbox"/> LE Officer	115 116 Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Other		117 Injury <input type="checkbox"/> Yes <input type="checkbox"/> No	118 Offender known to victim? <input type="checkbox"/> Yes <input type="checkbox"/> No		119 Victim was? (Explain Relationship.)					120 Relationship Code	
---	---	--	--	---	--	---	--	--	--	--	-----------------------	--

121 Weapons Used <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands, Fist, Feet, Voice, etc. <input type="checkbox"/> Other Dangerous		122 Description of Weapons/Firearms/Tools Used in Offense Describe: _____										<input type="checkbox"/> Handgun	<input type="checkbox"/> Rifle	<input type="checkbox"/> Shotgun	<input type="checkbox"/> Unknown
--	--	--	--	--	--	--	--	--	--	--	--	----------------------------------	--------------------------------	----------------------------------	----------------------------------

123 Place of Occurrence 3404 East Street Vestavia Hills, AL 35243	124 Type N None I Internal Injury L Severe Laceration M Minor Injury O Other Major Injury T Loss of Teeth U Unconscious	125 Sector
---	--	------------

126 Circumstances: Homicide & Assault	127 Location: Rape	128 Assault <input type="checkbox"/> Simple <input type="checkbox"/> Aggravated	129 Treatment for Assault? <input type="checkbox"/> Yes <input type="checkbox"/> No	130 Verify for Rape Exam? <input type="checkbox"/> Yes <input type="checkbox"/> No	131 Treatment for Rape? <input type="checkbox"/> Yes <input type="checkbox"/> No
---------------------------------------	--------------------	--	--	---	---

132 Off #	133 Name (Last, First, Middle) Henckell, Linda			134 SFX	135 Alias		136 Social Security # 421-64-5938		137 Race <input checked="" type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	138 Sex <input type="checkbox"/> M <input checked="" type="checkbox"/> F	139 Date of Birth 06 27 57	140 Age 60
-----------	---	--	--	---------	-----------	--	--------------------------------------	--	--	---	-----------------------------------	---------------

141 Address (Street, City, State, Zip) 3404 East Street Vestavia Hills, AL 35243						142 HGT	143 WGT	144 Ethnicity <input checked="" type="checkbox"/> Other	145 Language <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other
---	--	--	--	--	--	---------	---------	--	--

146 Probable Destination				147 Eye	148 Hair	149 Complexion	150 Armed <input type="checkbox"/> Yes <input type="checkbox"/> No _____ Weapon					
--------------------------	--	--	--	---------	----------	----------------	--	--	--	--	--	--

151 Clothing			152 <input type="checkbox"/> Scars <input type="checkbox"/> Marks <input type="checkbox"/> Tattoos <input type="checkbox"/> Amputations			153 <input type="checkbox"/> Arrested <input type="checkbox"/> Dual Arrest (Domestic Violence) <input type="checkbox"/> Wanted					
--------------	--	--	--	--	--	---	--	--	--	--	--

154 Off #	155 Name (Last, First, Middle)			156 SFX	157 Alias		158 Social Security #		159 Race <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	160 Sex <input type="checkbox"/> M <input type="checkbox"/> F	161 Date of Birth	162 Age
-----------	--------------------------------	--	--	---------	-----------	--	-----------------------	--	---	--	-------------------	---------

163 Address (Street, City, State, Zip)						164 HGT	165 WGT	166 Ethnicity <input type="checkbox"/> Other	167 Language <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other
--	--	--	--	--	--	---------	---------	---	--

168 Probable Destination				169 Eye	170 Hair	171 Complexion	172 Armed <input type="checkbox"/> Yes <input type="checkbox"/> No _____ Weapon					
--------------------------	--	--	--	---------	----------	----------------	--	--	--	--	--	--

173 Clothing			174 <input type="checkbox"/> Scars <input type="checkbox"/> Marks <input type="checkbox"/> Tattoos <input type="checkbox"/> Amputations			175 <input type="checkbox"/> Arrested <input type="checkbox"/> Dual Arrest (Domestic Violence) <input type="checkbox"/> Wanted					
--------------	--	--	--	--	--	---	--	--	--	--	--

Name (Last, First, Middle)	Sex	Race	Date of Birth	Address	Contact Telephone Numbers
176	177 <input type="checkbox"/> M <input type="checkbox"/> F	178 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	179	180	181 Home 182 Work 183 Other
184	185 <input type="checkbox"/> M <input type="checkbox"/> F	186 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	187	188	189 Home 190 Work 191 Other
192	193 <input type="checkbox"/> M <input type="checkbox"/> F	194 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	195	196	197 Home 198 Work 199 Other

200 Witness # 1 SSN			201 Witness # 2 SSN			202 Witness # 3 SSN		
---------------------	--	--	---------------------	--	--	---------------------	--	--

203 9-28-2017 512 Weed Ordinance
<p>Corporal Coleman received a complaint from neighbors living behind the listed location, 3404 East St. The neighbors who live on Hollingworth Cir. called corp. Coleman and stated that the owner of the listed location hadn't cut the back of her property in several years. The neighbors claim that snakes and rodents come on their property from the listed location. Corp. Coleman went to the property and observed that the property was over grown and was in violation of the weed ordinance. Corp. Coleman sent the owner a letter about the complaint and violation. Corp. then after a week sent the owner a notice that this case would be heard on 10/9/2017 by the City Council to consider the property a public nuisance. After the notice was sent, the owner called Corp. Coleman. The owner, Linda Henckell stated she would have the property cleaned off before October. Mrs. Henckell stated she didn't realize that the back of property had become a</p>

204 Continued on Supplement <input type="checkbox"/> Yes <input type="checkbox"/> No	205 Assisting Agency ORI	206 Assisting Agency Case Number	207 SFX	208 Warrant Signed <input type="checkbox"/> Yes <input type="checkbox"/> No	Warrant #	209 Add. Cases Closed Narrative <input type="checkbox"/> Y <input type="checkbox"/> N
---	--------------------------	----------------------------------	---------	--	-----------	--

I hereby affirm that I have read this report and that all the information given by me is correct to the best of my knowledge. I will assume full responsibility for notifying the agency if any stolen property or missing person herein reported is returned.	210 Signature	211 Local Use	212 State Use
--	------------------	---------------	---------------

**ADDITIONAL INCIDENT/OFFENSE
NARRATIVE CONTINUED**

79 Date and Time of Report				
0	9	2	8	17
M	D	Y		

12:00

AM
 PM
 ML

80 Case #

2 | 0 | 1 | 7 | - | 0 | 0 | 0 | 2 | 8 | 1 | 4 | 3 |

82 Type Report: 1. Continuation 2. Follow-up

9-28-2017 512 Weed Ordinance problem.

NARRATIVE

NARRATIVE

NARRATIVE



VESTAVIA HILLS
POLICE DEPARTMENT

ASHLEY C. CURRY
Mayor

DANNY P. BARY
Chief of Police

September 7, 2017

To: Owner of listed property

Property Location: 3404 East Road
Vestavia Hills, Al. 35243

A complaint has been received that the following Violation exists on the above referenced property.

City Ordinance Number 2567

All premises and exterior property shall be maintained free from weeds or plant growth in excess of (12) twelve inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation. This includes the front, sides and back yards. The back yard where your property meets the neighbors' yards behind you. This must be cleared and brush taken away from the yard.

Legal action will be taken against you if the yard is not taken care of within 48 Hrs.
Please give me a call so we can resolve this matter at 205-978-0113



Respectfully,

Corporal Jimmy Coleman
Code Enforcement
Vestavia Hills Police Department

POSTED
9-21-17

NOTICE TO DESTROY WEEDS

Brush and other unwanted vegetation

Notice is hereby given that on the 9th day of October, 2017, at 6:00 P.M. in the council chamber of Vestavia Hills City Hall, located at 1052 Montgomery Highway Vestavia Hills, AL 35296, the City Council of the City of Vestavia Hills, Alabama, will hold a public hearing and will consider a resolution regarding the weeds growing upon or in front of this property; and at that time and place will determine whether the weeds constitute a public nuisance which shall be abated by removal of the noxious or dangerous weeds; and, if so, will order the abatement and removal of the nuisance. If abatement and removal are ordered, the cost of abatement and removal shall be assessed upon the lot and lands from which or in front of which the weeds are removed, and the cost shall be added to the next regular bills for taxes levied against the respective lot and lands for municipal purposes. **IF ABAUSEMENT IS PERFORMED, THE COSTS TAXED SHALL BE NO LESS THAN \$200.00.** The costs shall be collected at the same time and in the same manner as ordinary municipal taxes are collected. The costs shall be subject to the same commissions and fees and the same procedure for collection and sale in case of delinquency as provided for ordinary municipal taxes.

If no objections are filed with the City Clerk at least five days before the meeting of the City Council and unless the person appears before the City Council in person or through his or her representative to show cause, if any, why his or her objection should be sustained, it shall be presumed that the person accepts the notice as fair and waives any right to be at the time here to contest the removal of the weeds and the action of the City Council shall be final.

In the event that you cut the weeds prior to abatement by the City, return this sign to Vestavia Hills City Hall, and inform the Code Enforcement Officer of the same. **Obeying: IT IS A MISDEMEANOR TO REMOVE THIS SIGN, PUNISHABLE BY UP TO SIX MONTHS IMPRISONMENT AND/OR A \$500.00 FINE.**







RESOLUTION NUMBER 4991

A RESOLUTION DECLARING A WEED AND OTHER VEGETATION NUISANCE PURSUANT TO ORDINANCE NUMBER 2567 AND DIRECTING THE CITY MANAGER TO ABATE SAID NUISANCE

WHEREAS, on May 11, 2015, the City Council of the City of Vestavia Hills, Alabama, adopted and approved Ordinance Number 2567 to establish a procedure for the abatement of grass and weeds and for the prosecution and abatement of grass and weed violations; and

WHEREAS, the City's Compliance Officer has made a "First Demand" on the property located at 3408 East Street; a copy of which is marked as "Exhibit A," attached to and incorporated into this Resolution Number 4991 as if written fully therein; and

WHEREAS, a public hearing was conducted at the regularly scheduled City Council meeting of October 9, 2017 at 6:00 PM in which the facts of the matter were discussed; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to declare the property a nuisance and direct the City Manager to abate said nuisance pursuant to the provisions set forth in Ordinance Number 2567; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. The property located at 3408 East Street is hereby declared a nuisance pursuant to the provisions of Ordinance Number 2567 and the City Manager is hereby authorized to abate said nuisance pursuant to the terms and provisions of said ordinance.
2. This Resolution shall become effective immediately upon its approval and adoption.

APPROVED and ADOPTED this the 9th day of October, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

1 ORI #	2 Date of Report	3 Time of Report	4 Incident Report	5 Supplement Date	6 Agency Case Number
AL0010900	09 28 17	12:00	<input type="checkbox"/> AM <input type="checkbox"/> PM <input checked="" type="checkbox"/> MIL		2017-00028144

8 Agency Name: **Vestavia Hills Police Department** 9 Sector: _____

10 Type of Incident or Offense: Felony Misdemeanor Attempted Completed
Weeds 11 Degree (Circle): 1 2 3 12 UCR Code: _____ 13 State Code/Local Ordinance: **VHC 302.4**

14 Type of Incident or Offense: Felony Misdemeanor Attempted Completed
 15 Degree (Circle): 1 2 3 16 UCR Code: _____ 17 State Code/Local Ordinance: _____

18 Place of Occurrence: Check here if event occurred at victim's residence
 19 Sex: M F 20 Race: W B A I 21 Ethnicity: Hispanic Other
 22 Multiple Victims: Yes No 23 Age: _____

24 Offender Suspected of Using: Alcohol Drugs Computer Equipment N/A
 25 Juvenile Gang: Yes No 26 Hate Bias: Yes No 27 Bias Code: _____

29 Point of Entry: Door Window Roof Other 30 Method of Entry: Forcible Attempted Forcible No Force
 31 Local Use: _____ 32 Lighting: 1 Natural 2 Moon 3 Artificial Exterior 4 Artificial Interior 5 Unknown
 33 Weather: 1 Clear 2 Cloudy 3 Rain 4 Fog 5 Snow 6 Hail 7 Unknown
 34 Location Type (Circle): 01 Terminal 02 Bank 03 Bar 04 Church 05 Commercial 06 Construction 07 Conv Store 08 Dept Store 09 Drug Store 10 Field/Woods 11 Govt/Public Building 12 Supermarket 13 Highway/Street 14 Hotel/Motel 15 Jail/Prison 16 Lake/Waterway 17 Liquor Store 18 Parking Lot/Garage 19 Storage Facility 20 Residence/Home 21 Restaurant 22 School/College 23 Service/Gas Station 24 Specialty Store 25 Other/Unknown

35 Occurred from MM/DD/YY: 09 11 17 36 Time of Event: 11:00 37 Day of Week: Monday
 38 Occurred to MM/DD/YY: 09 11 17 39 Time of Event: 11:00 40 Day of Week: Monday
 41 # Premises Entered (Burglary): _____

42 Type Criminal Activity: B Buying/Receiving D Distributing/Selling O Operating/Promoting T Transporting/Importing
 C Cultivating/Manu E Exploiting Children P Possessing/Concealing U Using/Consuming
 43 Victim Type: I Individual F Financial (Bank) R Religious Org B Business G Government S Society

44 Loss Code	45 Property Code	46 Qty	47 Property Description	48 Dollar Value		49 Recovered	
				Stolen	Damaged	Date	Value

Loss Code (Enter letter in loss code column): S Stolen B Burned R Recovered F Forged/ D Damaged/ Counterfeited Destroyed N None C Confiscated/ Seized
 Property Code (Enter # in property type column): 01 Aircraft 02 Alcohol 03 Autos 04 Bicycles 05 Buses 06 Clothes 07 Computer 08 Consumables 09 Credit Card 10 Drugs 11 Drug Equip 12 Farm Equip 13 Firearms 14 Gambling Equipment 15 Heavy Construction 16 Household Goods 17 Jewelry 18 Livestock 19 Merchandise 20 Money 21 Negotiable Instrument 22 Non-negotiable instru 23 Office Equipment 24 Other Motor Vehicle 25 Purse/Wallet 26 Radios/TV/VCR 27 Recordings 28 RV's 29 Structure - Single Occupancy Dwelling 30 Structure - Other Dwelling 31 Structure - Other Commercial 32 Structure - Industrial/ Manufacturing 33 Structure - Public/Community 34 Structure - Storage 35 Structure - Other 36 Tools - Power/Hand 37 Trucks 38 Vehicle Parts/Accessories 39 Watercraft 77 Other

50 Stolen Vehicle Only: Area Stolen: Residence Business Rural Ownership verified by: Tag Receipt Title Bill of Sale Other
 52 Veh. Categories: Recovered Stolen Victim's Vehicle Suspect's Vehicle Unauthorized Use Abandoned Other

53 Vehicle Year: _____ 54 Vehicle Make: _____ 55 Vehicle Model: _____ 56 Number Veh Stolen: _____ 57 Vehicle Description: _____

58 Vehicle Style: _____ 59 Vehicle Color: Top _____ Bottom _____ 60 License: _____ 61 LST: _____ 62 LIY: _____ 63 Tag Color: _____

64 Vehicle VIN Number: _____ 65 Warrant Signed: Yes No Warrant Number: _____

Motor Vehicle Recovery Only Required For 24XX UCR Code: _____ 66 Stolen in your jurisdiction? Yes No Where? _____ 67 Recovered in your jurisdiction? Yes No Where? _____

68 Case #: _____ 69 SFX: _____ 70 Case #: _____ 71 SFX: _____ 72 Case #: _____ 73 SFX: _____

74 Case Status: 1 Pending 2 Inactive 3 Closed
 75 Multiple Cases Closed Listed Above: Multiple Cases Closed Listed On Supplement:
 76 Entered NCIC/ACJIC: Yes No
 77 Case Disposition: 1 Cleared by Arrest (Juvenile) 2 Cleared by Arrest (Adult) 3 Unfounded 4 Exceptional Clearance 5 Administratively Cleared
 78 Exceptional Clearance (Circle One): A Suspect/Offender Dead B Prosecution Declined/ Other Prosecution C Extradition Denied D Victim Refused to Cooperate E Juvenile (No Custody) F Death of Victim
 79 Reporting Officer: **Coleman, James** Officer ID Number: _____
 80 Assisting Officer: _____ Officer ID Number: _____
 81 Supervisor Approval: _____ Officer ID Number: _____
 82 Watch Commander: _____ Officer ID Number: _____

EVENT

PROPERTY

VEHICLES

ADMINISTRATION

28 Domestic Violence: Yes No

Incident/Offense Report - Continued	83 Date of Report (MM/DD/YY) 09 28 17	84 Time of Report 12:00	<input type="checkbox"/> AM <input type="checkbox"/> PM <input checked="" type="checkbox"/> MIL	85 Agency Case Number 2 0 1 7 - 0 0 0 2 8 1 4 4	87 <input type="checkbox"/> Offender <input checked="" type="checkbox"/> Suspect <input type="checkbox"/> Missing Person	<input type="checkbox"/> Check if Multiple
-------------------------------------	--	----------------------------	---	--	--	--

88 Reported By (Last, First, Middle Name) Corporal J. Coleman,	<input type="checkbox"/> Victim Or	89 Suffix	90 <input type="checkbox"/> Resident <input type="checkbox"/> Non-Resident	91 Home Phone	92 Work Phone (205)978-0113	93 Other Phone
---	------------------------------------	-----------	---	---------------	-----------------------------	----------------

94 Victim #	95 Victim (Last, First, Middle Name) City of Vestavia	96 Suffix	97 Address (Street, City, State, Zip) 1032 Montgomery Highway Vestavia Hills, AL 35216	98 Home Phone	99 Work Phone (205)978-0140	100 Other Phone
-------------	--	-----------	--	---------------	-----------------------------	-----------------

101 Employer/School	102 Occupation	103 Address (Street, City, State, Zip)	104 Work Phone	105 Other Phone
---------------------	----------------	--	----------------	-----------------

106 Sex <input type="checkbox"/> M <input type="checkbox"/> F	107 Race <input type="checkbox"/> W <input type="checkbox"/> B	<input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other	108	109 HGT	110 WGT	111 Date of Birth	112 Age	113 Victim SSN	114 Complainant SSN
---	--	--	-----	---------	---------	-------------------	---------	----------------	---------------------

<input type="checkbox"/> Multiple Victims <input type="checkbox"/> LE Officer	115 Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Other	117 Injury <input type="checkbox"/> Yes <input type="checkbox"/> No	118 Offender known to victim? <input type="checkbox"/> Yes <input type="checkbox"/> No	119 Victim was? (Explain Relationship.)	120 Relationship Code
--	--	---	--	---	-----------------------

121 Weapons Used <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands, Fist, Feet, Voice, etc. <input type="checkbox"/> Other Dangerous	122 Description of Weapons/Firearms/Tools Used in Offense Describe:	<input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Unknown
---	--	--

123 Place of Occurrence 3408 East Street Vestavia Hills, AL 35243	(Enter exact street address here.)	124 Type of Injury N None B Broken Bones I Internal Injury L Severe Laceration M Minor Injury O Other Major Injury T Loss of Teeth U Unconscious	125 Sector
---	------------------------------------	--	------------

126 Circumstances: Homicide & Assault	128 Assault <input type="checkbox"/> Simple <input type="checkbox"/> Aggravated	129 Treatment for Assault? <input type="checkbox"/> Yes <input type="checkbox"/> No	130 Verify for Rape Exam? <input type="checkbox"/> Yes <input type="checkbox"/> No	131 Treatment for Rape? <input type="checkbox"/> Yes <input type="checkbox"/> No
---------------------------------------	---	---	--	--

132 Off #	133 Name (Last, First, Middle) Stutts, Bruce	134 SFX	135 Alias	136 Social Security # 424-80-6800	137 Race <input checked="" type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	138 Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F	139 Date of Birth 04 16 62	140 Age 55
-----------	---	---------	-----------	--------------------------------------	---	--	-------------------------------	---------------

141 Address (Street, City, State, Zip) 3408 East Street Vestavia Hills, AL 35243	142 HGT	143 WGT	144 Ethnicity <input checked="" type="checkbox"/> Other <input type="checkbox"/> Hispanic	145 Language <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other
---	---------	---------	---	--

146 Probable Destination	147 Eye	148 Hair	149 Complexion	150 Armed <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapon
--------------------------	---------	----------	----------------	--	--------

151 Clothing	152 Scars <input type="checkbox"/> Scars <input type="checkbox"/> Marks <input type="checkbox"/> Tattoos <input type="checkbox"/> Amputations	153 Arrested <input type="checkbox"/> Arrested <input type="checkbox"/> Wanted	Dual Arrest (Domestic Violence)
--------------	---	--	---------------------------------

154 Off #	155 Name (Last, First, Middle)	156 SFX	157 Alias	158 Social Security #	159 Race <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	160 Sex <input type="checkbox"/> M <input type="checkbox"/> F	161 Date of Birth	162 Age
-----------	--------------------------------	---------	-----------	-----------------------	--	---	-------------------	---------

163 Address (Street, City, State, Zip)	164 HGT	165 WGT	166 Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Other	167 Language <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other
--	---------	---------	--	--

168 Probable Destination	169 Eye	170 Hair	171 Complexion	172 Armed <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapon
--------------------------	---------	----------	----------------	--	--------

173 Clothing	174 Scars <input type="checkbox"/> Scars <input type="checkbox"/> Marks <input type="checkbox"/> Tattoos <input type="checkbox"/> Amputations	175 Arrested <input type="checkbox"/> Arrested <input type="checkbox"/> Wanted	Dual Arrest (Domestic Violence)
--------------	---	--	---------------------------------

Name (Last, First, Middle)	Sex	Race	Date of Birth	Address	Contact Telephone Numbers
176	177 <input type="checkbox"/> M <input type="checkbox"/> F	178 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	179	180	181 Home 182 Work 183 Other
184	185 <input type="checkbox"/> M <input type="checkbox"/> F	186 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	187	188	189 Home 190 Work 191 Other
192	193 <input type="checkbox"/> M <input type="checkbox"/> F	194 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	195	196	197 Home 198 Work 199 Other

200 Witness # 1 SSN	201 Witness # 2 SSN	202 Witness # 3 SSN
---------------------	---------------------	---------------------

203 9-28-2017 512 Weed Ordinance

Corporal Coleman received a call from neighbors who live behind the listed location, 3408 East St. The neighbors are upset because the owner of the property hasn't cleaned up his property in years. There are still trees on the property from the 2011 tornado lying in the yard. All the growth at the back of the owner's property has promoted the environment for snakes and rodents. The neighbors have seen the snakes and rodents on their property coming from the over growth of the owner's property. Corporal Coleman went out to the property and observed what the neighbors were talking about. The back property is in violation of the City's Weed Ordinance. Corporal Coleman sent two letters to the owner and left a door hanger for him to call corporal. The owner called once but didn't leave a number. The owner had his attorney call corporal. Corporal Coleman talked to the attorney and explained what the problem was. The

204 Continued on Supplement <input type="checkbox"/> Yes <input type="checkbox"/> No	205 Assisting Agency ORI	206 Assisting Agency Case Number	207 SFX	208 Warrant Signed <input type="checkbox"/> Yes <input type="checkbox"/> No	Warrant #	209 Add. Cases Closed Narrative <input type="checkbox"/> Y <input type="checkbox"/> N
--	--------------------------	----------------------------------	---------	---	-----------	---

I hereby affirm that I have read this report and that all the information given by me is correct to the best of my knowledge. I will assume full responsibility for notifying the agency if any stolen property or missing person herein reported is returned.

210 _____ Signature

211 Local Use

212 State Use

**ADDITIONAL INCIDENT/OFFENSE
NARRATIVE CONTINUED**

79 Date and Time of Report

0 | 9 | 2 | 8 | 1 | 7

12:00

AD
 PD
 MEL

80 Case #

2 | 0 | 1 | 7 | - | 0 | 0 | 0 | 2 | 8 | 1 | 4 | 4

82 Type Report: 1. Continuation

2. Follow-up

NARRATIVE

9-28-2017 512 Weed Ordinance

attorney stated he would have the owner call but corporal never received a call from the owner. Corporal then sent a notice to the owner and placed a notice on his garage door. The notice stated that his property's condition would be heard by the City Council to see if the Council believed that the property was a public nuisance.

NARRATIVE

NARRATIVE



VESTAVIA HILLS
POLICE DEPARTMENT

ASHLEY C. CURRY
Mayor

DANNY P. RABY
Chief of Police

September 7, 2017

To: Owner of listed property

Property Location: 3408 East Road
Vestavia Hills, Al. 35243

A complaint has been received that the following Violation exists on the above referenced property.

City Ordinance Number 2567

All premises and exterior property shall be maintained free from weeds or plant growth in excess of (12) twelve inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation. Your property in the back that meets the neighbor's backyard on Hollingswood Circle needs to be cleared and hauled away from the property. This is your second and last letter.

Legal action will be taken against you if the yard is not taken care of within 48 Hrs.
Please give me a call so we can resolve this matter at 205-978-0113


Respectfully,

Corporal Jimmy Coleman
Code Enforcement
Vestavia Hills Police Department

AP230
9-21-17

NOTICE TO DESTROY WEEDS

Brush and other unwanted vegetation

Notice is hereby given that on the _____th day of _____, 2017, at 6:00 P.M. in the secret chamber of Vestavia Hills City Hall, located at 1012 Montgomery Highway Vestavia Hills, AL 35216, the City Council of the City of Vestavia Hills, Alabama, will hold a public hearing and will consider a resolution regarding the weeds growing upon or in front of this property; and at that time and place will determine whether the weeds constitute a public nuisance which shall be abated by removal of the noxious or dangerous weeds; and, if so, will order the abatement and removal of the nuisance. If abatement and removal are ordered, the cost of abatement and removal shall be assessed upon the lots and lands from which or in front of which the weeds are removed, and the cost shall be added to the next regular bills for taxes levied against the respective lots and lands for municipal purposes. **IF ABATEMENT IS PERFORMED, THE COSTS TAXED SHALL BE NO LESS THAN \$200.00.** The costs shall be collected at the same time and in the same manner as ordinary municipal taxes are collected. The costs shall be subject to the same commissions and fees and the same procedure for foreclosure and sale in case of delinquency as provided for ordinary municipal taxes.

If no objections are filed with the City Clerk at least five days before the meeting of the City Council and unless the person appears before the City Council in person or through his or her representative to show cause, if any, why his or her objection should be sustained, it shall be presumed that the person accepts the notice as fact and waives any rights he or she may have to contest the removal of the weeds and the action of the City Council shall be final.

In the event that you cut the weeds prior to abatement by the City, return this sign to Vestavia Hills City Hall, and inform the Code Enforcement Officer of the same. **OTHERWISE, IT IS A MISDEMEANOR TO REMOVE THIS SIGN, PUNISHABLE BY UP TO SIX MONTHS IMPRISONMENT AND/OR A \$200.00 FINE.**















RESOLUTION NUMBER 4992

**A RESOLUTION RESCHEDULING A REGULAR MEETING OF THE
VESTAVIA HILLS CITY COUNCIL**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA
HILLS, ALABAMA, AS FOLLOWS:**

1. The regularly scheduled meeting of the Vestavia Hills City Council scheduled for the Christmas Day holiday on Monday, December 25, 2017 is hereby rescheduled for Monday, December 18, 2017 beginning at 6 PM; and
2. This Resolution Number 4992 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 9th day of October, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 4993

A RESOLUTION DETERMINING THAT CERTAIN PERSONAL PROPERTY IS NOT NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND DIRECTING THE SALE/DISPOSAL OF SAID SURPLUS PROPERTY

WITNESSETH THESE RECITALS

WHEREAS, the City of Vestavia Hills, Alabama, is the owner of personal property detailed in the attached "Exhibit A"; and

WHEREAS, the City has determined that it would be in the best public interest to sell or dispose of said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The City Manager is hereby authorized to sell or dispose of the above-referenced surplus personal property; and
2. This Resolution Number 4993 shall become effective immediately upon adoption and approval.

DONE, ORDERED, APPROVED and ADOPTED on this the 9th day of October, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

“EXHIBIT A”

9/20/17

To: Rebecca Leavings

From: Sgt. Gaston, Officer Wilson

Re: Surplus City Property

Please request that the City Council deem the following property surplus at the next meeting:

- 2010 Ford Crown Vic VIN: 2FABP7BVXAX113856 Tag # 52296MU
- 2010 Ford Crown Vic VIN: 2FABP7BV8AX113855 Tag # 1BT6441

Please contact me with any questions or concerns.

Thanks, Sgt. Gaston ext.#1137

Officer Wilson ext.#1110

RESOLUTION NUMBER 4994

A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER A MEMORANDUM OF UNDERSTANDING (MOU) AGREEMENT WITH JEFFERSON COUNTY FOR STORM DEBRIS REMOVAL FROM DEVASTATING STORMS WHICH MAY OCCUR IN THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The Mayor and City Manager are hereby authorized to execute and deliver an MOU Agreement with Jefferson County for and on behalf of the City of Vestavia Hills, Alabama pursuant to the terms and conditions as detailed in the attached Exhibit A; and
2. This Resolution Number 4994 shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 9th day of October, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

EXHIBIT A

MEMORANDUM OF UNDERSTANDING BETWEEN THE JEFFERSON COUNTY COMMISSION AND THE CITY OF VESTAVIA HILLS REGARDING DEBRIS REMOVAL AND MONITORING SERVICES

WHEREAS, Alabama law authorizes counties and municipalities to enter into agreements to provide services to each other under mutually-agreed to terms and conditions; and

WHEREAS, following recent natural disasters in Alabama, all counties have entered into regional pre-event debris removal and monitoring services contracts to have available for each county in the event of a disaster within one or more counties necessitating the need for debris removal; and

WHEREAS, the Invitation to Bid for these regional pre-event contracts included a provision to require the successful bidder to provide services within the jurisdictional limits of a municipality within an activating county if the county and the municipality had entered into a memorandum of understanding allowing the activating county to assume responsibility for debris removal and/or monitoring services on municipal property within the jurisdictional limits of the municipality; and

WHEREAS, these regional county contracts provide that services may be performed within the jurisdictional limits of a municipality within an activating county at the direction of the county if, prior to the disaster warranting the need for debris removal and/or monitoring services, the county and the municipality have entered into a written memorandum of understanding for the removal of disaster-related debris from municipal property on behalf of the municipality; and

WHEREAS, Jefferson County is a party to the Region 6 county contracts for debris removal and monitoring services, which contracts provide for debris removal and monitoring services to be provided to the county upon activation under procedures set out in such contracts; and

WHEREAS, the city of Vestavia Hills is not properly equipped to effectively perform debris removal operations in the event of a disaster within its jurisdictional limits, and as such, the county and municipality find it to be in their mutual best interests and to the benefit of the citizens they represent to enter into this memorandum of understanding to allow the county to have debris removal services performed on the municipal property within the jurisdictional limits of the municipality pursuant to the county regional contract for debris removal services and, if necessary, to have such debris removal monitored pursuant to the county regional contract for monitoring services; and

WHEREAS, both the Jefferson County Commission and the Vestavia Hills City Council have adopted resolutions agreeing to enter into this memorandum of understanding between the Jefferson County Commission and the city of Vestavia Hills, which resolutions are attached hereto and incorporated by reference; and

WHEREAS, the Jefferson County Commission and the city of Vestavia Hills, as evidenced by the above referenced resolutions, also agree to the following terms and conditions:

1. That this memorandum of understanding shall only apply in the event that, following a disaster necessitating debris removal and/or monitoring services, the county has activated the Region 6 contract for debris removal and/or monitoring services pursuant to procedures set out in said contract.
2. That in the event the municipality desires that the county have debris removal and/or monitoring services performed on municipal property within its municipal jurisdictional limits pursuant to this memorandum of understanding, the mayor or other municipal official designated in writing by the Vestavia Hills City Council shall send written notice to the county within five calendar days of a disaster necessitating the removal of debris that the municipality desires to have the county perform such services under the terms and conditions set out in the county regional contracts.
3. That, upon receipt of such request, the county determines that it can provide those services within the jurisdictional limits of the municipality pursuant to the county regional debris removal and/or monitoring services contracts.
4. That the debris removal and/or monitoring services provided to the municipality shall be limited to available contract personnel and equipment not required to meet the needs of the county, and that the judgment of the Jefferson County Commission or its designee shall be final as to the personnel and equipment so available and as to the time of providing such services.
5. That the county shall only provide services within the jurisdictional limits of the municipality that are provided for in the regional county debris removal and monitoring services contracts as set out in Exhibit A of the contracts, which are attached hereto and incorporated by reference.
6. That the city of Vestavia Hills shall cooperate with county and contract personnel as necessary to ensure proper management and administration of the removal of debris within the jurisdictional limits of the municipality pursuant to the regional county contracts for debris removal and/or monitoring services, which cooperation shall include, but not be limited to, allowing county personnel and their contractors access as necessary to perform debris removal and/or monitoring services as determined necessary and appropriate by county personnel and assisting as necessary to provide documentation required under the county regional joint debris removal and/or monitoring services contracts.
7. That the municipality understands that monitoring of the debris removal may be necessary and agrees to cooperate with all debris removal monitoring services conducted within its jurisdictional limits pursuant to the county regional monitoring services contract or as otherwise provided by the county.
8. That there shall be no debris removal and/or monitoring services performed on private property under this memorandum of understanding and that only services authorized under the regional county contracts as determined by the Jefferson County Commission or its designated

county personnel shall be provided.

9. That the county may suspend or terminate the removal of debris and/or monitoring services within the jurisdictional limits of the municipality as it deems appropriate or necessary due to (a) conditions within the county; (b) issues related to the regional county contracts for debris removal and/or monitoring; (c) lack of cooperation from municipal officials and/or employees; or (d) other reasons as warranted in the discretion of the county.

10. That by entering into this memorandum of understanding, the county assumes no liability for damages to any property of the municipality or any citizens of the municipality resulting from the debris removal or monitoring services conducted by the debris removal or monitoring services contractor. Additionally, the undersigned municipality shall indemnify and hold harmless Jefferson County, its officials, employees, and agents for any damage of any type whatsoever to the municipality's property or to personal property and fixtures situated thereon, or for bodily injury or death to persons on the municipality's property, and hereby releases, discharges and waives any and all actions, either legal or equitable, which the undersigned municipality has, or ever might or may have, by reason of any action of the county and its county officials, employees or debris removal or monitoring services contractors and any action they have taken to accomplish the aforementioned purpose.

11. The municipality shall reimburse the Jefferson County Commission for any and all expenses incurred by the county for the removal of debris within the jurisdictional limits of the municipality and/or for monitoring services related to the debris removal pursuant to the reimbursement schedule presented to the municipality by the county at the time the municipality submits its request for services as provided in this memorandum of understanding;

12. That the municipality's failure to timely reimburse the county pursuant to the reimbursement schedule presented to the municipality by the county shall be deemed a breach of this memorandum of understanding which shall result in termination of this agreement and any other remedies available to the county under the law.

13. That in the event the county receives reimbursement for any or all of its costs related to debris removal and/or monitoring services performed within the municipality's jurisdictional limits from any government or other source or sources, the county shall pay the municipality its pro rata share of such reimbursement within thirty days of receipt by the county provided the municipality has paid in full its portion of the cost of debris removal and/or monitoring services pursuant to the requirements set out in paragraph 11 above. However, if at any time after the county has been reimbursed from any source and has reimbursed the municipality in accordance with this paragraph, it is determined that the debris removal and/or monitoring services were not performed in accordance with such source or sources' debris removal and/or monitoring services laws, rules, regulations or guidance, the municipality shall promptly reimburse the County within 15 days the amount of the reduction of the county's reimbursement from such source related to the debris removal and/or monitoring services performed within the municipalities jurisdictional limits.

14. That this agreement only applies in the event the county has activated the regional county contract for debris removal and/or monitoring services and that the county shall not be obligated

to provide debris removal and/or monitoring services on municipal property within the jurisdictional limits of the municipality except as specifically provided herein.

15. That, except as provided in paragraph 11, this memorandum of understanding shall be in full force and effect from the date of execution and shall automatically renew provided the Region 6 county contract for debris removal and monitoring contracts are renewed and shall ultimately terminate on October 31, 2018, unless this agreement is terminated as detailed above. The municipality may also request termination of this memorandum of understanding at any time by written request to the Jefferson County Commission.

Executed on this the _____ day of _____, 2017.

Jefferson County Commission, President

City of Vestavia Hills, Mayor

City of Vestavia Hills, City Manager