

**Join us! In an effort to enhance meetings during the COVID-19 shutdown, the City Council invites you to join and/or participate in a variety of ways: Via computer Zoom meetings (no app is necessary), telephone, email and/or text! See details on page 3.**

**Vestavia Hills  
City Council Agenda  
April 27, 2020  
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Butch Williams, Vestavia Hills Senior Chaplain
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. City Manager’s Report
7. Councilors’ Reports
8. Financial Reports – Melvin Turner III, Finance Director
9. Approval Of Minutes – April 13, 2020 (Work Session); April 13, 2020 (Regular Meeting) and April 20, 2020 (Work Session)

**Old Business**

10. Ordinance Number 2924 – An Ordinance Naming The New Swim Facility At Wald Park As The “Vestavia Hills Aquatic Complex” (*public hearing*)

**New Business**

11. Resolution Number 5235 – A Resolution Appointing A Member To The Vestavia Hills Board Of Education
12. Resolution Number 5236 – A Resolution Authorizing The City Manager To Temporarily Re-Invest Funds From The City’s Reserve Fund In Short-Term Investments

**New Business (Requesting Unanimous Consent)**

**First Reading (No Action To Be Taken At This Meeting)**

13. Resolution Number 5232 – A Resolution Accepting A Bid For The Vestavia Hills Community Center Project (*postponed from April 13 to May 11, 2020; public hearing*)
14. Ordinance Number 2922 – Rezoning – 3009 Pump House Road; Rezone from Vestavia Hills O-1 (Office Park District) to Vestavia Hills B2 (General Business District); Station No. 5, LLC, Owners (*public hearing*)
15. Citizens Comments
16. Motion for Adjournment

## **SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS**

**Due to the COVID-19 “Stay at Home” Order issued by Gov. Ivey, the City Council work sessions and meetings are available via video-conference and teleconference. If you chose not to attend in person, you may still participate. Following are instructions for three options to participate remotely.**

### **COMPUTER PARTICIPATION (view/participate in real time)**

To participate in by videoconference, click <https://us02web.zoom.us/j/4555343275>. When the Zoom.us window opens in your browser, click “Allow” so that the meeting page may open. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the “Raise Hand” feature and unmute yourself by toggling the mute button. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then you may address the Council.

Using the icons on the Zoom screen, you can:

- Mute/unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- View Participants – opens a pop-out screen that includes the “Raise Hand” icon that you may use to raise a virtual hand
- Change your screen name displayed in the participant list and video window
- Toggle between “speaker” and “gallery” views – “Speaker view” shows the active speaker; “Gallery view” tiles all of the meeting participants

### **TELEPHONE PARTICIPATION (view/participate in real time)**

To participate by telephone, dial 312.626.6799 and enter the meeting ID: 455 534 3275. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, press \*6 on your phone keypad to unmute yourself. Then state your name and wait for the Mayor to recognize you. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then address the Council.

### **TEXT AND/OR EMAIL (prior to the meeting or in real time)**

If you do not wish to join the meeting but would like to ask a question or make a statement regarding an item on the agenda, you may email the City Council directly at [City.Council@vhal.org](mailto:City.Council@vhal.org). You may also text your question/statement to City Council at 205.517.1370. Both of these options are available prior to and during each work session and meeting. Be sure to provide your name and address for the record and your comments will be recited to the City Council as the corresponding item is being addressed. Note: As a matter of record, your name and address are required. If identification is not provided, your comment/question will not be presented.

## **CITY OF VESTAVIA HILLS**

### **CITY COUNCIL**

### **MINUTES**

### **WORK SESSION**

**APRIL 13, 2020**

The City Council of Vestavia Hills met in a special work session on this date at 5:00 PM, following publication and posting pursuant to Alabama law. Due to the COVID-19 pandemic, in coordination with a Proclamation from Governor Ivey and pursuant to orders from the Jefferson County Health Department Official requiring social distancing along with limits of attendees, this meeting was held with a portion of the City Council digitally attending the meeting via remote computer locations utilizing a Zoom.us application. Staff and general public/audience members also were invited to attend via Zoom.com following publication pursuant to Alabama law. Mayor Curry called the meeting to order and the City Clerk checked the roll with the following:

**MEMBERS PRESENT:**

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

**OTHER OFFICIALS PRESENT:**

Jeff Downes, City Manager\*  
Patrick H. Boone, City Attorney\*  
Rebecca Leavings, City Clerk\*  
Brian Davis, Public Services Director\*  
Christopher Brady, City Engineer\*  
Jason Hardin, Asst. Police Chief\*  
Cinnamon McCulley, Communications  
Specialist\*

*\*attended via Zoom*

The Mayor called the work session to order.

### **UPDATE ON COVID-19 PANDEMIC**

Mr. Downes stated that he previously sent information to the Council concerning the City's current financial situation and the impact this shutdown caused by the Governor's "Stay at Home" order might cause the City. He gave an analysis of the Community Spaces progress and indicated that he'd suggest holding off of an award of the

Community Building until the May 11 meeting. He stated that with the timing, the Crosshaven project needed to begin ASAP.

Mr. Pierce stated that he agrees to hold off on the Community building as there are too many unresolved pieces to that project to make the decision tonight.

Mrs. Cook echoed with Mr. Downes' recommendations along with Mr. Weaver and Mr. Head.

Raynor Boles, TCU Consultants, explained the Crosshaven scope of work and the detail of the bids.

Mr. Downes admitted that the project is \$400,000 above the original budget. Mr. Upchurch, TCU Consultants, pointed out that the scope of work has changed significantly and with the timing of project, he suggested moving forward with the project.

Mr. Pierce stated that he is concerned with overruns and this will cause a lot of hard decisions as the City nears the later projects.

The Mayor stated that Mr. Boone's opinion to the Governor's orders concerning essential business was to be determined by the City Council. He stated that he felt that Board and Commission meetings needed to continue to occur as the City has many critical projects that cannot be interrupted as do the residents of the City. The Council concurred to utilize Zoom meetings where possible to continue the City's business.

There being no further business, the work session adjourned at 5:50 PM.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

## CITY OF VESTAVIA HILLS

### CITY COUNCIL

### MINUTES

**APRIL 13, 2020**

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. Due to the COVID-19 pandemic, in coordination with a Proclamation from Governor Ivey and pursuant to orders from the Jefferson County Health Department Official requiring social distancing along with limits of attendees, this meeting was held with a portion of the City Council digitally attending the meeting via remote computer locations utilizing a Zoom.com application. Staff and general public/audience members also were invited to attend via Zoom.com following publication pursuant to Alabama law. 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\*  
Melvin Turner, III, Finance Director\*  
Dan Rary, Police Chief\*  
Christopher Brady, City Engineer  
Umang Patel, Court Director\*  
Marvin Green, Fire Chief\*  
Cinnamon McCulley, Communications Specialist  
Taneisha Tucker, Library Director  
*\*present via Zoom or telephone*

Randall Jones, Vestavia Hills Chaplain, led the invocation followed by the Pledge of Allegiance.

### ANNOUNCEMENTS, GUEST RECOGNITION

- Mrs. Cook welcomed Boy Scout Troop 83 to the meeting.
- Mr. Pierce stated he spoke with Mrs. Odle today at the Chamber and indicated tomorrow there'll be a Zoom meeting regarding small business advice and information.

### **CITY MANAGER'S REPORT**

- Mr. Downes stated that State Representative Jim Carnes secured \$4,500 for PPE to assist the City during this pandemic. He stated that the VHFD secured \$15,802 from the CARES Act in order to assist in offsetting emergency transport during the pandemic.

### **COUNCILOR REPORTS**

- Mrs. Cook commended the City's businesses for their adaptation to the challenging circumstances of this pandemic. Many businesses have had to close their doors and they are feeling unimaginable pain. She encouraged the owners that their efforts are recognized and appreciated. These businesses are important and are pressing to get things back to normal.
- Mr. Pierce announced that the monthly Chamber luncheon scheduled for tomorrow has been cancelled. He also concurred with Councilor Cook for creativity of the local businesses and asked that residents support these businesses any way possible.
- The Mayor stated that the legislative session was disrupted and will continue to try and complete this session. He stated that the League of Municipalities is supporting a stimulus bill to target cities of less than 50,000 population which were left out of previous stimulus packages.
- Mr. Weaver stated that the Planning and Zoning Commission met last Thursday and one request from that meeting will be making its way to the Council soon. He stated that the meeting was held through Zoom but it went well.
- Mr. Head stated that the Park and Recreation Board will meet on Friday at 11:30 and he assumes the meeting will be through Zoom.

### **APPROVAL OF MINUTES**

The Mayor opened the floor for approval of the following minutes: March 30 2020 (Work Session); March 30, 2020 (Regular Meeting) and April 6, 2020 (Work Session).

**MOTION** Motion to approve the minutes of the March 30 2020 (Work Session); March 30, 2020 (Regular Meeting) and April 6, 2020 (Work Session) was by Mrs. Cook, seconded by Mr. Weaver. 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 5232**

**Resolution Number 5232 – A Resolution Accepting A Bid For The Vestavia Hills Community Center Project (requires motion to postpone to May 11, 2020)**

**MOTION** Motion to postpone consideration and action of Resolution Number 5232 until May 11, 2020 was by Mr. Weaver seconded by Mrs. Cook.

There being no one else to further address the Council, the Mayor called for the question. Roll call vote as follows:

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

**NEW BUSINESS**

**RESOLUTION NUMBER 5233**

**Resolution Number 5233 – A Resolution Changing The Date Of The City Council Meeting From May 25, 2020 To May 28, 2020 In Observance Of Memorial Day**

**MOTION** Motion to approve Resolution Number 5233 was by Mrs. Cook seconded by Mr. Pierce.

The Mayor explained that this was moving a Council meeting from Memorial Day to the following Thursday in observance of the holiday.

There being no one else to further address the Council, the Mayor called for the question. Roll call vote as follows:

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

**NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)**

The Mayor stated that the next agenda item was added today and requires unanimous consent for the immediate consideration and action on the Resolution. He opened the floor for a motion.



**MOTION** Motion for unanimous consent for immediate consideration and action on Resolution Number 5234 was by Mr. Weaver, seconded 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.

### **RESOLUTION NUMBER 5234**

#### **A Resolution Authorizing The City Manager To Grant Temporary Premium “Hazardous” Pay To Essential Employees Continuing To Work During The Covid-19 Pandemic For A Period Of 30 Days**

**MOTION** Motion to approve Resolution Number 5234 was by Mr. Weaver, seconded by Mrs. Cook.

Mr. Downes stated that this was discussed in the Work Session. He indicated that this is a way for the City to show appreciation for those select essential employees who continue to work in the general public despite the COVID-19 risk.

Mrs. Cook asked about the cost.

Mr. Downes stated that this is for a subset of employees who continue to be exposed and it’s calculated to about \$79,000 hazardous duty pay for 30 days and can be absorbed by the existing budget through attrition.

The Mayor opened the floor for a public hearing. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

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

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

The Mayor announced that the following resolutions and/or ordinances will be presented at a public hearing at the Council’s regular meeting on April 27, 2020, at 6:00 PM.

- Ordinance Number 2924 – An Ordinance Naming The New Swim Facility At Wald Park As The “Vestavia Hills Aquatic Complex” (*public hearing*)

**CITIZEN COMMENTS**

None.

At 6:40 PM, Mr. Pierce made a motion to adjourn. The meeting adjourned at 6:41 PM.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

# CITY OF VESTAVIA HILLS

## CITY COUNCIL

### MINUTES

### WORK SESSION

**APRIL 20, 2020**

The City Council of Vestavia Hills met in a special work session on this date at 5:00 PM, following publication and posting pursuant to Alabama law. Due to the COVID-19 pandemic, in coordination with a Proclamation from Governor Ivey and pursuant to orders from the Jefferson County Health Department Official requiring social distancing along with limits of attendees, this meeting was held with a portion of the City Council digitally attending the meeting via remote computer locations utilizing a Zoom.us application. Staff and general public/audience members also were invited to attend via Zoom.com following publication pursuant to Alabama law. Mayor Curry called the meeting to order and the City Clerk checked the roll with the following:

**MEMBERS PRESENT:**

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

**OTHER OFFICIALS PRESENT:**

Jeff Downes, City Manager  
Rebecca Leavings, City Clerk  
Brian Davis, Public Services Director\*  
Dan Rary, Police Chief  
Taneisha Tucker, Library Director\*  
Umang Patel, Court Director\*  
Marvin Green, Fire Chief  
Ryan Farrell, Fire Marshal  
Cinnamon McCulley, Communications  
Specialist\*

*\*attended via Zoom*

The Mayor called the work session to order.

## **UPDATE ON COVID-19 PANDEMIC – VIRTUAL MEETINGS**

The Mayor stated that there has been recent conversations about the City Council meetings utilizing Zoom and the protocols that should be used in order to ensure that anyone interested may be heard by the Council.

Discussion ensued as to the various options and the City Manager indicated that the meetings have worked well in the Chambers using technologies but others can be utilized. It was suggested that the general public could “pre-register” comments to be read at the Council meeting along with texting in real time.

The Mayor stated that there hasn’t been anything of much interest on the last two agendas, however, on the 27<sup>th</sup> the new Board of Education applicant will be appointed and there’ll be other issues as time progresses.

The Council concurred that the announcement for the meeting of the 27<sup>th</sup> would include provisions to allow residents to pre-register comments and/or text in real time with the City Clerk.

## **BOARD OF EDUCATION APPOINTMENT**

Mayor Currey opened the floor for any Councilor who wished to speak on the issue of the applicants that are applying for the vacancy on the Board of Education.

Discussion ensued among Councilors on the desirable qualifications for the next member, the excellent pool of candidates that applied for the vacancy, the schools each applicant’s child might attend, etc.

## **LIGHTS ON MONTGOMERY HIGHWAY**

Mr. Downes address the update of the malfunctioning lighting along Montgomery Highway. He reminded the Council that the lights had been recently replaced with more modern LED lighting but the poles and the wiring were not replaced. He stated that when a problem occurs, the lights begin to “strobe” up and down the highway and the power has to be cut. He stated that they have found a good contractor that feels they can address the situation within the budget, however, they have to wait on the contract to have the time to fix it.

Mrs. Cook asked about the cost of repairs.

Mr. Downes stated that it’s just under \$50,000 which is under the threshold for a bid.

**RESERVE FUND REINVESTMENT**

Mr. Downes stated that he was informed by Mr. Turner and the City's investment of Reserve Funds is about to mature and quotes show that further long-term investment could result in negative interest because of the current market. He stated that Mr. Turner had recommended investing the funds in short-term investments for about a year and re-evaluate at that time to see if market conditions are better.

Mr. Downes updated the Council on sanitation bids which should be released tomorrow. He stated that the bid will contain several alternates for the Council to decide in order to set up for an October 1 implementation.

Mrs. Cook stated that there was a littering situation in her neighborhood that was fed by rumors that the drivers could not exit their vehicles to pick up any spillage. She stated that she understands from the contractor that they have committed to picking up any spillage and recommended that residents report through the Action Center.

Mr. Pierce commended the City News that's released via email. He stated it informed residents on the new playground equipment and has gone so far in depth on other information that he found it very informative.

Cinnamon McCulley, the City's Communication Specialist, stated that over 600 residents have subscribed to the City News and she's continuing to see it grow.

There being no further business, the work session adjourned at 6:45 PM.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**ORDINANCE NUMBER 2924**

**AN ORDINANCE NAMING THE NEW SWIM/POOL FACILITY  
LOCATED AT WALD PARK AS THE VESTAVIA HILLS  
AQUATIC COMPLEX**

**WHEREAS**, in 2019 and 2020, the City of Vestavia Hills enacted the Infrastructure and Community Spaces Plan which included demolition and construction of a new swim/pool facility in Wald Park; and; and

**WHEREAS**, on March 17, 2020, the Vestavia Hills Parks and Recreation Board voted to name the new pool facility the “Vestavia Hills Aquatic Complex;” and

**WHEREAS**, in an interoffice memorandum dated March 17, 2020, the Public Service Director advised the City Manager of the Board’s action and asked that the City Council consider formalizing the name of the facility by way of Ordinance, a copy of which is marked as Exhibit A, attached to and incorporated into this Ordinance Number 2924 as though written fully therein; and

**WHEREAS**, the Mayor and the Council agree it is in the best public interest to name the new facility the “Vestavia Hills Aquatic Complex” as recommended by the Parks and Recreation Board.

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

1. That the newly constructed swim/pool facility located in Wald Park shall be known and designated as the “Vestavia Hills Aquatic Center;” and
2. Each reference to such pool facility in an ordinance, map, resolution, document, record or other paper of the City of Vestavia Hills shall be deemed to be a reference to “Vestavia Hills Aquatic Center.”
3. This Ordinance shall become effective upon approval and adoption and its publication and/or posting as required by Alabama law.

**DONE, ORDERED, APPROVED and ADOPTED** this the 27<sup>th</sup> day of April, 2020.

Ashley C. Curry  
Mayor

**ATTESTED BY:**

Rebecca Leavings  
City Clerk

**CERTIFICATION:**

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2924 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 27<sup>th</sup> day of April, 2020, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, New Merkel House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Rebecca Leavings  
City Clerk

*City of Vestavia Hills*

Public Services Department  
1973 Merryvale Road  
Vestavia Hills, AL 35216  
205-978-0166

**INTEROFFICE MEMO**

Date: March 17, 2020

TO: Jeff Downes  
City Manager

From: Brian C. Davis  
Public Service Director

RE: Naming of new aquatic facility

At the Park Board meeting this morning the Board unanimously voted to suggest the name of the new aquatic facility be "Vestavia Hills Aquatic Complex". The discussion centered on the fact that this facility will be more than a pool and should reflect that in the official name.

The Park Board requests that the City Council take this matter up at the first opportunity. Please let me know if you have questions.

CC: Rebecca Leavings  
Mitch Bevill  
Jason Burnett



**RESOLUTION NUMBER 5235**

**A RESOLUTION APPOINTING A MEMBER OF THE  
VESTAVIA HILLS BOARD OF EDUCATION FOR A  
TERM OF FIVE YEARS**

**WITNESSETH THESE RECITALS:**

**WHEREAS**, Section 11-16-3, Code of Alabama, 1975, provides that the City Council shall appoint members of the City Board of Education to serve for a term of five (5) years; and

**WHEREAS**, the five-year term of David Powell as a member of the Vestavia Hills Board of Education expires at 6:00 PM on June 20, 2020 and

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

1. The City Council does hereby elect and appoint \_\_\_\_\_ as a member of the Vestavia Hills Board of Education for a term of five (5) years, beginning with the first regularly scheduled meeting of the Vestavia Hills Board of Education in June 2020 at 6:00 p.m. and ending at 6:00 p.m. on the date of the first regularly scheduled meeting of the Board in June of the year 2025; and

2. This Resolution shall become effective upon the approval and adoption by the City Council of the City of Vestavia Hills, Alabama.

**RESOLVED, DONE, ORDERED, APPROVED and ADOPTED**, on this the 27<sup>th</sup> day of April, 2020.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**RESOLUTION NUMBER 5236**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO TEMPORARILY RE-INVEST THE CITY'S RESERVE FUNDS INTO SHORT-TERM INVESTMENTS**

**WHEREAS**, the City of Vestavia Hills maintains an Emergency Reserve Funds account which is currently invested into long-term investments; and

**WHEREAS**, the Finance Director has notified the City Manager that the current investments are maturing April 30, 2020; he recommends that the City Manager re-invest the funds short-term due to the current market volatility to await a more steady market for long-term investments; and

**WHEREAS**, the Mayor and City Council feel it is in the best interest of the public to follow the recommendation of the Finance Director and authorize the City Manager to temporarily begin investment into a more steady short-term investments.

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

1. The City Manager is hereby authorized to re-invest the City's reserve funds into short-term investments not to exceed one (1) year; and
2. The City Council shall review the markets after a year's time and decide at that time where the investments should be placed; and
3. This Resolution Number 5236 shall become effective upon adoption and approval.

**DONE, ORDERED, ADOPTED and APPROVED** this the 27<sup>th</sup> day of April.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

## **RESOLUTION NUMBER 5232**

### **A RESOLUTION ACCEPTING A BID FOR THE VESTAVIA HILLS COMMUNITY CENTER AND AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO SECURE SAID CONSTRUCTION**

**WHEREAS**, Invitation to Bids were invited and publically read on February 13, 2020 at 2:00 PM and 3:00 PM for the Vestavia Hills Community Center with six bids received; and

**WHEREAS**, a copy of the official bid tabulation is marked as Exhibit A and is attached to and incorporated into this Resolution Number 5232 as if written fully therein; and

**WHEREAS**, recommendation was made in a memorandum dated March 26, 2020 from the TCU Consulting recommend acceptance of the base bid package submitted by Amason & Associates Inc. along with Alternates 1, 2 and 3, a copy of said memo is marked as Exhibit B and is attached to and incorporated into this Resolution Number 5232 as if written fully therein; and

**WHEREAS**, the Mayor and the City Council feel it is in the best interest of the public to accept said bid as recommended.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL AS FOLLOWS:**

1. The base bid submitted by Amason & Associates Inc. along with Alternates 1, 2 and 3, is hereby accepted; and
2. The City Manager is hereby authorized to take all actions necessary in order to secure said construction; and
3. This Resolution number 5232 shall become effective immediately upon adoption and approval.

**ADOPTED and APPROVED** this the 11th day of May, 2020.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk



March 26, 2020

Mr. Jeff Downes  
City Manager  
City of Vestavia Hills  
1032 Montgomery Highway  
Vestavia Hills, Alabama 35216

Re: Community Center

Dear Mr. Downes:

TCU Consulting Services has reviewed the bid and concur with Williams Blackstock Architects. It is our recommendation that the City of Vestavia Hills proceed with contract award to Amason & Associates Inc. for the Base Bid and the alternates decided on by council that was received on February 13, 2020 for the renovation of and addition to the Old Gold's Gym facility.

Sincerely,



W. Ken Upchurch, III  
Principal

**ORDINANCE NUMBER 2922**

**AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS O-1 VESTAVIA HILLS B-2**

**BE IT ORDAINED** by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills O-1 (office park district) to B-2 (general business district):

3009 Pump House Road  
Station No. 5, LLC, Owners

More particularly described as follows:

Part of Lot 10, in Block 1, according to the Survey of New Merkle Heights, as recorded in Map Book 19, Page 92, in the Office of the Judge of Probate of Jefferson County, Alabama, more particularly described as follows:

Commence at the NW corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 22, Township 18, Range 2 West; thence East 294 feet for a point of beginning; thence East 174'; thence South 417.5'; thence West 174'; thence North 417.5' to the point of beginning.

**BE IT FURTHER ORDAINED** that said rezoning shall not be effective until completion of the following conditions:

1. Gas stations and auto repair is prohibited; and
2. Rezoning shall be based upon the site plan presented; and
3. Rezoning shall not be final until cross access and parking agreements have been recorded with both Martin's BBQ and the Philadelphia Church resurvey to combine the lots into a single lot; said plat shall be recorded in the Jefferson County Probate Office and a copy submitted to the City Clerk's office and placed with this Ordinance Number 2292.

**APPROVED and ADOPTED** this the 11<sup>th</sup> day of May, 2020.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**CERTIFICATION:**

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2922 is a true and correct copy of such 11<sup>th</sup> day of May, 2020, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Rebecca Leavings  
City Clerk



# 3009 Pumphouse Road



**CITY OF VESTAVIA HILLS**  
**SYNOPSIS AND STAFF RECOMMENDATION CONCERNING**  
**APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION**

Date: MARCH 12, 2020

- **CASE: P-0320-08**
- **REQUESTED ACTION:** Rezoning from Vestavia Hills O-1 to Vestavia Hills B-2 For The Purpose Of Office/Commercial Development
- **ADDRESS/LOCATION:** 3009 Pumphouse Rd.
- **APPLICANT/OWNER:** Station No. 5, LLC
- **REPRESENTING AGENT:** Toby Rumbarger
- **GENERAL DISCUSSION:** Property is on Pumphouse Rd., between Martin’s BBQ and Philadelphia Baptist Church. Applicant is seeking rezoning to build two retail sites and one office site. The project would have 3,600 sq. ft of retail and 7,750 sq. ft of office space. The lot would not have it’s own access but instead would share between Martin’s BBQ and Philadelphia Baptist Church. All parking would be in the rear of the lot. All buildings, parking, and landscaping meet the minimum requirements for B-2 zoning. A proposed site plan, landscaping plan, and rendering is enclosed.
- **CAHABA HEIGHTS COMMUNITY PLAN:** The request is consistent with the Cahaba Heights Community Plan for limited mixed use.
- **STAFF REVIEW AND RECOMMENDATION:**
  1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

**City Planner Recommendation:** Rezoning not final until cross-access agreements are recorded
  2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
  3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.

4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

**MOTION** Mr. Weaver made a motion to recommend Rezoning from Vestavia Hills O-1 to Vestavia Hills B-2 for the property located 3009 Pumphouse Rd. with the following condition:

1. Gas stations and auto repair is prohibited;
2. Rezoning based on the site plan presented;
3. Rezoning will not be final until cross access and parking agreements are recorded.

Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Vercher – yes

Mr. Romeo – yes

Mr. Weaver – yes

Motion carried.

Mr. Ferrell– yes

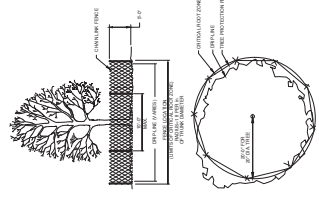
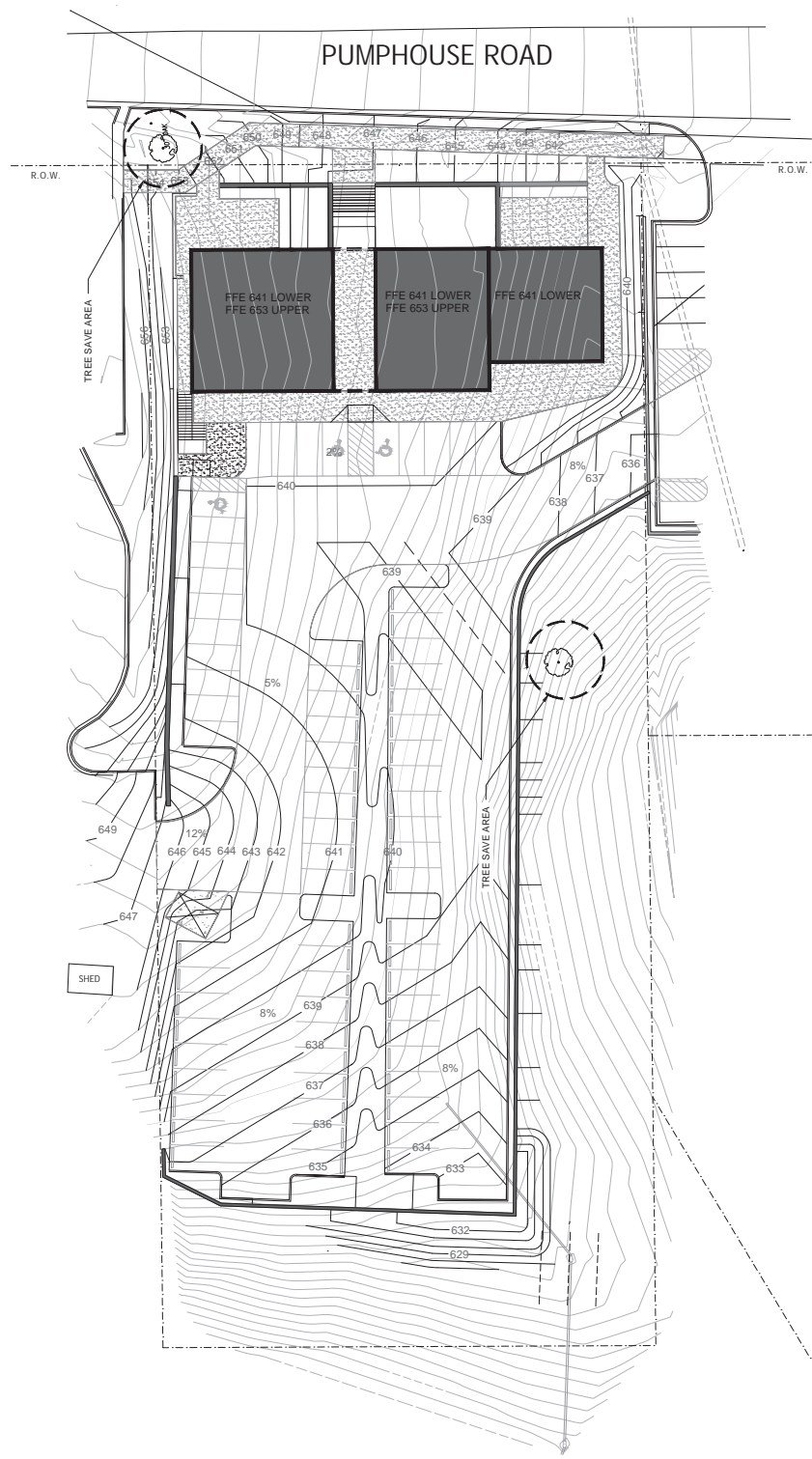
Mr. Goodwin – yes

Mrs. Barnes – yes



NO	DATE	DESCRIPTION
1	09/02/20XX	CONST. BULLETIN 1

R.O.W. R.O.W.



1. TREE PROTECTION FENCE  
NOT SCALE

- GENERAL NOTES:**
1. THE LOCATION OF ALL EXISTING AND PROPOSED UTILITIES SHALL BE IDENTIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CLEAN UP AND REMOVAL OF ALL UTILITIES AND TO REPAIR ANY DAMAGE CAUSED TO THE UTILITIES BY THE CONTRACTOR'S WORK.
  2. VERIFY ALL UTILITIES TO BE REMOVED WITH THE LANDSCAPE ARCHITECT PRIOR TO DEMOLITION.
  3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CLEAN UP AND REMOVAL OF ALL UTILITIES TO BE REMOVED.
  4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXISTING UTILITIES.
  5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES TO REMAIN ON THE SITE.
  6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES TO REMAIN ON THE SITE.
  7. LOCATIONS FOR EXISTING CONCRETE FOUNDATIONS TO BE REMOVED SHALL BE IDENTIFIED WITH LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EXISTING CONCRETE FOUNDATIONS TO BE REMOVED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CONCRETE FOUNDATIONS TO REMAIN ON THE SITE.
  8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CONCRETE FOUNDATIONS TO REMAIN ON THE SITE.
  9. ITEMS DESIGNATED FOR REMOVAL ON THIS SHEET HAVE BEEN SHOWN FOR REMOVAL PURPOSES ONLY. THERE IS NO GUARANTEE BY THE ARCHITECT THAT THESE ITEMS WILL BE REMOVED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CONCRETE FOUNDATIONS TO REMAIN ON THE SITE.
  10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CONCRETE FOUNDATIONS TO REMAIN ON THE SITE.
  11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CONCRETE FOUNDATIONS TO REMAIN ON THE SITE.
  12. NO TREE OR LANDSCAPING OTHER THAN THOSE SHOWN FOR REMOVAL ON THIS SHEET SHALL BE REMOVED WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CONCRETE FOUNDATIONS TO REMAIN ON THE SITE.
  13. EXISTING UTILITIES SHALL BE IDENTIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
  14. ANY EXISTING UTILITIES, INCLUDING BUT NOT LIMITED TO WATER LINES AND SEWER LINES, WHICH ARE NOT SHOWN ON THIS SHEET SHALL BE IDENTIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.







Exhibit - Ordinance No. 2922

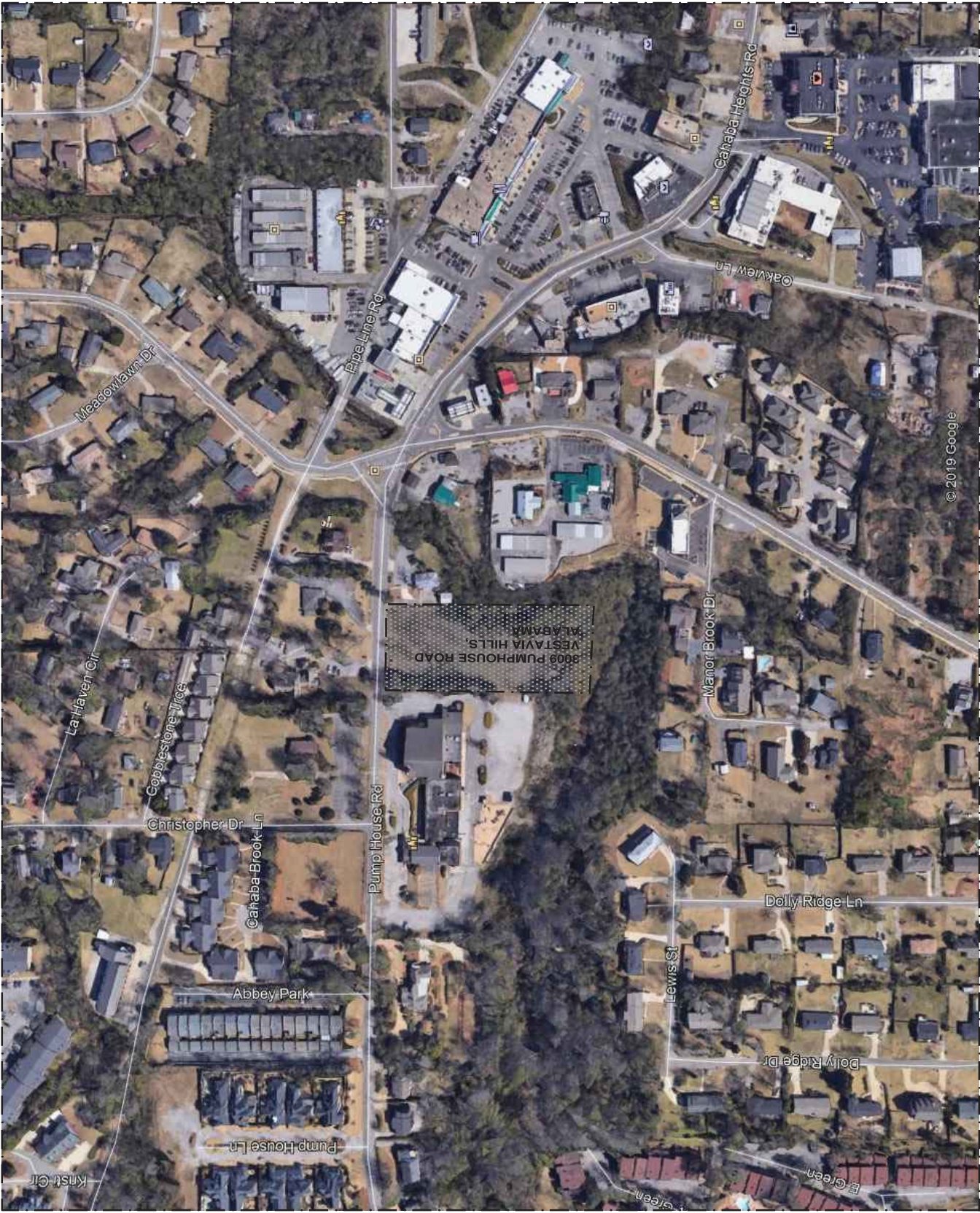
FEBRUARY 5, 2020

## CAHABA HEIGHTS CORNER

3009 PUMPHOUSE ROAD

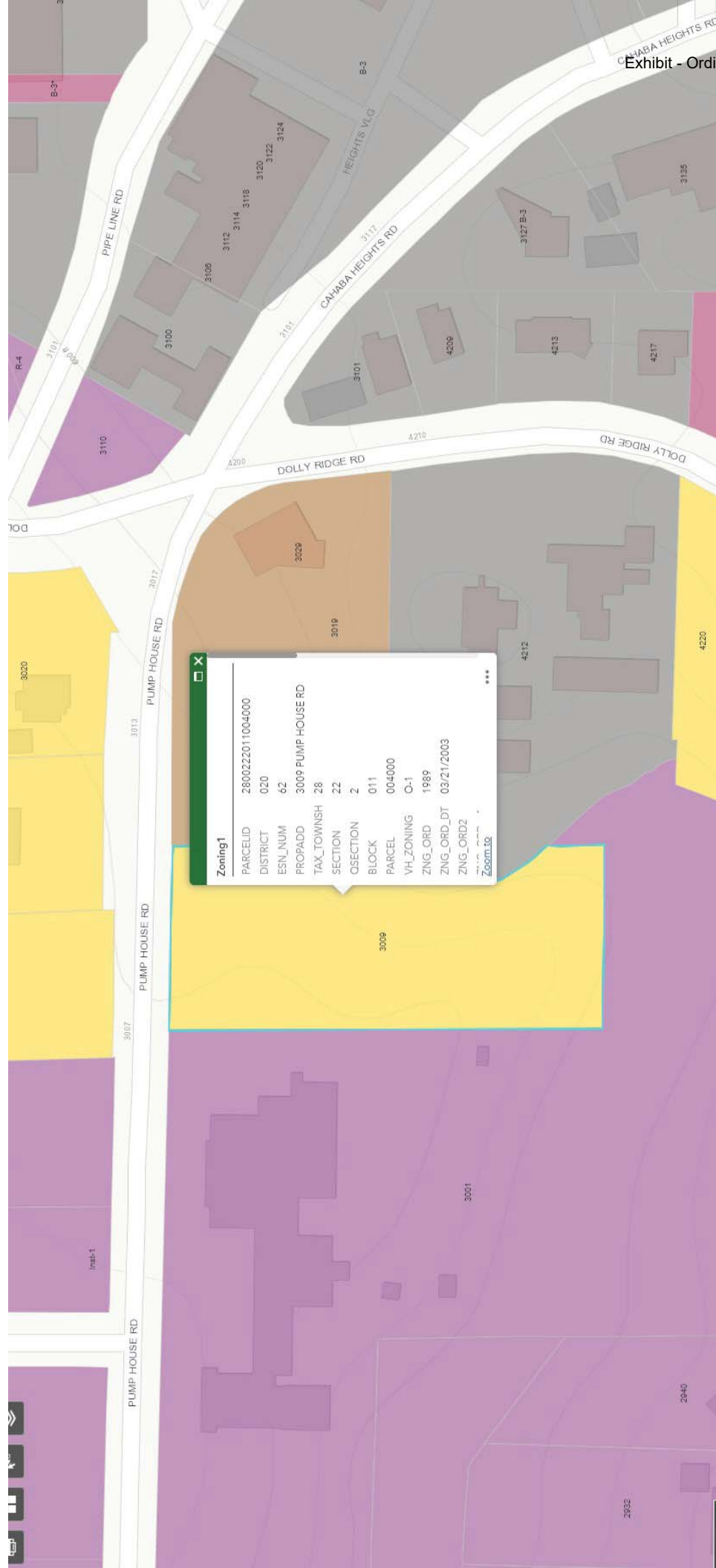
ARCHITECTURE  
**WORKS**





# VICINITY MAP





Zoning1	
PARCELID	2800222011004000
DISTRICT	020
ESN_NUM	62
PROPADD	3009 PUMP HOUSE RD
TAX_TOWNSH	28
SECTION	22
OSECTION	2
BLOCK	011
PARCEL	004000
VH_ZONING	O-1
ZNG_ORD	1989
ZNG_ORD_DT	03/21/2003
ZNG_ORD2	
Zoom In	
Zoom Out	
Zoom 100%	
Close	

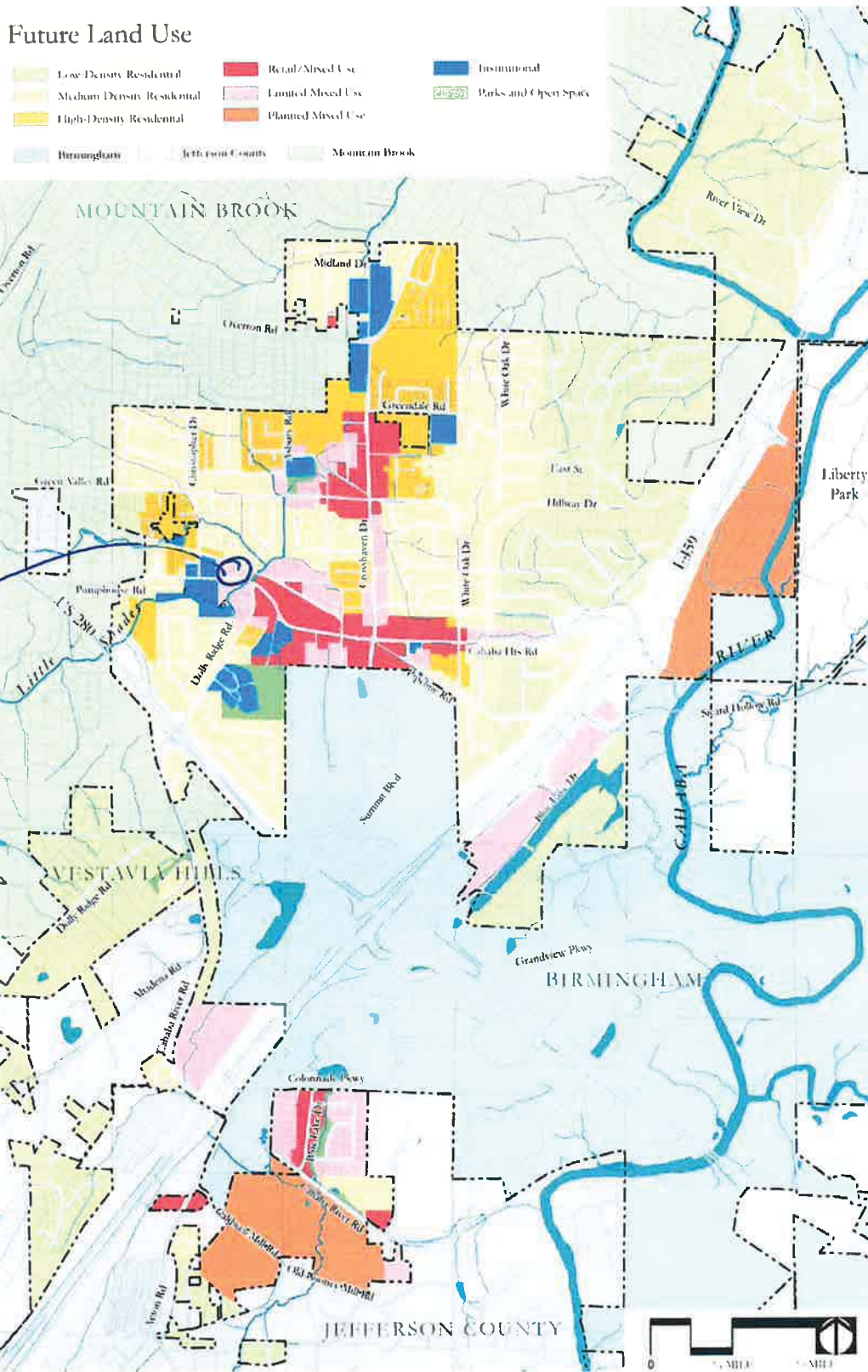


Figure 4: Future Land Use Map