

**Join us! In an effort to enhance meetings post COVID-19 emergency orders, 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  
August 23, 2021  
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Randall Jones, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
7. Proclamation – International Overdose Awareness Day – August 23, 2021
8. City Manager’s Report
9. Councilors’ Reports
10. Approval Of Minutes – August 9, 2021 (Regular Meeting) and August 16, 2021 (Work Session)

**Old Business**

11. Ordinance Number 3030 – Rezoning – 3164 Belwood Drive; Rezone From Vestavia Hills R-5 (Multi-Family Residential District) To Vestavia Hills R-9 (Planned Residential District) For Construction Of Five Townhomes; Elm Properties, Owners (*public hearing*)

**New Business**

12. Ordinance Number 3036 – Naming The Meeting Room In The New Civic Center Immediately Adjacent To The Bridge Walkway As The “Sara Wuska Meeting Room”

**New Business (Requesting Unanimous Consent)**

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

13. Ordinance Number 3033 – Approving The Final 10% Of The FY 2021 Budgets For The City Of Vestavia Hills (*public hearing*)

14. Ordinance Number 3034 – Approving FY 2022 General And Special Funds Budgets For The City Of Vestavia Hills (*public hearing*)
15. Resolution Number 5344 – Approving A Three Percent Cost Of Living Increase For The Employees Of The City Of Vestavia Hills
16. Resolution Number 5345 – Approving Financing Terms For Equipment And Vehicles Purchased In FY 2022
17. Citizens Comments
18. Adjournment

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

**Due to the COVID-19 safety advice given by the ADPH, the City Council work sessions and meetings are available via video-conference and teleconference. If you choose 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/5539517181>. When the Zoom.us window opens in your browser, click “Allow” so that the page may open to a waiting room. The host will open the meeting and bring all into the meeting room at that time. 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**

**AUGUST 9, 2021**

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. A number of staff and general public/audience members also attended virtually, via Zoom.com, following publication pursuant to Alabama law. The Mayor called the meeting to order. 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 H. Boone, City Attorney  
Umang Patel, Court Director  
Jack Wakefield, Planner  
Dan Rary, Police Chief  
Jason Hardin, Police Captain  
Marvin Green, Fire Chief  
George Sawaya, Asst. Finance Director  
Christopher Brady, City Engineer  
Cinnamon McCulley, Communications Specialist  
*\*present via Zoom or telephone*

Ron Higey, Vestavia Hills City Chaplain, led the invocation which was followed by the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

The Mayor opened the floor for a motion of approval of the agenda as presented.

**MOTION** Motion to approve the agenda as presented was by Mr. Weaver seconded by Mr. Pierce. Roll call vote was, as follows:  
Mrs. Cook – yes                      Mr. Head – yes  
Mr. Pierce – yes                      Mr. Weaver – yes  
Mayor Curry – yes                      motion carried.

## **ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION**

- Mr. Pierce recognized his wife Kacey Pierce who was in attendance.
- Mr. Pierce welcomed Gary Jordan, visiting representing the Rotary for “Hike the Hill” and the Chamber of Commerce Board.
- Mr. Pierce welcomed Myra Miles who comes to the Vestavia School system from Hoover High and will be heading the athletics program.
  - Ms. Miles thanked the Mayor and Council for the support. She stated that she thankful to be here and she feels that they will go forward with the excitement. She stated that her focus is the community and K-12 and she needs everyone to get on board with them.
- The Mayor stated that this past Sunday, he attended Shades Mountain Baptist Church. He explained that he delivered a proclamation to recognize 25 years of leadership to Danny Wood, Senior Pastor. The proclamation designated next Sunday as “Danny Wood Day.” The Mayor pointed out that the past 100 years, this church has had only 5 ministers.
- Mr. Head welcome Kirk McCulley, President of the Parks and Recreation Board and Mitch Bevill, Past President.

## **PROCLAMATION**

The Mayor presented a Proclamation designating August 21, 2021 as “National Senior Citizens Day.” Mr. Downes read the Proclamation aloud and the Mayor presented it to Sandi Wilson, Vestavia Hills Parks and Recreation Superintendent; Anne Boston; Brian Davis, Public Services Director.

Mrs. Boston stated that they are the history of Vestavia Hills and she’s happy they are being recognized.

Ms. Wilson announced a Sock Hop to be held on August 24, 2021 from 4-7 PM at the Recreation Center. She stated that they have also resumed the Senior Transportation program, dancing and bridge.

Stan Sims, 1335 Badham Drive, resident of Vestavia Hills and WWII veteran, stated that he has lived here since 1975 and has enjoyed his retirement from AT&T. He stated he loves living here and wouldn’t go anywhere else.

## **PROCLAMATION**

The Mayor presented a Proclamation designating September 2021 as “Hike the Hill Month.” Mr. Downes read the Proclamation aloud and the Mayor presented it to Rotary members: Gary Jordan, Joe Perez, Keith Covington, Steve Odle, George Gammill, Kent Howard, Joe Strickland, Don Wiginton, Peter Kirchikov, and Stan Sims.

Kent Howard thanked the Mayor and Council for the support. He explained this event was designed to replace the annual Chef event and decided to create an event where people would pay to walk. A designated path was set last year and over \$12,000 was raised. This year several neighborhoods have local walking paths in their neighborhoods. Proceeds go to the PTO and to the Rotary Club which helps to support various programs throughout the City.

### **PROCLAMATION**

The Mayor presented a Proclamation designating August 24, 2021 as “Day of Prayer and Thanksgiving.” Mr. Downes read the Proclamation aloud and the Mayor presented it to Karen Odle and John Henley, representing the Vestavia Hills Chamber of Commerce. The Mayor announced the Mayor’s Prayer Breakfast scheduled for that day and stated that details can be found at the Chamber of Commerce.

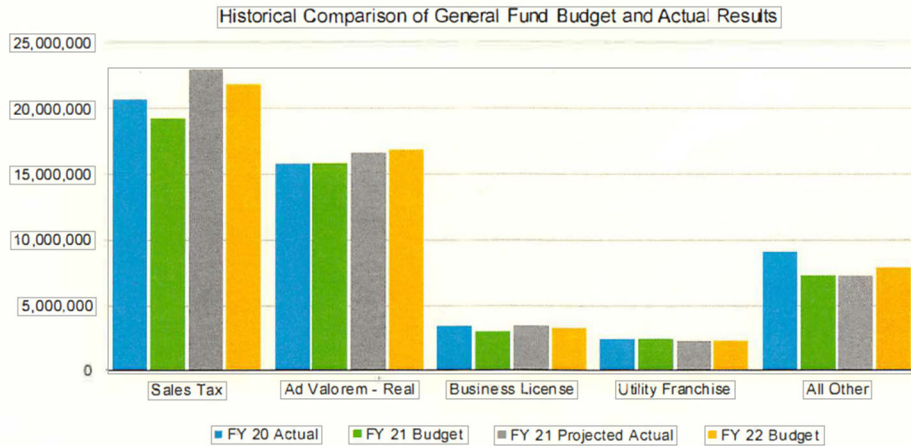
### **CITY MANAGER’S REPORT**

- Mr. Downes presented the City Council his recommended FY 2022 budgets for the City of Vestavia Hills. He read the following message to highlight his budgets:

“  
*August 9, 2021*

*Dear Mayor and City Council, I am proud to present the proposed FY 2022 general and special fund budgets to you, the City's elected leadership, for consideration tonight in accordance with our City's governance procedures. This proposed budget provides supplemental department narratives to make your review of the 2022 spending plan easier to digest, but my staff and I anticipate and are ready to engage in substantial budget hearings as you all collectively consider this spending plan. It addresses many of the strategic goals you have adopted and those of our departmental leaders. I want to compliment our Finance Department staff and each Department for their efforts over the last four months as this budget was drafted and finalized for presentation tonight.*

*The budget represents a continuing philosophy of conservatism in revenue projection and expenditure plans that most effectively react to community needs and priorities as established by you, the governing body. Due to the fact that FY 2021 was a record year relative to revenue growth, most, if not all, of your identified priorities have been addressed in one way or another. FY 2022 General Fund budgeted revenues represent an 8.89% increase over the previous fiscal year budget.*



**City of Vestavia Hills General Fund Revenue**

|                          | FY 20 Actual | FY 21 Budget | FY 21 Projected Actual | FY 22 Budget | % FY 21 Projected vs FY 22 Budget | % FY 21 Budget vs FY 22 Budget |
|--------------------------|--------------|--------------|------------------------|--------------|-----------------------------------|--------------------------------|
| <b>Sales Tax</b>         | 20,680,685   | 19,253,514   | 22,963,583             | 21,783,737   | -5.14%                            | 13.14%                         |
| <b>Ad Valorem - Real</b> | 15,786,903   | 15,740,785   | 16,595,139             | 16,785,573   | 1.15%                             | 6.64%                          |
| <b>Business License</b>  | 3,475,946    | 3,033,890    | 3,429,776              | 3,316,615    | -3.30%                            | 9.32%                          |
| <b>Utility Franchise</b> | 2,437,429    | 2,437,311    | 2,240,464              | 2,307,463    | 2.99%                             | -5.33%                         |
| <b>All Other</b>         | 9,093,840    | 7,318,173    | 7,318,173              | 7,838,735    | 7.11%                             | 7.11%                          |
| <b>Total</b>             | 51,474,803   | 47,783,673   | 52,547,135             | 52,032,124   | -0.98%                            | 8.89%                          |

*Expressed another way, this is an additional \$4.2mm in financial resources available to address our needs compared to last year. To reinforce the conservatism in this budgeted general fund revenue projection, the FY 2022 total General Fund budgeted revenues are actually slightly less than projected actual General Fund revenues in FY 2021. The previous chart reflects these statements in an illustrative manner.*

*In an effort to provide this message in a concise manner and recognize the value of each departmental budget narrative included in the budget package provided to you tonight, I will simply highlight the major themes supported in the proposed budget.*

- To recognize the value of our City staff and in acknowledgement of the increasing cost of living, the budget includes a 3% COLA for all City employees. Furthermore, the budget fully funds longevity pay, merit increases and absorbs an anticipated growth in the cost of health benefits.*
- To continue a priority with improving public safety operations, the budget includes funding for additional police officers, fire fighters, one-to-one assignment of police vehicles for patrol officers in addition to facility and equipment upgrades for the Fire Department.*
- Infrastructure is a priority as well. The budget proposal includes resurfacing nearly 9 miles of residential streets, and includes, for the first time, dedicated public storm water pipe replacement funding as*

*well as professional services and an additional employee to assist in the engineering execution of these priorities.*

- *The proposed budget includes significant increases in employee resources to manage our new Parks and Recreation assets along with enhanced contractual support for grass cutting activities.*
- *With the increased number of assets, both vehicular and building related, the need to manage the associated increases in technology is addressed in the budget with an additional IT employee and technology upgrades.*
- *Other facility upgrades include the replacement and addition of artificial turf to improve the playing condition and increase the utility of various fields at SHAC and Wald Park. The Library in the Forest and Liberty Park athletic complex receive upgrades as well as recognizing the need to continuously maintain aging structures.*

*Again, this list is not intended to be all encompassing but just to give a flavor of the areas that our noteworthy financial growth has been able to allow an action-oriented plan of attack. The City staff and I stand ready to meet as you see fit in the evaluation of this plan through hearings or individual questions. The proposed budget will be placed on the City's website and will be transmitted to you in a bound booklet tonight and a forthcoming digital version tomorrow. Thanks for your thoughtful consideration of these requests.*

*Respectfully, Jeffrey Downes, City Manager”*

- The Mayor commended Mr. Downes and the City Staff for the budgets and stated that the City has seen some growth and that these budgets sound very good.
- Mr. Pierce stated that the City is truly blessed to be able to review budgets such as these and noted that very little of the Department Head requests were not fully met.

### **COUNCILOR REPORTS**

- Mr. Pierce stated that he will be attending the monthly meeting of the Chamber tomorrow at the Country Club. He stated that the keynote speaker is Dr. Todd Freeman, Superintendent of Education.
- Mr. Weaver announced that the Planning and Zoning Commission’s regular meeting scheduled for Thursday, August 12, 2021 beginning 6 PM.
- Mr. Head announced that the Parks and Recreation Board meeting will be held Tuesday, August 17, 2021 beginning at 5:30 PM in ECR.
- Mrs. Cook’s report (verbatim):  
*“Since the school system released its most recent message about reopening schools this year, I have received a number of emails asking me to use my influence or intervene to make changes in the reopening plan for our*



*schools. As I have read all the emails and responded to those addressed to me, I have observed that not everyone understands the relationship between the Council and School Board. I thought it would help everyone's understanding to explain that in greater detail tonight in my councilor report.*

*Our Council appoints the school board. We spend a great deal of time going through the interview process. I read resumes, applications, and call references. I receive a lot of feedback from members of the community about who they most want to represent them on the school board. We spend days in interviews to make sure that we pick the very best fit to fill the open slot. The entire Council, as a body, votes to appoint each member. We are the appointing authority.*

*After we make the appointment, our school board does the hard work of advising Dr. Freeman on his policies and plans for our schools. The school board alone has the authority to make decisions regarding policy. These include approving budgets, expenditures, written policies, and all contracts--including the superintendent's contract. There are certain things they must, by law, approve, and other operational decisions that are under the superintendent's authority—such as the operational plans and curriculum.*

*The Superintendent works directly with his board to whom he is accountable. He recommends actions, and the board approves or disapproves. The Council does not have a part in that process.*

*Because I am a member of the appointing authority, I feel it would be inappropriate and disrespectful for me to take a public position on a Board matter. I tell everyone who contacts me about school board issues the same thing: I have confidence in our Board and their ability to make the best decisions as a group. I support their decisions and appreciate their public service. I help appoint them and then I pay them the professional courtesy of letting them make hard decisions without comment or interference from me. They are a completely independent governing body.*

*As someone who holds authority to help make decisions for our City, I will share that having this heavy responsibility changes your perspective, and places you in a unique position to make the best decisions that will contribute to the overall welfare of our schools. I know how our Council works together, through our City Manager, to discuss issues and form policy, and I would imagine the school board process works the same way. I would not expect a school board member to tell me what I should do in approving an ordinance or appointing a school board member, and I will not show them the disrespect of telling them what to do in any decision they have to make. I will close my report by saying I wholeheartedly support*

*their work and appreciate their public service. The work that they do is thankless, frequently time-consuming, and difficult.*

*If folks contact me about school board matters, I will encourage you to talk to the teacher, principal, or school board members. I am the liaison to the Council for the school system, but not the community's representative to Dr. Freeman or the school board.*

*At this time, I would like to invite Mr. Boone to elaborate on the statutory authority for the appointment of school board members and to explain the relationship between the Council, School Board, and Superintendent.”*

- Mr. Boone explained the function of the Board of Education and the City Council. He stated that all school boards are agencies of the State of Alabama. Municipalities are not. The Vestavia Hills City Council can only do what the State of Alabama specifically allows, which is broken down into 2 specific duties: (1) Cities that form a school system may establish a Board of Education; and (2) the City Council may appoint the School Board on an annual basis. He explained that, other than these two duties, the City Council has no authority to advise the Board of Education to do anything.
- Mrs. Cook asked Mr. Boone if the City Council has any authority over an employee of the Board, specifically the Superintendent. Mr. Boone explained that the Council has no power over the Superintendent, that's a duty of the Board of Education.

## **FINANCIAL REPORTS**

George Sawaya, Deputy Finance Director, presented the financial reports for the month ending June 2021. He read and explained the balances.

## **COMMUNITY SPACES UPDATE**

Mr. Raynor Boles, TCU Contracting updated the Council on the following projects:

- Wald Park is winding down with a large punch list that'll be worked on in the near future. The contractor will be fully demobilized and off the property soon. The sidewalk adjacent to the school is completed. Final mowing, pressure washing, etc., will be going on soon. He stated they have moved into a value engineering of scope items to see if they could go within budget on Wald Park III improvements. Materials are costly and difficult to obtain but they continue to work.
- Wald Park shade structures which were discussed last month. He showed diagrams of two options of proposed shade structures. He explained each option in detail. Discussion ensued as to the shade structures, the time of the year this is being analyzed, etc. Mr. Weaver stated he'd like to hear a little more regarding the engineering of these structures. Mr. Boles explained they'll have to be slow and steady in the installation and not make

any adjustments into the slab. He stated it is slow and arduous but that's the best they can do. The single post cantilever is the recommended shade structure. Mr. Boles stated that the intent of this was that the shade structures be included in the job and they are prepared to do a change order if Mr. Boone determines that's permissible under the bid law.

- Todd Bailey, 2635 Fargo Circle, indicated that the City has done a lot for Wald Park, but he thought what is the timeframe understanding before the steel prices come back down. You might wish to wait and allow that to happen.
- Mr. Boles gave an update on Crosshaven Drive. He stated that the City is looking at a partnership with Jefferson County which he fully supports. He explained that without this additional agreement with Jefferson County, the City's ability to move is handcuffed on these projects forward. He explained there were some delays in July but they'll be done with the section from Overton to Green Valley very soon, both roadway and sidewalk. Water lines are being installed from Green Valley to the Summit and that installation completes tomorrow. He added that it takes about 6 weeks for them to change over the individual affected water meters. Mr. Boles added that they are looking at expanding the portion below Green Valley to Overton to allow three full lanes which increases the scope of the project and comes at an extra cost which the Council will need to consider and approve before steps can be taken to move forward. He stated he hopes to have that information next month.
- Mr. Boles stated that the Community Center update includes a fully completed roof structure. Installation of HVAC is ongoing as is mechanical and electrical. The bridge connection will be coming soon and will affect the drive at the side of the building. He stated that the current contractual finish date is November 10 and he is concerned about the inability to get many materials including windows, handrails, etc.
  - Mr. Pierce asked the estimate for completion of the community center. Mr. Boles stated he is hoping by the end of the year.
- Mr. Boles gave an update of the dogpark at Cahaba Heights. He stated that once the project is finished, the contractor maintains it for 30 days and after that, the City must maintain. He explained that the contractor went to maintain and the mud was so bad that he couldn't complete the job and the slope is too steep. It is finished as of today, but there needs to be a determination of safety before it can be opened to the public. The design wasn't perfect but they are going to make it right.
  - Mrs. Cook indicated they need to get it right and end up with a good product.

### **APPROVAL OF MINUTES**

The Mayor opened the floor for approval of the following minutes: July 26, 2021 (Regular Meeting).

**MOTION** Motion to approve the minutes of July 26, 2021 (Regular Meeting) was by Mr. Weaver and seconded by Mr. Pierce. 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 5337**

**Resolution Number 5337 – Annexation – 90 Day – 2429 Altadena Road; Lot 2, Haynies Addition To Ridge Forest; Keith And Taylor Cargal (Owners) (public hearing)**

**MOTION** Motion to approve Resolution Number 5337 was by Mr. Weaver and seconded by Mr. Pierce.

The Mayor stated that this and the following Ordinance represent the initiation of a 90-day annexation and the overnight annexation of this property. He explained that each item would be discussed and voted upon, but he'd hold one public hearing for each property.

Mr. Pierce gave the report from the Standing Annexation Committee which found no adverse information on this property or the following two properties. He explained that tonight they are initiating a 90-day annexation along with an overnight annexation.

Keith and Taylor Cargal were present representing the request.

The Mayor opened the floor for a public hearing for both the 90-day initiation and the overnight annexation (item to follow). There being no one else to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

**ORDINANCE NUMBER 3025**

**Ordinance Number 3025 – Annexation – Overnight – 2429 Altadena Road; Lot 2, Haynies Addition To Ridge Forest; Keith And Taylor Cargal (Owners) (public hearing)**

**MOTION** Motion to approve Ordinance Number 3025 was by Mr. Weaver and seconded by Mr. Pierce.

The Mayor explained that this is the overnight annexation of the same property.

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

|                  |                  |
|------------------|------------------|
| Mrs. Cook – yes  | Mr. Head – yes   |
| Mr. Pierce – yes | Mr. Weaver – yes |

Mayor Curry – yes

motion carried.

**RESOLUTION NUMBER 5338**

**Resolution Number 5338 – Annexation – 90 Day – 2625 Red Bud Lane; Lot 4B, LB Lloyd Subd; Deborah and Jack Standifer, (Owners) (public hearing)**

**MOTION** Motion to approve Resolution Number 5338 was by Mrs. Cook and seconded by Mr. Weaver.

The Mayor stated that this and the following Ordinance represent the initiation of a 90-day annexation and the overnight annexation of this property.

Deborah Standifer was present representing the request.

The Mayor opened the floor for a public hearing for both the 90-day initiation and the overnight annexation (item to follow). There being no one else to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

**ORDINANCE NUMBER 3026**

**Ordinance Number 3026 – Annexation – Overnight – 2625 Red Bud Lane; Lot 4B, LB Lloyd Subd; Deborah and Jack Standifer, (Owners) (public hearing)**

**MOTION** Motion to approve Ordinance Number 3026 was by Mr. Weaver and seconded by Mr. Pierce.

The Mayor explained that this is the overnight annexation of the same property.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

**RESOLUTION NUMBER 5339**

**Resolution Number 5339 – Annexation – 90 Day – 2621 Red Bud Lane; Lot 4A, Gary and Pam West Survey; Jordan Hoffman, (Owners) (public hearing)**

**MOTION** Motion to approve Resolution Number 5339 was by Mrs. Cook and seconded by Mr. Weaver.

The Mayor stated that this and the following Ordinance represent the initiation of a 90-day annexation and the overnight annexation of this property.

Jordan Hoffman was present representing the request.

The Mayor opened the floor for a public hearing for both the 90-day initiation and the overnight annexation (item to follow). There being no one else to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

### **ORDINANCE NUMBER 3027**

**Ordinance Number 3027 – Annexation – Overnight – 2621 Red Bud Lane; Lot 4A, Gary and Pam West Survey; Jordan Hoffman, (Owners) (public hearing)**

**MOTION** Motion to approve Ordinance Number 3027 was by Mrs. Cook and seconded by Mr. Weaver.

The Mayor explained that this is the overnight annexation of the same property.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

### **ORDINANCE NUMBER 3028**

**Ordinance Number 3028 – An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver A Temporary Construction Easement For The Parkside Development Project Located On Dolly Ridge Road Described As Lot 2, Hollis Crossings Survey (public hearing)**

**MOTION** Motion to approve Ordinance Number 3028 was by Mr. Weaver and seconded by Mr. Head.

Mr. Downes explained that this gives a construction easement for a project that involves a joint access drive between the City and this developer. The shared access that gives the City access to the parking of the park and eventually tie into the adjacent development parking. This

project is nearing the permitting phase and this allows that connection. He stated this has been reviewed and approved by the City's Engineer.

Mr. Pierce asked if there's issues with water runoff to properties next door.

Mr. Brady stated the runoff during construction would be handled.

The Mayor opened the floor for a public hearing.

Martha Cook, 2713 Pruett Place, stated she lives adjacent to this property and there is a problem with this development and the construction of this building. She stated that she has met with the developer and their engineer with her concerns. The water has increased with each and every development in this area which is the cause of her concerns. She stated that she's willing to work with the City, she wants it to be fixed because it's affecting her life and her single most expensive investment. She stated that, with the good things in Vestavia Hills, this needs to be done right.

Mr. Brady stated that their engineer has done a drainage analysis for this entire area and they are looking at digging a drainage ditch on the City's property and creating more underground detention on this property to help in controlling runoff in the area.

Mrs. Kimberly Cook asked when the engineering work will be ready.

Mr. Brady stated a few weeks.

Mrs. Cook asked that Martha Cook be notified of the progress when the report comes out.

Mrs. Martha Cook stated there are really two drainage situations in this subdivision. She stated she doesn't think a drainage ditch will help the drainage on her property. She doesn't about that part and that it's City's property directly behind her.

The Mayor asked if the construction easement addresses any of the drainage.

Mr. Brady explained he helps some and captures the water to direct it into his detention system in combination of the City and the Sch

Stan Beatty 2729 Pruett Place, stated that he, too, has had problems with the drainage that's overflowing throughout their subdivisions.

Mr. Brady stated their study is looking at the entire basin and they'll determine what needs to be done from that.

Mrs. Kimberly Cook asked if this could be added to the projects page on the City's website.

Thom Hickman, owner of the subject property, stated that they have been working on this design for a long time. He stated that the easement being requested tonight is for curb and gutter area to complete the drive. He stated that the design of his project is that they have over detained water over and above what's required of this project. He stated that the City's property, adjacent to Mrs. Cook's property, is being considered but these are two separate issues. He stated they have scaled back their request to simply finish the access drive. He stated that additional detention and landscaping has been installed near the Odom property. He stated that he concurs with the concerns of the residents of Pruett Place but these are different issues.

Robert de Buys, 3467 Mossbrook Lane, stated that there is a very large tree on that property and asked about the plans for saving that tree.

Mr. Brady stated that they intend to leave the tree but if not possible, it might have to come down.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

### **RESOLUTION NUMBER 5341**

#### **Resolution Number 5341 – A Resolution Authorizing The City Manager To Expend Additional Funding For The Needed Renovations At Vestavia Hills Fire Station No. 3 (public hearing)**

**MOTION** Motion to approve Resolution Number 5341 was by Mr. Weaver and seconded by Mr. Head.

Mr. Downes explained that Fire Station No. 3 is in immediate need of renovations/repairs. He stated that the original facilities haven't had any updates since construction in the 80's. With the increase in cost and materials, this is needed to complete these renovations.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |



**NEW BUSINESS**

**RESOLUTION NUMBER 5342**

**Resolution Number 5342 – A Resolution Approving An Alcohol License For S2A2, Inc., D/B/A Liquor Shop; Sunil Joshi Executive (*public hearing*)**

**MOTION** Motion to approve Resolution Number 5342 was by Mrs. Cook and seconded by Mr. Head.

Sunil Joshi, owner, was present in regard to this request.

Mr. Pierce asked about training of employees.

Mr. Joshi stated they have several training programs to ensure no sales to minors. He stated he uses the one from ABC and one he developed himself.

Mrs. Cook asked if they sell tobacco.

Mr. Joshi stated that use the same rules for tobacco.

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

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

motion carried.

**RESOLUTION NUMBER 5343**

**Resolution Number 5343 – A Resolution Approving An Alcohol License For First Watch Restaurants, Inc., D/B/A First Watch Restaurant 389; Henry M. Hope III, Jay A Wolszczak and Christopher A. Tomasso, executives (*public hearing*)**

**MOTION** Motion to approve Resolution Number 5343 was by Mr. Weaver and seconded by Mr. Pierce.

Bobby McGurk stated that they have introduced signature cocktails on a very small menu.

Mr. Pierce asked about Sunday mornings and training of employees to prevent sales to minors.

Mr. McGurk stated that all employees and managers will have to get certification for training from ABC Board and that they aren't yet prepared for the early Sunday morning service at the moment.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

### **ORDINANCE NUMBER 3032**

**Ordinance Number 3032 – An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver A First Addendum To Agreement To Share Responsibilities (Joint Services Agreement) To Coordinate Overlapping Projects On Crosshaven Drive**

**MOTION** Motion to approve Ordinance Number 3032 was by Mr. Weaver and seconded by Mr. Pierce.

Mr. Downes explained that this agreement was referred to by Mr. Boles in his update of the Crosshaven Drive project. It allows the City to share in and coordinate in responsibilities for the ongoing project on Crosshaven Drive in order to allow the joint construction to occur more expeditiously and efficiently with the City's approved contractor.

Mrs. Cook asked who will actually manage this?

Mr. Downes stated that the City and the City's contractor is in the lead for this work and this helps to move it forward more seamlessly.

There being no one else to further address the Council, the Mayor called for the question. Roll call vote was 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 opened the floor for unanimous consent for the immediate consideration and action of Ordinance Number 3031.

**MOTION** Motion for unanimous consent for the immediate consideration and action of Ordinance 3031 by Mr. Weaver seconded by Mrs. Cook

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

**ORDINANCE NUMBER 3031**

**Ordinance Number 3031 – An Ordinance To Declare That The Present Condition Of A Portion Of Oakview Lane Is In Such State Of Disrepair That It Endangers The Public Health, Safety And Welfare Of Members Of The General Public; To Declare That The Situation Is An Emergency; To Describe The Nature Of Said Emergency; To Authorize And Direct The Repair Of Oakview Lane Without Advertising For Competitive Bids Pursuant To The Authority Of Title 39-2-2(E), Code Of Alabama, 1975, At A Cost Not To Exceed One Hundred Eighteen Thousand Eight Hundred Fifty-Two Dollars (\$118,852.00); To Authorize And Direct The City Manager And Mayor To Negotiate And To Execute And Deliver A Construction Contract And Any And All Other Documents Necessary To Have The Repair Work Performed And Completed (public hearing)**

**MOTION** Motion to approve Ordinance Number 3031 was by Mr. Weaver and seconded by Mr. Pierce.

Mr. Downes explained that this is for repair of a collapsed pipe on this roadway which needs immediate attention. Details were given in the Ordinance and a picture of the area and the pavement collapse were shown. He explained that the stormwater system in Cahaba Heights is failing in many places and this is one area of drainage basin being analyzed along with Poe area and south of Shades Crest.

Mrs. Cook asked where the funding is derived.

Mr. Downes stated it is funded by Capital Projects Fund.

Mr. Brady stated the existing pipe is metal. He stated that they are proposing concrete pipe to replace this failing pipe.

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

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

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

- Ordinance Number 3030 – Rezoning – 3164 Belwood Drive; Rezone From Vestavia Hills R-5 (Multi-Family Residential District) To Vestavia Hills R-9 (Planned Residential District For Construction Of Five Townhomes; Elm Properties, Owners (*public hearing*))

**CITIZEN COMMENTS**

Katie Roach Dudley, 3237 Ridgely Drive, thanked the Mayor and Council for allowing her to speak. She thanked Mrs. Cook for her explanation concerning influence of the Board of Education. She stated that there is big trouble brewing in this City because the Board has refused to heed the advice of many health experts along with many of the residents of the City. She stated that they are all in favor of universal masking. She cited sources and asked that the entire city be masked.

The Mayor explained that the Council has no discretion over the Board of Education.

Mrs. Dudley stated that the Delta variant is different and children are at much more risk. She stated the children that need to be in school also need to be protected and the only way to do that is mandatory masking. She asked the City to institute a mask mandate for the City at large.

Mr. Boone stated that he hasn't heard of any other City in the state passing another municipality enacting a universal facemask ordinance.

Tom Bailey, 2635 Fargo Circle, stated that the City of Birmingham had an ordinance so there is a precedence and any municipality can follow suit. As far as timing, school starts tomorrow and these recommendations go to all under 12 so at least that population should be universally masked.

Brian Malcolm, 2525 Aspen Cove Drive, stated that he does not accept the Council's assertion that they can do nothing. This Council can impose an Ordinance in a limited fashion if they like that requires all children under 12 years of age to be masked. Reasonable measures can be taken as the Board of Education has failed the children.

The Mayor stated that the Council will take this into consideration and other cities did so with the concurrence of the school boards. Here our Board says masks are optional.

At 8:09 PM, Mr. Pierce made a motion to adjourn. The meeting adjourned at 8:10 PM.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**CITY OF VESTAVIA HILLS**

**CITY COUNCIL**

**MINUTES**

**WORK SESSION**

**AUGUST 16, 2021**

The City Council of Vestavia Hills met in regular work session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. Social distancing along with limits of attendees, this meeting was held with a portion of Staff and general public/audience members attending via Zoom.com following publication pursuant to Alabama law. The Mayor called the meeting to order. 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:**

Patrick H. Boone, City Attorney  
Rebecca Leavings, City Clerk  
Dan Rary, Police Chief  
Marvin Green, Fire Chief  
Cinnamon McCulley, Communications Specialist  
Steve Ammons, Jefferson County Commissioner  
*\*present via Zoom or telephone*

**MASK MANDATE**

Brian Malcolm, 2525 Aspen Cove Drive, spoke in favor of the City adopting a citywide mask mandate: *“I, along with many concerned parents and citizens of the City of Vestavia Hills, Alabama, ask this City Council to better protect children in Vestavia Hills City Schools by issuing a citywide mask ordinance requiring all children under the age of 12 to wear a mask in public buildings and requiring teachers providing in-person and indoor instruction to children under 12 to wear a mask while in any room in any school building within the city limits so long as a child under the age of 12 is present in the same room as the teacher. We ask that such an ordinance remain in place so long as the overall community transmission level in Jefferson County, Alabama remains high, as defined by Alabama’s COVID-19 Dashboard Hub, or until children under 12 have had sufficient opportunity to be fully vaccinated against COVID-19, as that term is defined by the CDC.”*

Jennifer Vachris, 3238 Wisteria Drive, asked the Council not to pass a citywide mask mandate, but to leave the decision to parents.

Mayor Curry invited Patrick Boone, the City Attorney, to comment on the legality of passing such a mandate.

Mr. Boone opined that the City Council has the authority to adopt an Ordinance mandating masks in public buildings throughout the City; however, based upon case law, Vestavia Hills school buildings are controlled by the Vestavia Hills Board of Education and are not under the City Council jurisdiction. Therefore, the City Council cannot require children in the schools to wear a mask while attending or occupying any school building in the City. Mr. Boone gave legal background concerning the statutory authorities given to cities. He indicated that the Council does not have any authority to issue a mask ordinance applicable to the City school system because the schools are agencies of the state, not of the municipality. Section 16-11-9, *Code of Alabama, 1975*, says that a City school board is empowered with all necessary authority to operate a City School system. Based upon every legal avenue that Mr. Boone could identify, he found that all authority for operating schools lies with the City's Board of Education and not with the City of Vestavia Hills.

Brian Malcolm, 2525 Aspen Cove Drive, asked about Section 11-47-141, *Code of Alabama, 1975*, which Mr. Boone had mentioned. He stated that he believes this statute gives this City the authority to enact ordinances regarding public health in both public and private premises. He stated that would affect all public places in the City and asked why would that not include schools.

Mr. Boone pointed to cases by the Alabama Supreme Court involving other governmental entities operating in the City and, also, the code section cited by Judge Smitherman. Multiple statutes are read together, and it is his judgment that the decision lies with the Board of Education.

### **MASSEY ROAD**

Mr. Downes stated that, if the source of funds for any road project comes through ALDOT, it takes a long time to get it funded and realized. Several years ago, the Massey Road road stabilization project was begun, with source-funding through ALDOT. The project scope includes sidewalks, road widening, road stabilization and resurfacing. What began as a \$900,000 project has now climbed to over \$3 million. The design evolved and was eventually approved by ALDOT. Phases include design, right-of-way acquisition, and construction. The right-of-way acquisition phase has commenced with letters being sent to 27 property owners; meetings have occurred with about half of the affected owners. Many have shown enthusiasm and a willingness to commit property for the project. He stated that one of the largest property owner is Tony Serra with the second being 60 condominium owners. City representatives will meet with land owners tomorrow night to discuss. Construction is anticipated to be about 180 days from start-of-construction. The MPO has increased funding to meet the full project cost, but the funding sources and approvals are the reason for delays.

The Mayor asked about the location of the sidewalk. Mr. Downes explained the location of the proposed sidewalk design.

### **OTHER ISSUES**

Mr. Downes stated will soon be invited to tour the new civic center.

The budget will be on a first-read at the next meeting, with a public hearing the meeting following that. Discussion ensued and councilors indicated they would review the budget and send preliminary questions to the City Manager. The Mayor will set a time for a public work session.

Discussion ensued concerning expansion of Birmingham Jefferson City Transit Authority (BJCTA) bus service to Vestavia Hills. Mr. Downes said the city will survey the level of service and funding required for said services, but the base level is what has been budgeted.

Mr. Downes said there is an ALDOT rule stating that, when vegetation grows and blocks billboards, billboard companies have the right to go and cut down the blockage. The city projects that pine trees planted near the new digital sign at the intersection of I-65 and Highway 31 will soon obstruct the sign. To alleviate the concern, Lamar has offered to extend the funding to remove the taller pines that will soon block the billboards and replace them with 10' evergreens as well as to update the surrounding lawn area. Lamar will be fully funding the project, however, ALDOT approval will be required for the upgrade, and the request will also have to be approved by the City Council.

Mr. Pierce asked the status of engineering drawings for the reconfiguration of the intersection of Columbiana Road and Highway 31.

Mr. Downes stated that the drawings and designs are in progress, with a third-party engineering firm, for this project along with two other intersection projects.

There being no further business, the work session adjourned at 7:08 PM.

Ashley C. Curry  
Mayor

ATTESTED BY:



Rebecca Leavings  
City Clerk

WHEREAS, International Overdose Awareness Day is a global event held on August 31<sup>st</sup> each year with the purpose of raising awareness of overdoses, reducing the stigma of drug-related deaths, and to acknowledge the grief felt by families and friends; and

WHEREAS, drug overdose is an increasing global problem as evidenced by a report by the United Nations Office on Drugs and Crime (UNODC) that estimates over 183,000 people succumb to overdoses around the world every year; and

WHEREAS, According to the Centers for Disease Control and Prevention, drug overdose is the leading cause of accidental deaths in the United States and overdose death is preventable; and

WHEREAS, More than 70,980 Americans died from drug overdoses in 2019, including illicit drugs and prescription opioids, and that about 200 people overdose per day; and

WHEREAS, drug overdose deaths from opioids rose from 8,048 in 1999 to 47,600 in 2017. Since 2000, there have been 750,000 drug related overdose deaths; and

WHEREAS, the City of Vestavia Hills recognizes that this epidemic affects the citizens of our city, the surrounding metropolitan area, the state of Alabama, and our nation.

NOW, THEREFORE, I, Ashley C. Curry, by virtue of the authority vested in me as Mayor of the City of Vestavia Hills in the State of Alabama, do hereby proclaim August 31, 2021 as

**INTERNATIONAL OVERDOSE AWARENESS DAY**

in the City of Vestavia Hills and call on our residents to join the fight to end the overdose crisis in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Vestavia Hills to be affixed this the 23rd day of August 2021.

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Ashley C. Curry  
Mayor

**CITY OF VESTAVIA HILLS**

**CITY COUNCIL**

**MINUTES**

**AUGUST 9, 2021**

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. A number of staff and general public/audience members also attended virtually, via Zoom.com, following publication pursuant to Alabama law. The Mayor called the meeting to order. 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 H. Boone, City Attorney  
Umang Patel, Court Director  
Jack Wakefield, Planner  
Dan Rary, Police Chief  
Jason Hardin, Police Captain  
Marvin Green, Fire Chief  
George Sawaya, Asst. Finance Director  
Christopher Brady, City Engineer  
Cinnamon McCulley, Communications Specialist  
*\*present via Zoom or telephone*

Ron Higey, Vestavia Hills City Chaplain, led the invocation which was followed by the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

The Mayor opened the floor for a motion of approval of the agenda as presented.

**MOTION** Motion to approve the agenda as presented was by Mr. Weaver seconded by Mr. Pierce. Roll call vote was, as follows:  
Mrs. Cook – yes                      Mr. Head – yes  
Mr. Pierce – yes                      Mr. Weaver – yes  
Mayor Curry – yes                      motion carried.

## **ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION**

- Mr. Pierce recognized his wife Kacey Pierce who was in attendance.
- Mr. Pierce welcomed Gary Jordan, visiting representing the Rotary for “Hike the Hill” and the Chamber of Commerce Board.
- Mr. Pierce welcomed Myra Miles who comes to the Vestavia School system from Hoover High and will be heading the athletics program.
  - Ms. Miles thanked the Mayor and Council for the support. She stated that she thankful to be here and she feels that they will go forward with the excitement. She stated that her focus is the community and K-12 and she needs everyone to get on board with them.
- The Mayor stated that this past Sunday, he attended Shades Mountain Baptist Church. He explained that he delivered a proclamation to recognize 25 years of leadership to Danny Wood, Senior Pastor. The proclamation designated next Sunday as “Danny Wood Day.” The Mayor pointed out that the past 100 years, this church has had only 5 ministers.
- Mr. Head welcome Kirk McCulley, President of the Parks and Recreation Board and Mitch Bevill, Past President.

## **PROCLAMATION**

The Mayor presented a Proclamation designating August 21, 2021 as “National Senior Citizens Day.” Mr. Downes read the Proclamation aloud and the Mayor presented it to Sandi Wilson, Vestavia Hills Parks and Recreation Superintendent; Anne Boston; Brian Davis, Public Services Director.

Mrs. Boston stated that they are the history of Vestavia Hills and she’s happy they are being recognized.

Ms. Wilson announced a Sock Hop to be held on August 24, 2021 from 4-7 PM at the Recreation Center. She stated that they have also resumed the Senior Transportation program, dancing and bridge.

Stan Sims, 1335 Badham Drive, resident of Vestavia Hills and WWII veteran, stated that he has lived here since 1975 and has enjoyed his retirement from AT&T. He stated he loves living here and wouldn’t go anywhere else.

## **PROCLAMATION**

The Mayor presented a Proclamation designating September 2021 as “Hike the Hill Month.” Mr. Downes read the Proclamation aloud and the Mayor presented it to Rotary members: Gary Jordan, Joe Perez, Keith Covington, Steve Odle, George Gammill, Kent Howard, Joe Strickland, Don Wiginton, Peter Kirchikov, and Stan Sims.

Kent Howard thanked the Mayor and Council for the support. He explained this event was designed to replace the annual Chef event and decided to create an event where people would pay to walk. A designated path was set last year and over \$12,000 was raised. This year several neighborhoods have local walking paths in their neighborhoods. Proceeds go to the PTO and to the Rotary Club which helps to support various programs throughout the City.

### **PROCLAMATION**

The Mayor presented a Proclamation designating August 24, 2021 as “Day of Prayer and Thanksgiving.” Mr. Downes read the Proclamation aloud and the Mayor presented it to Karen Odle and John Henley, representing the Vestavia Hills Chamber of Commerce and,

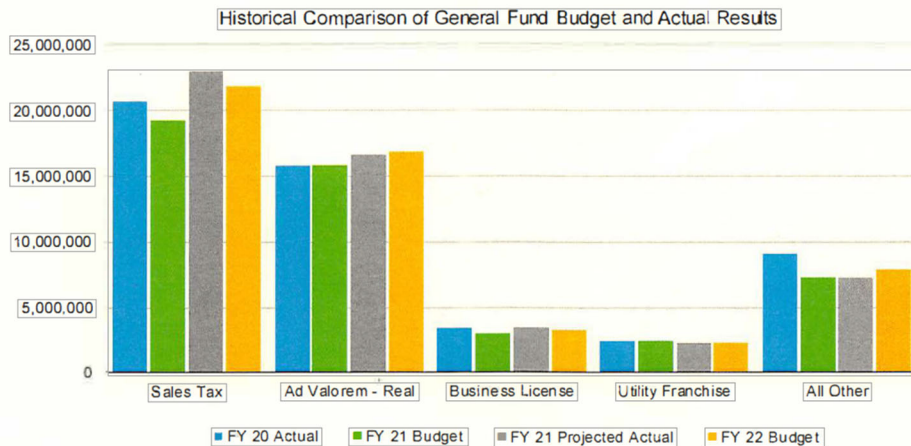
### **CITY MANAGER’S REPORT**

- Mr. Downes presented the City Council his recommended FY 2022 budgets for the City of Vestavia Hills. He read the following message to highlight his budgets:

“  
*August 9, 2021*

*Dear Mayor and City Council, I am proud to present the proposed FY 2022 general and special fund budgets to you, the City's elected leadership, for consideration tonight in accordance with our City's governance procedures. This proposed budget provides supplemental department narratives to make your review of the 2022 spending plan easier to digest, but my staff and I anticipate and are ready to engage in substantial budget hearings as you all collectively consider this spending plan. It addresses many of the strategic goals you have adopted and those of our departmental leaders. I want to compliment our Finance Department staff and each Department for their efforts over the last four months as this budget was drafted and finalized for presentation tonight.*

*The budget represents a continuing philosophy of conservatism in revenue projection and expenditure plans that most effectively react to community needs and priorities as established by you, the governing body. Due to the fact that FY 2021 was a record year relative to revenue growth, most, if not all, of your identified priorities have been addressed in one way or another. FY 2022 General Fund budgeted revenues represent an 8.89% increase over the previous fiscal year budget.*



**City of Vestavia Hills General Fund Revenue**

|                          | FY 20 Actual | FY 21 Budget | FY 21 Projected Actual | FY 22 Budget | % FY 21 Projected vs FY 22 Budget | % FY 21 Budget vs FY 22 Budget |
|--------------------------|--------------|--------------|------------------------|--------------|-----------------------------------|--------------------------------|
| <b>Sales Tax</b>         | 20,680,685   | 19,253,514   | 22,963,583             | 21,783,737   | -5.14%                            | 13.14%                         |
| <b>Ad Valorem - Real</b> | 15,786,903   | 15,740,785   | 16,595,139             | 16,785,573   | 1.15%                             | 6.64%                          |
| <b>Business License</b>  | 3,475,946    | 3,033,890    | 3,429,776              | 3,316,615    | -3.30%                            | 9.32%                          |
| <b>Utility Franchise</b> | 2,437,429    | 2,437,311    | 2,240,464              | 2,307,463    | 2.99%                             | -5.33%                         |
| <b>All Other</b>         | 9,093,840    | 7,318,173    | 7,318,173              | 7,838,735    | 7.11%                             | 7.11%                          |
| <b>Total</b>             | 51,474,803   | 47,783,673   | 52,547,135             | 52,032,124   | -0.98%                            | 8.89%                          |

*Expressed another way, this is an additional \$4.2mm in financial resources available to address our needs compared to last year. To reinforce the conservatism in this budgeted general fund revenue projection, the FY 2022 total General Fund budgeted revenues are actually slightly less than projected actual General Fund revenues in FY 2021. The previous chart reflects these statements in an illustrative manner.*

*In an effort to provide this message in a concise manner and recognize the value of each departmental budget narrative included in the budget package provided to you tonight, I will simply highlight the major themes supported in the proposed budget.*

- To recognize the value of our City staff and in acknowledgement of the increasing cost of living, the budget includes a 3% COLA for all City employees. Furthermore, the budget fully funds longevity pay, merit increases and absorbs an anticipated growth in the cost of health benefits.*
- To continue a priority with improving public safety operations, the budget includes funding for additional police officers, fire fighters, one-to-one assignment of police vehicles for patrol officers in addition to facility and equipment upgrades for the Fire Department.*
- Infrastructure is a priority as well. The budget proposal includes resurfacing nearly 9 miles of residential streets, and includes, for the first time, dedicated public storm water pipe replacement funding as*

*well as professional services and an additional employee to assist in the engineering execution of these priorities.*

- *The proposed budget includes significant increases in employee resources to manage our new Parks and Recreation assets along with enhanced contractual support for grass cutting activities.*
- *With the increased number of assets, both vehicular and building related, the need to manage the associated increases in technology is addressed in the budget with an additional IT employee and technology upgrades.*
- *Other facility upgrades include the replacement and addition of artificial turf to improve the playing condition and increase the utility of various fields at SHAC and Wald Park. The Library in the Forest and Liberty Park athletic complex receive upgrades as well as recognizing the need to continuously maintain aging structures.*

*Again, this list is not intended to be all encompassing but just to give a flavor of the areas that our noteworthy financial growth has been able to allow an action-oriented plan of attack. The City staff and I stand ready to meet as you see fit in the evaluation of this plan through hearings or individual questions. The proposed budget will be placed on the City's website and will be transmitted to you in a bound booklet tonight and a forthcoming digital version tomorrow. Thanks for your thoughtful consideration of these requests.*

*Respectfully, Jeffrey Downes, City Manager”*

- The Mayor commended Mr. Downes and the City Staff for the budgets and stated that the City has seen some growth and that these budgets sound very good.
- Mr. Pierce stated that the City is truly blessed to be able to review budgets such as these and noted that very little of the Department Head requests were not fully met.

### **COUNCILOR REPORTS**

- Mr. Pierce stated that he will be attending the monthly meeting of the Chamber tomorrow at the Country Club. He stated that the keynote speaker is Dr. Todd Freeman, Superintendent of Education.
- Mr. Weaver announced that the Planning and Zoning Commission’s regular meeting scheduled for Thursday, August 12, 2021 beginning 6 PM.
- Mr. Head announced that the Parks and Recreation Board meeting will be held Tuesday, August 17, 2021 beginning at 5:30 PM in ECR.
- Mrs. Cook’s report (verbatim):  
*“Since the school system released its most recent message about reopening schools this year, I have received a number of emails asking me to use my influence or intervene to make changes in the reopening plan for our*

*schools. As I have read all the emails and responded to those addressed to me, I have observed that not everyone understands the relationship between the Council and School Board. I thought it would help everyone's understanding to explain that in greater detail tonight in my councilor report.*

*Our Council appoints the school board. We spend a great deal of time going through the interview process. I read resumes, applications, and call references. I receive a lot of feedback from members of the community about who they most want to represent them on the school board. We spend days in interviews to make sure that we pick the very best fit to fill the open slot. The entire Council, as a body, votes to appoint each member. We are the appointing authority.*

*After we make the appointment, our school board does the hard work of advising Dr. Freeman on his policies and plans for our schools. The school board alone has the authority to make decisions regarding policy. These include approving budgets, expenditures, written policies, and all contracts—including the superintendent's contract. There are certain things they must, by law, approve, and other operational decisions that are under the superintendent's authority—such as the operational plans and curriculum.*

*The Superintendent works directly with his board to whom he is accountable. He recommends actions, and the board approves or disapproves. The Council does not have a part in that process.*

*Because I am a member of the appointing authority, I feel it would be inappropriate and disrespectful for me to take a public position on a Board matter. I tell everyone who contacts me about school board issues the same thing: I have confidence in our Board and their ability to make the best decisions as a group. I support their decisions and appreciate their public service. I help appoint them and then I pay them the professional courtesy of letting them make hard decisions without comment or interference from me. They are a completely independent governing body.*

*As someone who holds authority to help make decisions for our City, I will share that having this heavy responsibility changes your perspective, and places you in a unique position to make the best decisions that will contribute to the overall welfare of our schools. I know how our Council works together, through our City Manager, to discuss issues and form policy, and I would imagine the school board process works the same way. I would not expect a school board member to tell me what I should do in approving an ordinance or appointing a school board member, and I will not show them the disrespect of telling them what to do in any decision they have to make. I will close my report by saying I wholeheartedly support*



*their work and appreciate their public service. The work that they do is thankless, frequently time-consuming, and difficult.*

*If folks contact me about school board matters, I will encourage you to talk to the teacher, principal, or school board members. I am the liaison to the Council for the school system, but not the community's representative to Dr. Freeman or the school board.*

*At this time, I would like to invite Mr. Boone to elaborate on the statutory authority for the appointment of school board members and to explain the relationship between the Council, School Board, and Superintendent.”*

- Mr. Boone explained the function of the Board of Education and the City Council. He stated that all school boards are agencies of the State of Alabama. Municipalities are not. The Vestavia Hills City Council can only do what the State of Alabama specifically allows, which is broken down into 2 specific duties: (1) Cities that form a school system may establish a Board of Education; and (2) the City Council may appoint the School Board on an annual basis. He explained that, other than these two duties, the City Council has no authority to advise the Board of Education to do anything.
- Mrs. Cook asked Mr. Boone if the City Council has any authority over an employee of the Board, specifically the Superintendent. Mr. Boone explained that the Council has no power over the Superintendent, that's a duty of the Board of Education.

## **FINANCIAL REPORTS**

George Sawaya, Deputy Finance Director, presented the financial reports for the month ending June 2021. He read and explained the balances.

## **COMMUNITY SPACES UPDATE**

Mr. Raynor Boles, TCU Contracting updated the Council on the following projects:

- Wald Park is winding down with a large punch list that'll be worked on in the near future. The contractor will be fully demobilized and off the property soon. The sidewalk adjacent to the school is completed. Final mowing, pressure washing, etc., will be going on soon. He stated they have moved into a value engineering of scope items to see if they could go within budget on Wald Park III improvements. Materials are costly and difficult to obtain but they continue to work.
- Wald Park shade structures which were discussed last month. He showed diagrams of two options of proposed shade structures. He explained each option in detail. Discussion ensued as to the shade structures, the time of the year this is being analyzed, etc. Mr. Weaver stated he'd like to hear a little more regarding the engineering of these structures. Mr. Boles explained they'll have to be slow and steady in the installation and not make

any adjustments into the slab. He stated it is slow and arduous but that's the best they can do. The single post cantilever is the recommended shade structure. Mr. Boles stated that the intent of this was that the shade structures be included in the job and they are prepared to do a change order if Mr. Boone determines that's permissible under the bid law.

- Todd Bailey, 2635 Fargo Circle, indicated that the City has done a lot for Wald Park, but he thought what is the timeframe understanding before the steel prices come back down. You might wish to wait and allow that to happen.
- Mr. Boles gave an update on Crosshaven Drive. He stated that the City is looking at a partnership with Jefferson County which he fully supports. He explained that without this additional agreement with Jefferson County, the City's ability to move is handcuffed on these projects forward. He explained there were some delays in July but they'll be done with the section from Overton to Green Valley very soon, both roadway and sidewalk. Water lines are being installed from Green Valley to the Summit and that installation completes tomorrow. He added that it takes about 6 weeks for them to change over the individual affected water meters. Mr. Boles added that they are looking at expanding the portion below Green Valley to Overton to allow three full lanes which increases the scope of the project and comes at an extra cost which the Council will need to consider and approve before steps can be taken to move forward. He stated he hopes to have that information next month.
- Mr. Boles stated that the Community Center update includes a fully completed roof structure. Installation of HVAC is ongoing as is mechanical and electrical. The bridge connection will be coming soon and will affect the drive at the side of the building. He stated that the current contractual finish date is November 10 and he is concerned about the inability to get many materials including windows, handrails, etc.
  - Mr. Pierce asked the estimate for completion of the community center. Mr. Boles stated he is hoping by the end of the year.
- Mr. Boles gave an update of the dogpark at Cahaba Heights. He stated that once the project is finished, the contractor maintains it for 30 days and after that, the City must maintain. He explained that the contractor went to maintain and the mud was so bad that he couldn't complete the job and the slope is too steep. It is finished as of today, but there needs to be a determination of safety before it can be opened to the public. The design wasn't perfect but they are going to make it right.
  - Mrs. Cook indicated they need to get it right and end up with a good product.

### APPROVAL OF MINUTES

The Mayor opened the floor for approval of the following minutes: July 26, 2021 (Regular Meeting).

**MOTION** Motion to approve the minutes of July 26, 2021 (Regular Meeting) was by Mr. Weaver and seconded by Mr. Pierce. 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 5337**

**Resolution Number 5337 – Annexation – 90 Day – 2429 Altadena Road; Lot 2, Haynies Addition To Ridge Forest; Keith And Taylor Cargal (Owners) (public hearing)**

**MOTION** Motion to approve Resolution Number 5337 was by Mr. Weaver and seconded by Mr. Pierce.

The Mayor stated that this and the following Ordinance represent the initiation of a 90-day annexation and the overnight annexation of this property. He explained that each item would be discussed and voted upon, but he'd hold one public hearing for each property.

Mr. Pierce gave the report from the Standing Annexation Committee which found no adverse information on this property or the following two properties. He explained that tonight they are initiating a 90-day annexation along with an overnight annexation.

Keith and Taylor Cargal were present representing the request.

The Mayor opened the floor for a public hearing for both the 90-day initiation and the overnight annexation (item to follow). There being no one else to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

**ORDINANCE NUMBER 3025**

**Ordinance Number 3025 – Annexation – Overnight – 2429 Altadena Road; Lot 2, Haynies Addition To Ridge Forest; Keith And Taylor Cargal (Owners) (public hearing)**

**MOTION** Motion to approve Ordinance Number 3025 was by Mr. Weaver and seconded by Mr. Pierce.

The Mayor explained that this is the overnight annexation of the same property.

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

|                  |                  |
|------------------|------------------|
| Mrs. Cook – yes  | Mr. Head – yes   |
| Mr. Pierce – yes | Mr. Weaver – yes |

Mayor Curry – yes

motion carried.

**RESOLUTION NUMBER 5338**

**Resolution Number 5338 – Annexation – 90 Day – 2625 Red Bud Lane; Lot 4B, LB Lloyd Subd; Deborah and Jack Standifer, (Owners) (public hearing)**

**MOTION** Motion to approve Resolution Number 5338 was by Mrs. Cook and seconded by Mr. Weaver.

The Mayor stated that this and the following Ordinance represent the initiation of a 90-day annexation and the overnight annexation of this property.

Deborah Standifer was present representing the request.

The Mayor opened the floor for a public hearing for both the 90-day initiation and the overnight annexation (item to follow). There being no one else to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

**ORDINANCE NUMBER 3026**

**Ordinance Number 3026 – Annexation – Overnight – 2625 Red Bud Lane; Lot 4B, LB Lloyd Subd; Deborah and Jack Standifer, (Owners) (public hearing)**

**MOTION** Motion to approve Ordinance Number 3026 was by Mr. Weaver and seconded by Mr. Pierce.

The Mayor explained that this is the overnight annexation of the same property.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

**RESOLUTION NUMBER 5339**

**Resolution Number 5339 – Annexation – 90 Day – 2621 Red Bud Lane; Lot 4A, Gary and Pam West Survey; Jordan Hoffman, (Owners) (public hearing)**

**MOTION** Motion to approve Resolution Number 5339 was by Mrs. Cook and seconded by Mr. Weaver.

The Mayor stated that this and the following Ordinance represent the initiation of a 90-day annexation and the overnight annexation of this property.

Jordan Hoffman was present representing the request.

The Mayor opened the floor for a public hearing for both the 90-day initiation and the overnight annexation (item to follow). There being no one else to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

### **ORDINANCE NUMBER 3027**

**Ordinance Number 3027 – Annexation – Overnight – 2621 Red Bud Lane; Lot 4A, Gary and Pam West Survey; Jordan Hoffman, (Owners) (public hearing)**

**MOTION** Motion to approve Ordinance Number 3027 was by Mrs. Cook and seconded by Mr. Weaver.

The Mayor explained that this is the overnight annexation of the same property.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

### **ORDINANCE NUMBER 3028**

**Ordinance Number 3028 – An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver A Temporary Construction Easement For The Parkside Development Project Located On Dolly Ridge Road Described As Lot 2, Hollis Crossings Survey (public hearing)**

**MOTION** Motion to approve Ordinance Number 3028 was by Mr. Weaver and seconded by Mr. Head.

Mr. Downes explained that this gives a construction easement for a project that involves a joint access drive between the City and this developer. The shared access that gives the City access to the parking of the park and eventually tie into the adjacent development parking. This

project is nearing the permitting phase and this allows that connection. He stated this has been reviewed and approved by the City's Engineer.

Mr. Pierce asked if there's issues with water runoff to properties next door.

Mr. Brady stated the runoff during construction would be handled.

The Mayor opened the floor for a public hearing.

Martha Cook, 2713 Pruett Place, stated she lives adjacent to this property and there is a problem with this development and the construction of this building. She stated that she has met with the developer and their engineer with her concerns. The water has increased with each and every development in this area which is the cause of her concerns. She stated that she's willing to work with the City, she wants it to be fixed because it's affecting her life and her single most expensive investment. She stated that, with the good things in Vestavia Hills, this needs to be done right.

Mr. Brady stated that their engineer has done a drainage analysis for this entire area and they are looking at digging a drainage ditch on the City's property and creating more underground detention on this property to help in controlling runoff in the area.

Mrs. Kimberly Cook asked when the engineering work will be ready.

Mr. Brady stated a few weeks.

Mrs. Cook asked that Martha Cook be notified of the progress when the report comes out.

Mrs. Martha Cook stated there are really two drainage situations in this subdivision. She stated she doesn't think a drainage ditch will help the drainage on her property. She doesn't about that part and that it's City's property directly behind her.

The Mayor asked if the construction easement addresses any of the drainage.

Mr. Brady explained he helps some and captures the water to direct it into his detention system in combination of the City and the Sch

Stan Beatty 2729 Pruett Place, stated that he, too, has had problems with the drainage that's overflowing throughout their subdivisions.

Mr. Brady stated their study is looking at the entire basin and they'll determine what needs to be done from that.

Mrs. Kimberly Cook asked if this could be added to the projects page on the City's website.

Thom Hickman, owner of the subject property, stated that they have been working on this design for a long time. He stated that the easement being requested tonight is for curb and gutter area to complete the drive. He stated that the design of his project is that they have over detained water over and above what's required of this project. He stated that the City's property, adjacent to Mrs. Cook's property, is being considered but these are two separate issues. He stated they have scaled back their request to simply finish the access drive. He stated that additional detention and landscaping has been installed near the Odom property. He stated that he concurs with the concerns of the residents of Pruett Place but these are different issues.

Robert de Buys, 3467 Mossbrook Lane, stated that there is a very large tree on that property and asked about the plans for saving that tree.

Mr. Brady stated that they intend to leave the tree but if not possible, it might have to come down.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

### **RESOLUTION NUMBER 5341**

#### **Resolution Number 5341 – A Resolution Authorizing The City Manager To Expend Additional Funding For The Needed Renovations At Vestavia Hills Fire Station No. 3 (public hearing)**

**MOTION** Motion to approve Resolution Number 5341 was by Mr. Weaver and seconded by Mr. Head.

Mr. Downes explained that Fire Station No. 3 is in immediate need of renovations/repairs. He stated that the original facilities haven't had any updates since construction in the 80's. With the increase in cost and materials, this is needed to complete these renovations.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

**NEW BUSINESS**

**RESOLUTION NUMBER 5342**

**Resolution Number 5342 – A Resolution Approving An Alcohol License For S2A2, Inc., D/B/A Liquor Shop; Sunil Joshi Executive (*public hearing*)**

**MOTION** Motion to approve Resolution Number 5342 was by Mrs. Cook and seconded by Mr. Head.

Sunil Joshi, owner, was present in regard to this request.

Mr. Pierce asked about training of employees.

Mr. Joshi stated they have several training programs to ensure no sales to minors. He stated he uses the one from ABC and one he developed himself.

Mrs. Cook asked if they sell tobacco.

Mr. Joshi stated that use the same rules for tobacco.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

**RESOLUTION NUMBER 5343**

**Resolution Number 5343 – A Resolution Approving An Alcohol License For First Watch Restaurants, Inc., D/B/A First Watch Restaurant 389; Henry M. Hope III, Jay A Wolszczak and Christopher A. Tomasso, executives (*public hearing*)**

**MOTION** Motion to approve Resolution Number 5343 was by Mr. Weaver and seconded by Mr. Pierce.

Bobby McGurk stated that they have introduced signature cocktails on a very small menu.

Mr. Pierce asked about Sunday mornings and training of employees to prevent sales to minors.



Mr. McGurk stated that all employees and managers will have to get certification for training from ABC Board and that they aren't yet prepared for the early Sunday morning service at the moment.

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

|                   |                  |
|-------------------|------------------|
| Mrs. Cook – yes   | Mr. Head – yes   |
| Mr. Pierce – yes  | Mr. Weaver – yes |
| Mayor Curry – yes | motion carried.  |

### **ORDINANCE NUMBER 3032**

**Ordinance Number 3032 – An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver A First Addendum To Agreement To Share Responsibilities (Joint Services Agreement) To Coordinate Overlapping Projects On Crosshaven Drive**

**MOTION** Motion to approve Ordinance Number 3032 was by Mr. Weaver and seconded by Mr. Pierce.

Mr. Downes explained that this agreement was referred to by Mr. Boles in his update of the Crosshaven Drive project. It allows the City to share in and coordinate in responsibilities for the ongoing project on Crosshaven Drive in order to allow the joint construction to occur more expeditiously and efficiently with the City's approved contractor.

Mrs. Cook asked who will actually manage this?

Mr. Downes stated that the City and the City's contractor is in the lead for this work and this helps to move it forward more seamlessly.

There being no one else to further address the Council, the Mayor called for the question. Roll call vote was 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 opened the floor for unanimous consent for the immediate consideration and action of Ordinance Number 3031.

**MOTION** Motion for unanimous consent for the immediate consideration and action of Ordinance 3031 by Mr. Weaver seconded by Mrs. Cook

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

**ORDINANCE NUMBER 3031**

**Ordinance Number 3031 – An Ordinance To Declare That The Present Condition Of A Portion Of Oakview Lane Is In Such State Of Disrepair That It Endangers The Public Health, Safety And Welfare Of Members Of The General Public; To Declare That The Situation Is An Emergency; To Describe The Nature Of Said Emergency; To Authorize And Direct The Repair Of Oakview Lane Without Advertising For Competitive Bids Pursuant To The Authority Of Title 39-2-2(E), Code Of Alabama, 1975, At A Cost Not To Exceed One Hundred Eighteen Thousand Eight Hundred Fifty-Two Dollars (\$118,852.00); To Authorize And Direct The City Manager And Mayor To Negotiate And To Execute And Deliver A Construction Contract And Any And All Other Documents Necessary To Have The Repair Work Performed And Completed (public hearing)**

**MOTION** Motion to approve Ordinance Number 3031 was by Mr. Weaver and seconded by Mr. Pierce.

Mr. Downes explained that this is for repair of a collapsed pipe on this roadway which needs immediate attention. Details were given in the Ordinance and a picture of the area and the pavement collapse were shown. He explained that the stormwater system in Cahaba Heights is failing in many places and this is one area of drainage basin being analyzed along with Poe area and south of Shades Crest.

Mrs. Cook asked where the funding is derived.

Mr. Downes stated it is funded by Capital Projects Fund.

Mr. Brady stated the existing pipe is metal. He stated that they are proposing concrete pipe to replace this failing pipe.

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

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

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

- Ordinance Number 3030 – Rezoning – 3164 Belwood Drive; Rezone From Vestavia Hills R-5 (Multi-Family Residential District) To Vestavia Hills R-9 (Planned Residential District For Construction Of Five Townhomes; Elm Properties, Owners (*public hearing*))

**CITIZEN COMMENTS**

Katie Roach Dudley, 3237 Ridgely Drive, thanked the Mayor and Council for allowing her to speak. She thanked Mrs. Cook for her explanation concerning influence of the Board of Education. She stated that there is big trouble brewing in this City because the Board has refused to heed the advice of many health experts along with many of the residents of the City. She stated that they are all in favor of universal masking. She cited sources and asked that the entire city be masked.

The Mayor explained that the Council has no discretion over the Board of Education.

Mrs. Dudley stated that the Delta variant is different and children are at much more risk. She stated the children that need to be in school also need to be protected and the only way to do that is mandatory masking. She asked the City to institute a mask mandate for the City at large.

Mr. Boone stated that he hasn't heard of any other City in the state passing another municipality enacting a universal facemask ordinance.

Tom Bailey, 2635 Fargo Circle, stated that the City of Birmingham had an ordinance so there is a precedence and any municipality can follow suit. As far as timing, school starts tomorrow and these recommendations go to all under 12 so at least that population should be universally masked.

Brian Malcolm, 2525 Aspen Cove Drive, stated that he does not accept the Council's assertion that they can do nothing. This Council can impose an Ordinance in a limited fashion if they like that requires all children under 12 years of age to be masked. Reasonable measures can be taken as the Board of Education has failed the children.

The Mayor stated that the Council will take this into consideration and other cities did so with the concurrence of the school boards. Here our Board says masks are optional.

At 8:09 PM, Mr. Pierce made a motion to adjourn. The meeting adjourned at 8:10 PM.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**CITY OF VESTAVIA HILLS**

**CITY COUNCIL**

**MINUTES**

**WORK SESSION**

**AUGUST 16, 2021**

The City Council of Vestavia Hills met in regular work session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. Social distancing along with limits of attendees, this meeting was held with a portion of Staff and general public/audience members attending via Zoom.com following publication pursuant to Alabama law. The Mayor called the meeting to order. 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:**

Patrick H. Boone, City Attorney  
Rebecca Leavings, City Clerk  
Dan Rary, Police Chief  
Marvin Green, Fire Chief  
Cinnamon McCulley, Communications Specialist  
Steve Ammons, Jefferson County Commissioner  
*\*present via Zoom or telephone*

**MASK MANDATE**

Brian Malcolm, 2525 Aspen Cove Drive, spoke in favor of the City adopting a citywide mask mandate: *“I, along with many concerned parents and citizens of the City of Vestavia Hills, Alabama, ask this City Council to better protect children in Vestavia Hills City Schools by issuing a citywide mask ordinance requiring all children under the age of 12 to wear a mask in public buildings and requiring teachers providing in-person and indoor instruction to children under 12 to wear a mask while in any room in any school building within the city limits so long as a child under the age of 12 is present in the same room as the teacher. We ask that such an ordinance remain in place so long as the overall community transmission level in Jefferson County, Alabama remains high, as defined by Alabama’s COVID-19 Dashboard Hub, or until children under 12 have had sufficient opportunity to be fully vaccinated against COVID-19, as that term is defined by the CDC.”*

Jennifer Vachris, 3238 Wisteria Drive, asked the Council not to pass a citywide mask mandate, but to leave the decision to parents.

Mayor Curry invited Patrick Boone, the City Attorney, to comment on the legality of passing such a mandate.

Mr. Boone opined that the City Council has the authority to adopt an Ordinance mandating masks in public buildings throughout the City; however, based upon case law, Vestavia Hills school buildings are controlled by the Vestavia Hills Board of Education and are not under the City Council jurisdiction. Therefore, the City Council cannot require children in the schools to wear a mask while attending or occupying any school building in the City. Mr. Boone gave legal background concerning the statutory authorities given to cities. He indicated that the Council does have any authority to issue a mask ordinance applicable to the City school system because the schools are agencies of the state, not of the municipality. Section 16-11-9, *Code of Alabama, 1975*, says that a City school board is empowered with all necessary authority to operate a City School system. Based upon every legal avenue that Mr. Boone could identify, he found that all authority for operating schools lies with the City's Board of Education and not with the City of Vestavia Hills.

Brian Malcolm, 2525 Aspen Cove Drive, asked about Section 11-47-141, *Code of Alabama, 1975*, which Mr. Boone had mentioned. He stated that he believes this statute gives this City the authority to enact ordinances regarding public health in both public and private premises. He stated that would affect all public places in the City and asked why would that not include schools.

Mr. Boone pointed to cases by the Alabama Supreme Court involving other governmental entities operating in the City and, also, the code section cited by Judge Smitherman. Multiple statutes are read together, and it is his judgment that the decision lies with the Board of Education.

### **MASSEY ROAD**

Mr. Downes stated that, if the source of funds for any road project comes through ALDOT, it takes a long time to get it funded and realized. Several years ago, the Massey Road road stabilization project was begun, with source-funding through ALDOT. The project scope includes sidewalks, road widening, road stabilization and resurfacing. What began as a \$900,000 project has now climbed to over \$3 million. The design evolved and was eventually approved by ALDOT. Phases include design, right-of-way acquisition, and construction. The right-of-way acquisition phase has commenced with letters being sent to 27 property owners; meetings have occurred with about half of the affected owners. Many have shown enthusiasm and a willingness to commit property for the project. He stated that one of the largest property owner is Tony Serra with the second being 60 condominium owners. City representatives will meet with land owners tomorrow night to discuss. Construction is anticipated to be about 180 days from start-of-construction. The MPO has increased funding to meet the full project cost, but the funding sources and approvals are the reason for delays.

The Mayor asked about the location of the sidewalk. Mr. Downes explained the location of the proposed sidewalk design.

### **OTHER ISSUES**

Mr. Downes stated will soon be invited to tour the new civic center.

The budget will be on a first-read at the next meeting, with a public hearing the meeting following that. Discussion ensued and councilors indicated they would review the budget and send preliminary questions to the City Manager. The Mayor will set a time for a public work session.

Discussion ensued concerning expansion of Birmingham Jefferson City Transit Authority (BJCTA) bus service to Vestavia Hills. Mr. Downes said the city will survey the level of service and funding required for said services, but the base level is what has been budgeted.

Mr. Downes said there is an ALDOT rule stating that, when vegetation grows and blocks billboards, billboard companies have the right to go and cut down the blockage. The city projects that pine trees planted near the new digital sign at the intersection of I-65 and Highway 31 will soon obstruct the sign. To alleviate the concern, Lamar has offered to extend the funding to remove the taller pines that will soon block the billboards and replace them with 10' evergreens as well as to update the surrounding lawn area. Lamar will be fully funding the project, however, ALDOT approval will be required for the upgrade, and the request will also have to be approved by the City Council.

Mr. Pierce asked the status of engineering drawings for the reconfiguration of the intersection of Columbiana Road and Highway 31.

Mr. Downes stated that the drawings and designs are in progress, with a third-party engineering firm, for this project along with two other intersection projects.

There being no further business, the work session adjourned at 7:08 PM.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk



**ORDINANCE NUMBER 3030**

**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 R-5 TO VESTAVIA HILLS R-9**

**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 R-5 (multi-family residential district) to Vestavia Hills R-9 (planned residential district):

3164 Belwood Drive  
Elm Properties, Owners

More particularly described as follows:

A tract of land located in the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 22, Township 18 South, Range 2 West, Jefferson County, more fully described as following commencing at the Northeast corner of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 22, Township 18 South, Range 2 West; thence run west along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  line for a distance of 375.00 feet to a found #4 rebar said rebar being the point of beginning; thence continue along said course for a distance of 276.97 feet to the center line of Belwood drive; thence turn an interior angle of  $27^{\circ}38'17''$  to the right and run along the arc of a curve to the left for an arc distance of 236.03 with a chord distance of 228.28 feet said curve having a Delta angle of  $51^{\circ}08'32''$  and a radius of 264.43 feet to the center line intersection of Belwood Drive and A Autumn Lane; thence turn an interior angle of  $055^{\circ}35'18''$  to the right and run a distance of 78.90 feet to a point in the center line of Belwood drive; thence turn an interior angle of  $85^{\circ}04'10''$  to the right and run a distance of 110.60 feet to the point of beginning. Less and except any part in the right of way.

**APPROVED and ADOPTED** this the 23<sup>rd</sup> day of August, 2021.

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 # 3030 is a true and correct copy of such 23<sup>rd</sup> day of August, 2021, as same appears in the official records of said City.

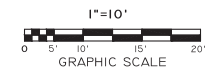
Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Rebecca Leavings  
City Clerk



ELLIOT PIKE, CONTACT  
ELM CONSTRUCTION, LLC  
4100 AUTUMN LN #104, VESTAVIA HILLS, AL 35243  
TELEPHONE (205) 368-5109

JOSEPH A. MILLER, III ENGINEER  
PE/LS No. 17054  
MTTR ENGINEERS, INC.  
2500 SOUTHLAKE PARK, SUITE 100, HOOVER, AL 35244  
TELEPHONE (205) 320-0114



MTTR ENGINEERS, INC.  
CONSULTING ENGINEERS-LAND SURVEYORS  
2500 SOUTHLAKE PARK, SUITE 100, HOOVER, AL 35244  
TELEPHONE (205) 320-0114

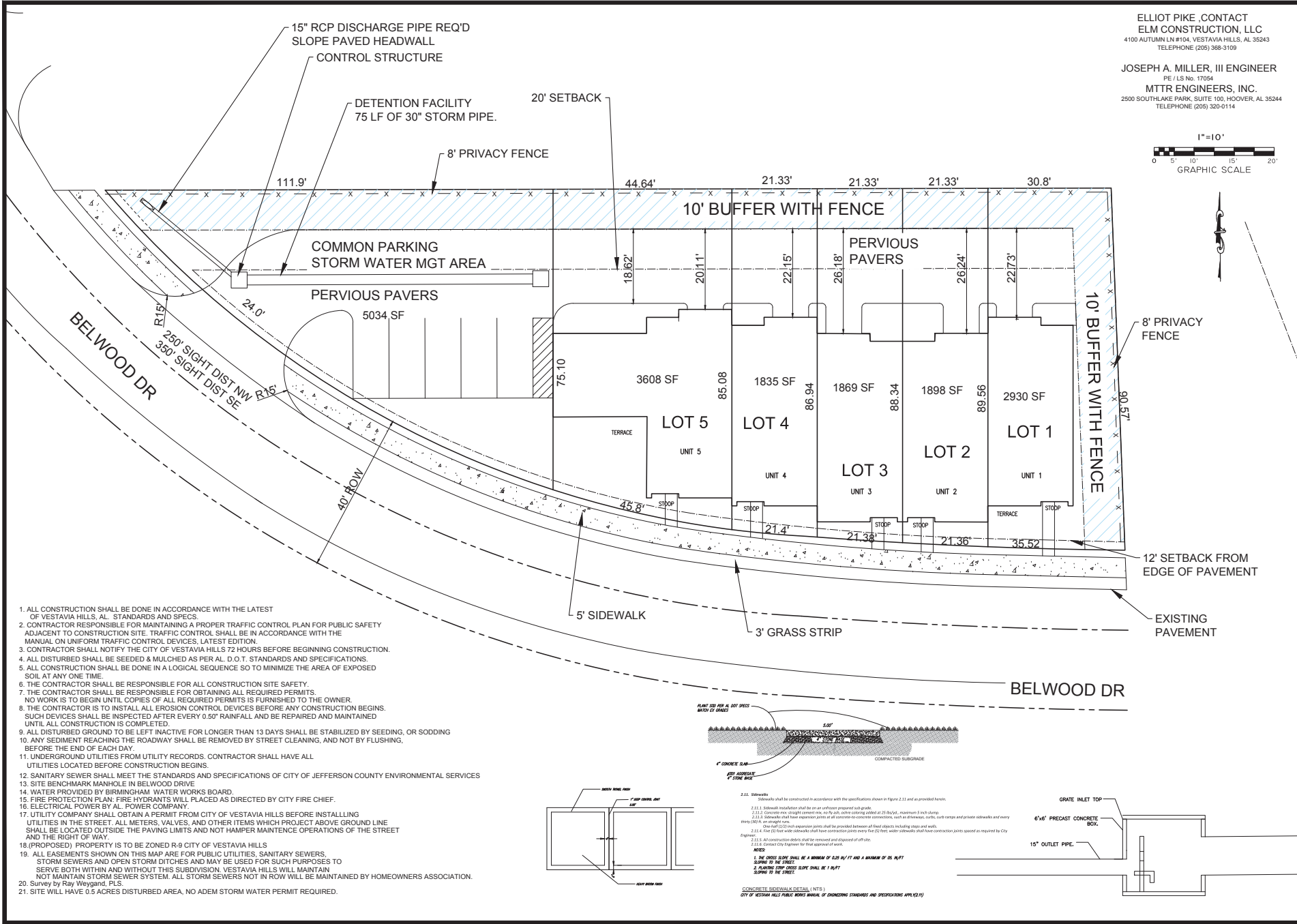


PRELIMINARY PLAN FOR  
**BELWOOD DR TOWNHOMES**  
3184 BELWOOD DR  
VESTAVIA HILLS, AL  
**ELM CONSTRUCTION, LLC**  
VESTAVIA HILLS, AL

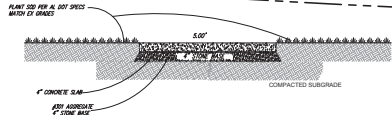
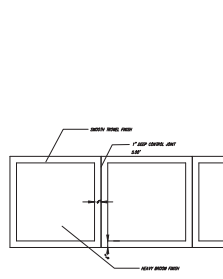


| NO. | REVISIONS |
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JOB NO: 21ELM01  
FILE NAME: REZONING  
SCHEMATIC NO. 5  
DATE: 07.14.21  
DRAWN: MCO  
CHECKED: JAM III  
SCALE: 1" = 10'-0"  
SHEET: C 1

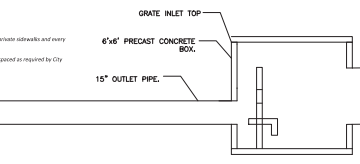


- ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE LATEST OF VESTAVIA HILLS, AL STANDARDS AND SPECS.
- CONTRACTOR RESPONSIBLE FOR MAINTAINING A PROPER TRAFFIC CONTROL PLAN FOR PUBLIC SAFETY ADJACENT TO CONSTRUCTION SITE. TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.
- CONTRACTOR SHALL NOTIFY THE CITY OF VESTAVIA HILLS 72 HOURS BEFORE BEGINNING CONSTRUCTION.
- ALL DISTURBED SHALL BE SEEDED & MULCHED AS PER AL. D.O.T. STANDARDS AND SPECIFICATIONS.
- ALL CONSTRUCTION SHALL BE DONE IN A LOGICAL SEQUENCE SO TO MINIMIZE THE AREA OF EXPOSED SOIL AT ANY ONE TIME.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION SITE SAFETY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS. NO WORK IS TO BEGIN UNTIL COPIES OF ALL REQUIRED PERMITS IS FURNISHED TO THE OWNER.
- THE CONTRACTOR IS TO INSTALL ALL EROSION CONTROL DEVICES BEFORE ANY CONSTRUCTION BEGINS. SUCH DEVICES SHALL BE INSPECTED AFTER EVERY 0.50" RAINFALL AND BE REPAIRED AND MAINTAINED UNTIL ALL CONSTRUCTION IS COMPLETED.
- ALL DISTURBED GROUND TO BE LEFT INACTIVE FOR LONGER THAN 13 DAYS SHALL BE STABILIZED BY SEEDING, OR SODDING. ANY SEDIMENT REACHING THE ROADWAY SHALL BE REMOVED BY STREET CLEANING, AND NOT BY FLUSHING, BEFORE THE END OF EACH DAY.
- UNDERGROUND UTILITIES FROM UTILITY RECORDS. CONTRACTOR SHALL HAVE ALL UTILITIES LOCATED BEFORE CONSTRUCTION BEGINS.
- SANITARY SEWER SHALL MEET THE STANDARDS AND SPECIFICATIONS OF CITY OF JEFFERSON COUNTY ENVIRONMENTAL SERVICES
- SITE BENCHMARK MANHOLE IN BELWOOD DRIVE
- WATER PROVIDED BY BIRMINGHAM WATER WORKS BOARD.
- FIRE PROTECTION PLAN: FIRE HYDRANTS WILL PLACED AS DIRECTED BY CITY FIRE CHIEF.
- ELECTRICAL POWER BY AL. POWER COMPANY.
- UTILITY COMPANY SHALL OBTAIN A PERMIT FROM CITY OF VESTAVIA HILLS BEFORE INSTALLING UTILITIES IN THE STREET. ALL METERS, VALVES, AND OTHER ITEMS WHICH PROJECT ABOVE GROUND LINE SHALL BE LOCATED OUTSIDE THE PAVING LIMITS AND NOT HAMPER MAINTENANCE OPERATIONS OF THE STREET AND THE RIGHT OF WAY.
- (PROPOSED) PROPERTY IS TO BE ZONED R-8 CITY OF VESTAVIA HILLS
- ALL EASEMENTS SHOWN ON THIS MAP ARE FOR PUBLIC UTILITIES. SANITARY SEWERS, STORM SEWERS AND OPEN STORM DITCHES AND MAY BE USED FOR SUCH PURPOSES TO SERVE BOTH WITHIN AND WITHOUT THIS SUBDIVISION. VESTAVIA HILLS WILL MAINTAIN NOT MAINTAIN STORM SEWER SYSTEM. ALL STORM SEWERS NOT IN ROW WILL BE MAINTAINED BY HOMEOWNERS ASSOCIATION.
- Survey by Ray Weygand, PLS.
- SITE WILL HAVE 0.5 ACRES DISTURBED AREA, NO ADEM STORM WATER PERMIT REQUIRED.



- 2.1.1 Sidewalks**  
Sidewalks shall be constructed in accordance with the specifications shown in Figure 2.11 and as provided herein.
- 2.1.1.1 Sidewalk installation shall be per an approved prepared subgrade.**
- 2.1.1.2 Sidewalks shall have expansion joints at all concrete-to-concrete connections, such as driveways, curbs, curb ramps and girder sidewalks and every 100' on an straight run.**
- One half (1/2) inch expansion joints shall be provided between all base objects including steps and walls.**
- 2.1.1.4. One (1) inch wide sidewalk shall have construction joints every five (5) feet, water sidewalks shall have construction joints spaced as required by City Engineer.**
- 2.1.1.5. All construction debris shall be removed and disposed of off site.**
- 2.1.1.6. Contact City Engineer for final approval of work.**
- NOTES**  
1. NO CROSS SLOPE SHALL BE A MAXIMUM OF 1.25 IN/FT AND A MINIMUM OF 0.5 IN/FT SLOPING TO THE STREET.  
2. SLOPING DOWN SLOPE SHALL BE 1 IN/FT SLOPING TO THE STREET.

CONCRETE SIDEWALK DETAIL (NOTS)  
CITY OF VESTAVIA HILLS PUBLIC WORKS MANUAL OF ENGINEERING STANDARDS AND SPECIFICATIONS APPLIED (1)



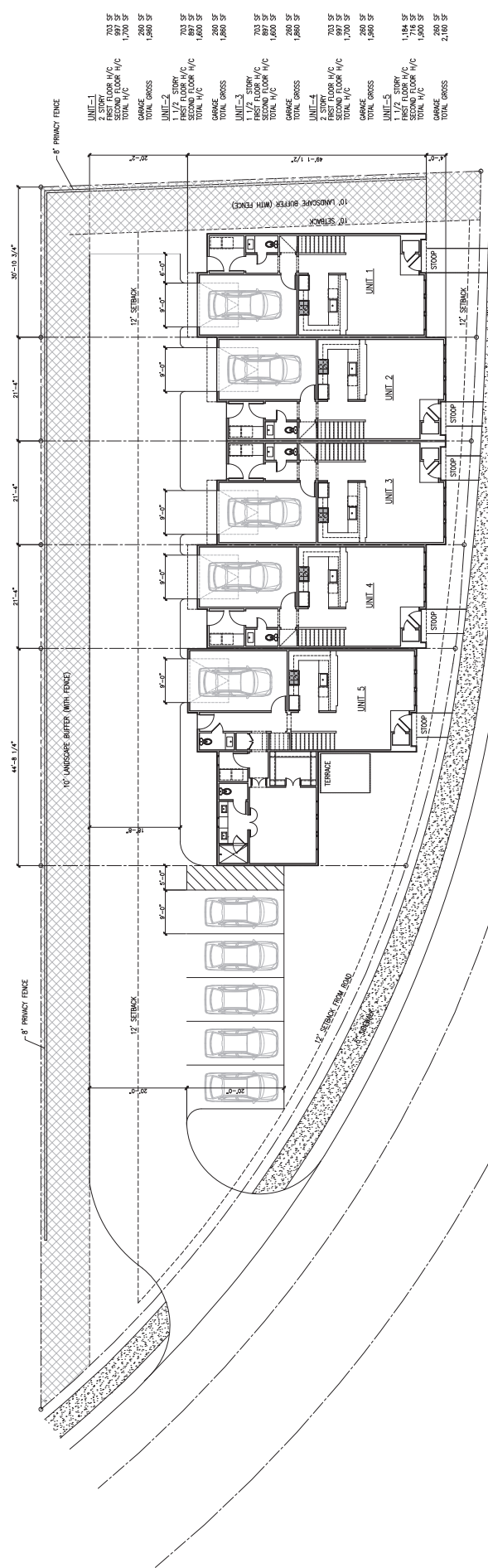


C.M. BRYANT  
ARCHITECTS, P.C.  
10000 Highway 100, Suite 100  
Tomball, TX 77375  
Tel: 281-358-8800  
Fax: 281-358-8801  
www.cmbryant.com

3160 BELLWOOD DRIVE  
NEW TOWNHOMES FOR:  
ESTAVIA HILLS, ALABAMA

DATE: 01/20/11  
DESIGN: CONCEPTUAL  
CHECKED: [REDACTED]  
DRAWN: [REDACTED]  
SCALE: 1/8"=1'-0"  
SHEET: A101

TITLE: CONCEPTUAL SITE PLAN  
SHEET: A101

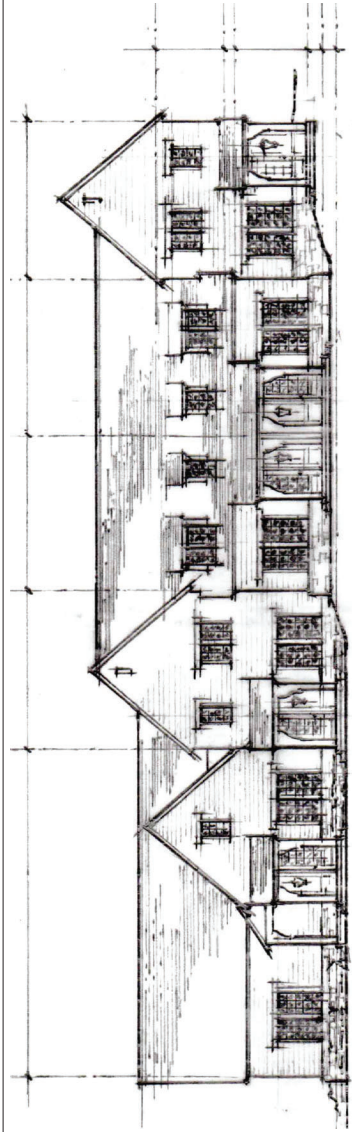


01 SITE PLAN  
SCALE: 1/8"=1'-0"

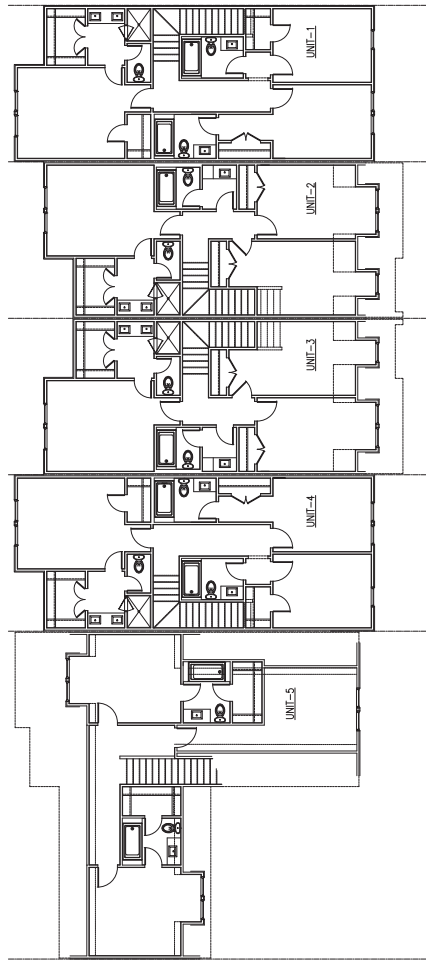
BELLWOOD DRIVE 40' R/W

|                  |          |          |          |          |
|------------------|----------|----------|----------|----------|
| UNIT-1           | 1,174 SF | 703 SF   | 1,174 SF | 1,174 SF |
| FIRST FLOOR H/C  | 703 SF   | 703 SF   | 703 SF   | 703 SF   |
| SECOND FLOOR H/C | 897 SF   | 897 SF   | 897 SF   | 897 SF   |
| TOTAL H/C        | 1,600 SF | 1,600 SF | 1,600 SF | 1,600 SF |
| GARAGE           | 260 SF   | 260 SF   | 260 SF   | 260 SF   |
| TOTAL GROSS      | 1,860 SF | 1,860 SF | 1,860 SF | 1,860 SF |
| UNIT-2           | 1,174 SF | 703 SF   | 1,174 SF | 1,174 SF |
| FIRST FLOOR H/C  | 703 SF   | 703 SF   | 703 SF   | 703 SF   |
| SECOND FLOOR H/C | 897 SF   | 897 SF   | 897 SF   | 897 SF   |
| TOTAL H/C        | 1,600 SF | 1,600 SF | 1,600 SF | 1,600 SF |
| GARAGE           | 260 SF   | 260 SF   | 260 SF   | 260 SF   |
| TOTAL GROSS      | 1,860 SF | 1,860 SF | 1,860 SF | 1,860 SF |
| UNIT-3           | 1,174 SF | 703 SF   | 1,174 SF | 1,174 SF |
| FIRST FLOOR H/C  | 703 SF   | 703 SF   | 703 SF   | 703 SF   |
| SECOND FLOOR H/C | 897 SF   | 897 SF   | 897 SF   | 897 SF   |
| TOTAL H/C        | 1,600 SF | 1,600 SF | 1,600 SF | 1,600 SF |
| GARAGE           | 260 SF   | 260 SF   | 260 SF   | 260 SF   |
| TOTAL GROSS      | 1,860 SF | 1,860 SF | 1,860 SF | 1,860 SF |
| UNIT-4           | 1,174 SF | 703 SF   | 1,174 SF | 1,174 SF |
| FIRST FLOOR H/C  | 703 SF   | 703 SF   | 703 SF   | 703 SF   |
| SECOND FLOOR H/C | 897 SF   | 897 SF   | 897 SF   | 897 SF   |
| TOTAL H/C        | 1,600 SF | 1,600 SF | 1,600 SF | 1,600 SF |
| GARAGE           | 260 SF   | 260 SF   | 260 SF   | 260 SF   |
| TOTAL GROSS      | 1,860 SF | 1,860 SF | 1,860 SF | 1,860 SF |
| UNIT-5           | 1,174 SF | 703 SF   | 1,174 SF | 1,174 SF |
| FIRST FLOOR H/C  | 703 SF   | 703 SF   | 703 SF   | 703 SF   |
| SECOND FLOOR H/C | 897 SF   | 897 SF   | 897 SF   | 897 SF   |
| TOTAL H/C        | 1,600 SF | 1,600 SF | 1,600 SF | 1,600 SF |
| GARAGE           | 260 SF   | 260 SF   | 260 SF   | 260 SF   |
| TOTAL GROSS      | 1,860 SF | 1,860 SF | 1,860 SF | 1,860 SF |

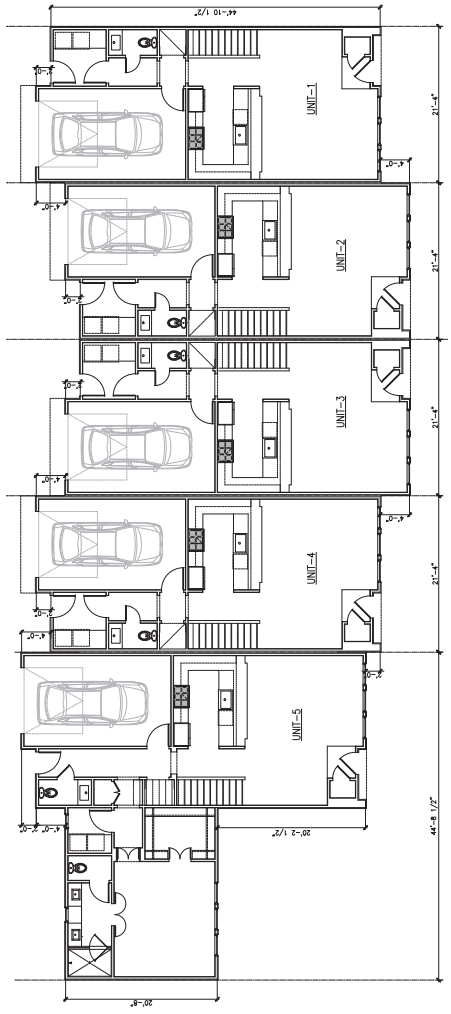




**03 FRONT ELEVATION**  
 SCALE: 1/8"=1'-0"

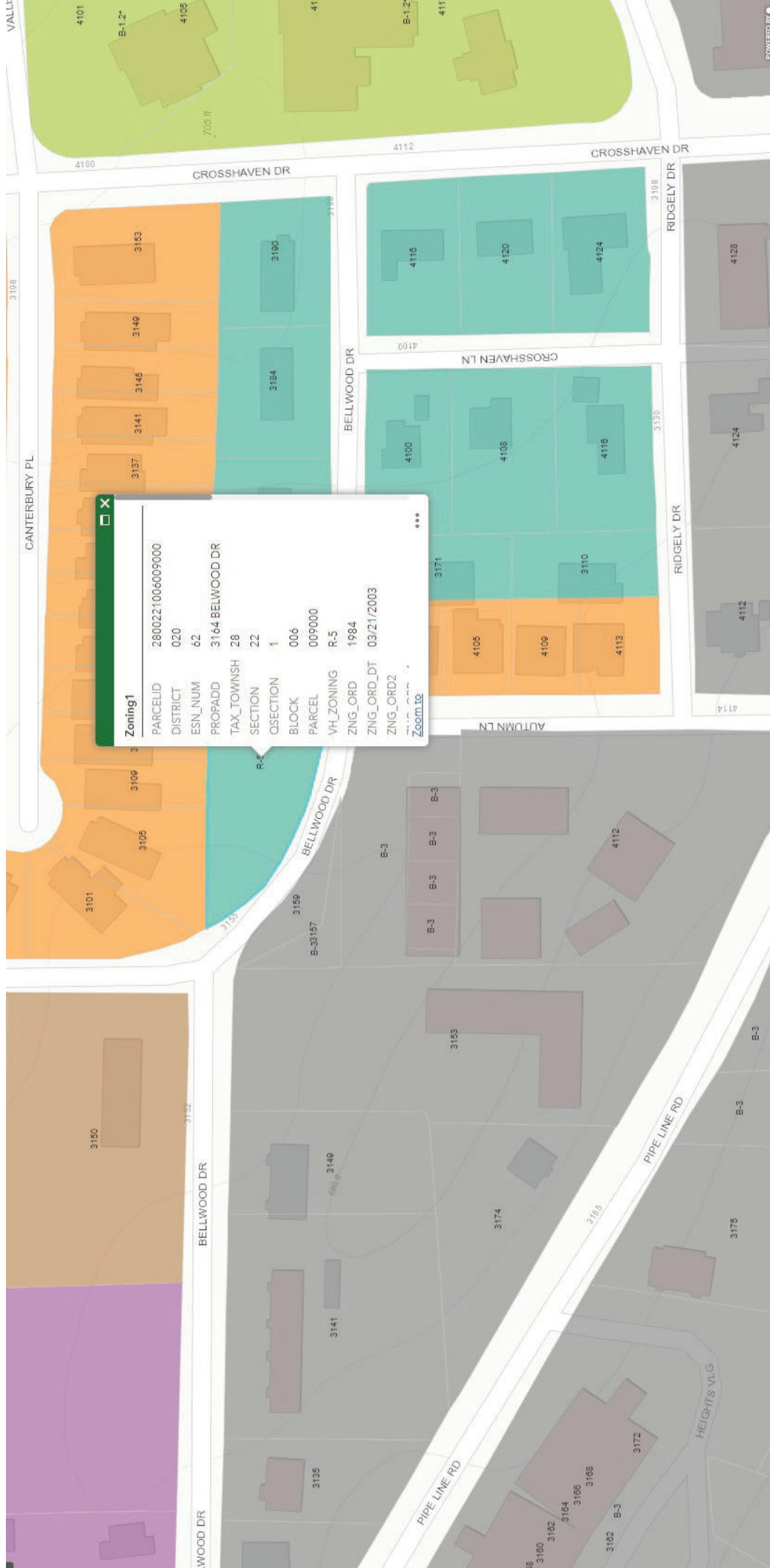


**02 BUILDING PLAN - UPPER LEVEL**  
 SCALE: 1/8"=1'-0"



**01 BUILDING PLAN - MAIN LEVEL**  
 SCALE: 1/8"=1'-0"

| UNIT   | FIRST FLOOR H/C | SECOND FLOOR H/C | TOTAL H/C | TOTAL GROSS |
|--------|-----------------|------------------|-----------|-------------|
| UNIT-1 | 703 SF          | 897 SF           | 1,600 SF  | 1,860 SF    |
| UNIT-2 | 703 SF          | 897 SF           | 1,600 SF  | 1,860 SF    |
| UNIT-3 | 703 SF          | 897 SF           | 1,600 SF  | 1,860 SF    |
| UNIT-4 | 703 SF          | 897 SF           | 1,600 SF  | 1,860 SF    |
| UNIT-5 | 703 SF          | 897 SF           | 1,600 SF  | 1,860 SF    |



✖
☐

**Zoning1**

|            |                  |
|------------|------------------|
| PARCELID   | 2800221006009000 |
| DISTRICT   | 020              |
| ESN_NUM    | 62               |
| PROPADD    | 3164 BELWOOD DR  |
| TAX_TOWNSH | 28               |
| SECTION    | 22               |
| OSECTION   | 1                |
| BLOCK      | 006              |
| PARCEL     | 009000           |
| VH_ZONING  | R-5              |
| ZNG_ORD    | 1984             |
| ZNG_ORD_DT | 03/21/2003       |
| ZNG_ORD2   |                  |

[Zoom In](#)   [Zoom Out](#)



## Future Land Use

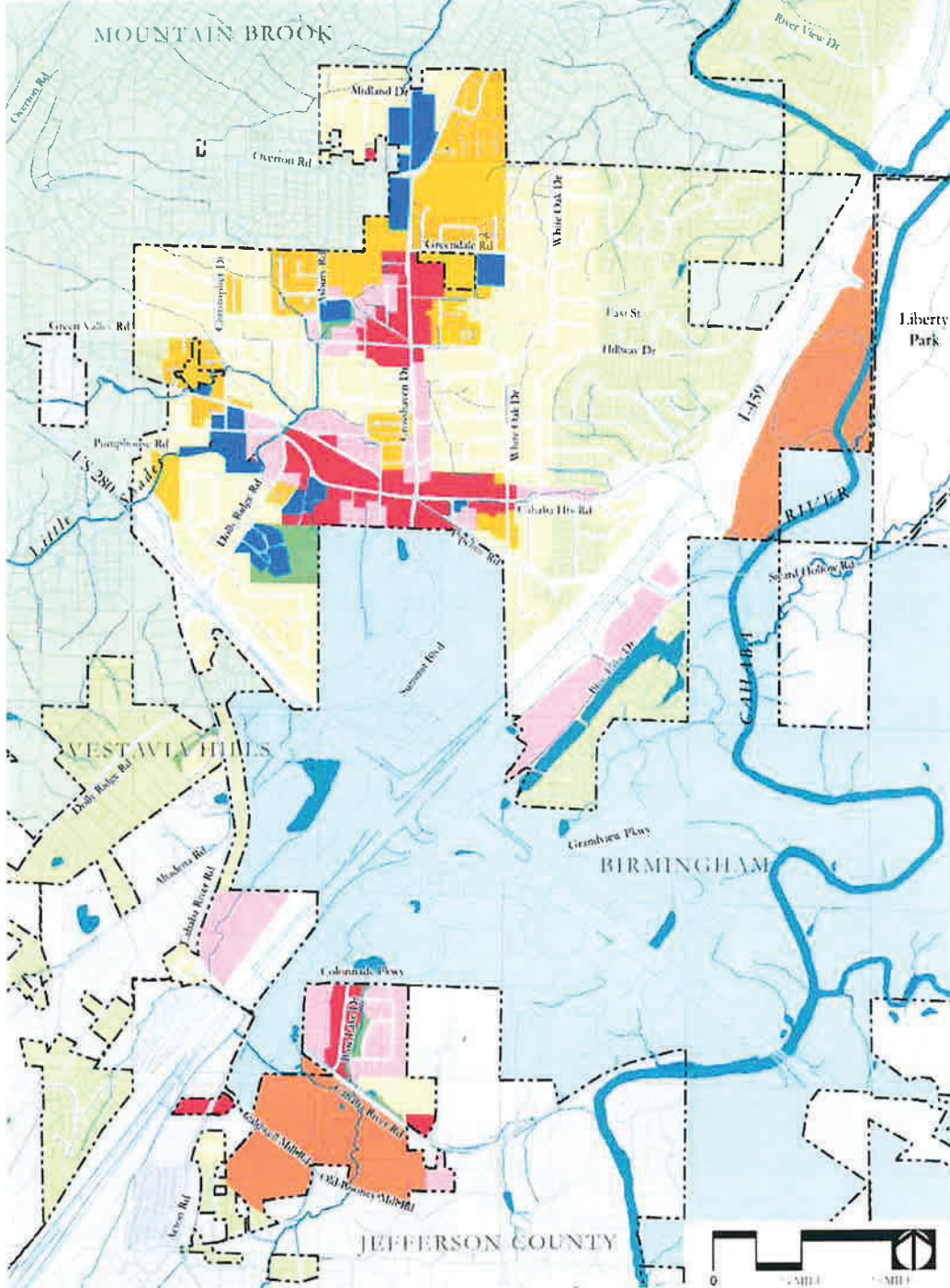


Figure 4: Future Land Use Map

## **ORDINANCE NUMBER 3036**

### **AN ORDINANCE NAMING THE MULTIPURPOSE ROOM IN THE NEW CIVIC CENTER IMMEDIATELY ADJACENT TO THE BRIDGE WALKWAY AS THE “SARA WUSKA MEETING ROOM”**

**WHEREAS**, Sara Wuska, served as Mayor of the City of Vestavia Hills from 1984 to 1988; and

**WHEREAS**, Mayor Wuska stayed true to her belief that the purpose of government was to act out of concern for the people and be responsive to their needs; and

**WHEREAS**, she recognized the increasing need for assistance for the senior residents of the City and, in 1985, she established the Older Adults Transportation Program; and

**WHEREAS**, today, the Senior Transportation Program continues to provide a much-needed service to the community; and

**WHEREAS**, the Parks and Recreation Board, at its regular meeting of August 17, 2021, voted to recommend the naming of the multipurpose room immediately adjacent to the bridge of the new Civic Center in recognition of Mayor Wuska; and

**WHEREAS**, in grateful recognition of her many years of dedication to the City of Vestavia Hills and her citizens, the Mayor and City Council agree to accept the recommendation of the Parks and Recreation Board and officially name the multipurpose room located immediately adjacent to the bridge the “Sara Wuska Meeting Room.”

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

1. The multipurpose meeting room located immediately adjacent to the bridge of the new Civic Center is hereby named the “Sara Wuska Meeting Room” in grateful recognition of the many years of dedicated service of Mayor Sara Wuska;
2. The room located in the Civic Center immediately adjacent to the bridge of the new Civic Center shall be known and designated as the “Sara Wuska Meeting Room.” Each reference to such meeting room in an ordinance, map, resolution, document,

record or other paper of the City of Vestavia Hills shall be deemed to be a reference to the “Sara Wuska Meeting Room”;

3. This Ordinance shall become effective upon approval and adoption and its publication and/or posting as required by Alabama law.

**DONE, ORDERED, ADOPTED and APPROVED** this the 23rd day of August, 2021.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**CERTIFICATION:**

I, Rebecca Leavings, as Acting City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3036 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 23rd day of August, 2021 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills Recreational Center and Vestavia Hills New Merkel House this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Rebecca Leavings  
City Clerk

**ORDINANCE NUMBER 3033**

**AN ORDINANCE FOR APPROVAL OF THE FINAL 10% OF THE BUDGET FOR THE CITY OF VESTAVIA HILLS, ALABAMA FOR THE FISCAL YEAR 2020-2021 AND TO AUTHORIZE THE CITY MANAGER TO EXPEND UP TO \$166,139 FOR CERTAIN EXPENDITURES TO BE EXPENSED TO FY 2021**

**WHEREAS**, the City Council of the City of Vestavia Hills, Alabama, at its regular meeting of September 14, 2020, adopted and approved Ordinance Number 2945 to adopt 90% of a General Fund budget, 90% of a Special Revenue Fund budget, 90% of a Capital Projects Fund budget and 90% of a Infrastructure and Community Spaces Fund budget for the fiscal year 2020-2021; and

**WHEREAS**, the City Council of the City of Vestavia Hills, Alabama, wishes to adopt the final portion (10%) of aforesaid budgets for the fiscal year 2020-2021.

**Total Budget Recap**

|                                | <b>General Funds</b> | <b>Special Funds</b> | <b>Capital Projects Funds</b> | <b>Infrastructure &amp; Community Spaces</b> |
|--------------------------------|----------------------|----------------------|-------------------------------|----------------------------------------------|
| Total Budget Approved          | \$ 47,731,737.00     | \$ 3,562,600.00      | \$ 4,490,967.00               | \$ 4,434,491.00                              |
| Less 90% approved in Ord. 2945 | \$ 42,958,563.00     | \$ 3,206,340.00      | \$ 4,041,870.00               | \$ 3,991,042.00                              |
| Final 10% to be approved       | \$ 4,773,174.00      | \$ 356,260.00        | \$ 449,097.00                 | \$ 443,449.00                                |

**BE IT ORDAINED**, by the City Council of the City of Vestavia Hills, Alabama, that the final portion of the annual budget amounting to \$4,773,174.00 (general funds), \$356,260.00 (special funds), \$449,097.00 (capital projects funds) and \$443,449.00 (Infrastructure and Community Spaces Fund) for the fiscal year 2020-2021 is hereby adopted.

**BE IT FURTHER ORDAINED**, that the City Manager is hereby authorized to expend an amount not to exceed \$166,139 for certain expenditures to be expensed to the 2021 fiscal year; said items are detailed in Exhibit A, attached to and incorporated into this Ordinance Number 3033 as though written fully therein; and

This Ordinance Number 3033 shall become effective upon adoption and approval and publishing/posting pursuant to Alabama law.

**APPROVED and ADOPTED** this the 13<sup>th</sup> day of September, 2021.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**PURCHASES - USE OF FISCAL 2021 SURPLUS FUNDS**

| <u>DEPARTMENTS</u>            | <u>DESCRIPTION</u>                         | <u>UNITS</u> | <u>PRICE</u> | <u>AMOUNT</u> | <u>TOTAL</u> |
|-------------------------------|--------------------------------------------|--------------|--------------|---------------|--------------|
| <b>CITY COUNCIL</b>           |                                            |              |              |               |              |
| G/L 20-41-8100-000-100        | Council Ipad                               | 1            | 1,615.00     | 1,615.00      |              |
|                               | Lifecycle Adobe Pro                        | 3            | 400.00       | 1,200.00      |              |
|                               |                                            |              |              |               | \$ 2,815.00  |
| <b>FINANCE</b>                |                                            |              |              |               |              |
| G/L 20-42-8100-000-100        | Apple Pencil                               | 1            | 135.00       | 135.00        |              |
|                               | Lifecycle Adobe Pro                        | 6            | 400.00       | 2,400.00      |              |
|                               | Lifecycle Adobe Pro Admin                  | 3            | 400.00       | 1,200.00      |              |
|                               | Lifecycle replacement Monitors             | 3            | 275.00       | 825.00        |              |
|                               | Lifecycle replacement UPS                  | 3            | 190.00       | 570.00        |              |
|                               | Lifecycle replacement desktops -Office Pro | 3            | 1,715.00     | 5,145.00      |              |
|                               | additional monitors                        | 4            | 275.00       | 1,100.00      |              |
|                               | additional UPS                             | 2            | 190.00       | 380.00        |              |
|                               | additional desktops - Office Pro           | 2            | 1,715.00     | 3,430.00      |              |
|                               | additional Adobe Pro                       | 2            | 400.00       | 800.00        |              |
|                               | additional Ipad, Applecare, Otter Box      | 1            | 1,615.00     | 1,615.00      |              |
|                               | additional Iphone                          | 2            | 250.00       | 500.00        |              |
|                               | additional Laptop - Office Pro             | 1            | 1,950.00     | 1,950.00      |              |
|                               | Additional Scanner                         | 1            | 575.00       | 575.00        |              |
|                               |                                            |              |              |               | \$ 20,625.00 |
| <b>CITY CLERK</b>             |                                            |              |              |               |              |
| G/L 20-44-8100-000-100        | Lifecycle replacement -Laptop              | 1            | 1,950.00     | 1,950.00      |              |
|                               | Lifecycle Adobe Pro                        | 5            | 400.00       | 2,000.00      |              |
|                               | Ipad Jack & Becky with Modem Card          | 2            | 1,615.00     | 3,230.00      |              |
|                               | Apple Pencil - redesign for new Ipads      | 2            | 135.00       | 270.00        |              |
|                               |                                            |              |              |               | \$ 7,450.00  |
| <b>INFORMATION TECHNOLOGY</b> |                                            |              |              |               |              |
| G/L 11-43-8100-000-100        | Computers, adapters cables and misc.       | 1            | 16,300.00    | 16,300.00     |              |
|                               |                                            |              |              |               | \$ 16,300.00 |

**PURCHASES - USE OF FISCAL 2021 SURPLUS FUNDS**

| <b>PURCHASES - USE OF FISCAL 2021 SURPLUS FUNDS</b> |                                                        |    |          |           |                     |
|-----------------------------------------------------|--------------------------------------------------------|----|----------|-----------|---------------------|
| <b><u>POLICE DEPARTMENT</u></b>                     |                                                        |    |          |           |                     |
| G/L 20-51-8500-000-200                              | Laptop without docking station                         | 1  | 1,950.00 | 1,950.00  |                     |
|                                                     | Lifecycle Adobe Pro                                    | 6  | 400.00   | 2,400.00  |                     |
|                                                     | Lifecycle Laptop Comp w/ dock stations                 | 4  | 2,170.00 | 8,680.00  |                     |
|                                                     | Lifecycle monitors desktop                             | 8  | 275.00   | 2,200.00  |                     |
|                                                     | Lifecycle replacement of desktop computers             | 8  | 1,715.00 | 13,720.00 |                     |
|                                                     | Lifecycle UPS Battery backups                          | 8  | 190.00   | 1,520.00  |                     |
|                                                     | Peltor Headsets (SWAT Communication)                   | 10 | 886.00   | 8,860.00  |                     |
|                                                     |                                                        |    |          |           | <b>\$ 39,330.00</b> |
| <b><u>FIRE DEPARTMENT</u></b>                       |                                                        |    |          |           |                     |
| G/L 20-52-8100-522-200                              | Adobe Pro                                              | 3  | 400.00   | 1,200.00  |                     |
|                                                     | Cradlepoint Routers                                    | 2  | 1,150.00 | 2,300.00  |                     |
|                                                     | Dell Tablet                                            | 1  | 2,600.00 | 2,600.00  |                     |
|                                                     | Lifecycle replacement - desktop computers              | 5  | 1,715.00 | 8,575.00  |                     |
|                                                     | Lifecycle replacement - monitors                       | 5  | 275.00   | 1,375.00  |                     |
|                                                     | Lifecycle replacement - ups                            | 5  | 190.00   | 950.00    |                     |
|                                                     | Requested Ap's (Station1(1) Station5(2))               | 3  | 700.00   | 2,100.00  |                     |
|                                                     | Requested Ap's (Station1(1) Station5(2))               | 3  | 1,650.00 | 4,950.00  |                     |
|                                                     | MR82 Antennas                                          | 6  | 200.00   | 1,200.00  |                     |
|                                                     | requested monitors                                     | 5  | 275.00   | 1,375.00  |                     |
|                                                     | MDT Mount                                              | 1  | 630.00   | 630.00    |                     |
|                                                     |                                                        |    |          |           | <b>\$ 27,255.00</b> |
| <b><u>BUILDING SAFETY &amp; INSPECTIONS</u></b>     |                                                        |    |          |           |                     |
| G/L 20-53-8100-000-300                              | Lifecycle replacement - desktop computers (Office Pro) | 4  | 1,715.00 | 6,860.00  |                     |
|                                                     | Lifecycle replacement - monitors                       | 4  | 275.00   | 1,100.00  |                     |
|                                                     | Lifecycle replacement - ups                            | 4  | 190.00   | 760.00    |                     |
|                                                     | Adobe Pro                                              | 3  | 400.00   | 1,200.00  |                     |
|                                                     |                                                        |    |          |           | <b>\$ 9,920.00</b>  |
| <b><u>PUBLIC SERVICES</u></b>                       |                                                        |    |          |           |                     |
| G/L 20-60-8100-000-300                              | Lifecycle replacement desktops(office pro)             | 4  | 1,715.00 | 6,860.00  |                     |
|                                                     | Lifecycle replacement (monitors)                       | 4  | 275.00   | 1,100.00  |                     |

| PURCHASES - USE OF FISCAL 2021 SURPLUS FUNDS |                                                            |   |          |          |                             |
|----------------------------------------------|------------------------------------------------------------|---|----------|----------|-----------------------------|
|                                              | Lifecycle replacement (ups)                                | 4 | 190.00   | 760.00   |                             |
|                                              | Lifecycle Adobe Pro                                        | 8 | 400.00   | 3,200.00 |                             |
|                                              | Requested Auto Cad Lt 2022                                 | 4 | 450.00   | 1,800.00 |                             |
|                                              | Requested Terrain navigator pro.                           | 4 | 250.00   | 1,000.00 |                             |
|                                              | Requested Laptop Computers (Doug Rogers)                   | 1 | 1,950.00 | 1,950.00 |                             |
|                                              | Requested additional (printer) (Doug Rogers)               | 1 | 1,200.00 | 1,200.00 |                             |
|                                              | Requested additional (ups) (Doug Rogers)                   | 1 | 190.00   | 190.00   |                             |
|                                              | Cradle Point router, Antenna, 3 year license (Doug Rogers) | 1 | 1,150.00 | 1,150.00 |                             |
|                                              | Requested additional (Cell phones\Otter Box)               | 5 | 150.00   | 750.00   |                             |
|                                              |                                                            |   |          |          | \$ 19,960.00                |
| <b>LIBRARY</b>                               |                                                            |   |          |          |                             |
| G/L 20-70-8100-000-500                       | Computer replacement                                       | 1 | 8,000.00 | 8,000.00 |                             |
|                                              |                                                            |   |          |          | \$ 8,000.00                 |
| <b>COURTS</b>                                |                                                            |   |          |          |                             |
| G/L 11-43-8100-000-100                       | Lifecycle replacement desktops(office pro)                 | 3 | 1,715.00 | 5,145.00 |                             |
|                                              | Lifecycle replacement (monitors)                           | 3 | 275.00   | 825.00   |                             |
|                                              | Lifecycle replacement (ups)                                | 3 | 190.00   | 570.00   |                             |
|                                              | Life Cycle Adobe Pro                                       | 1 | 400.00   | 400.00   |                             |
|                                              | Requested Adobe Pro                                        | 2 | 400.00   | 800.00   |                             |
|                                              | Requested Surface Pro                                      | 2 | 2,047.00 | 4,094.00 |                             |
|                                              | Requested Scanner                                          | 2 | 575.00   | 1,150.00 |                             |
|                                              | Wireless Desk Phones                                       | 4 | 375.00   | 1,500.00 |                             |
|                                              |                                                            |   |          |          | \$ 14,484.00                |
| <b>GRAND TOTAL</b>                           |                                                            |   |          |          |                             |
|                                              |                                                            |   |          |          | <b><u>\$ 166,139.00</u></b> |



**ORDINANCE NUMBER 2945**

**AN ORDINANCE APPROVING AND ADOPTING THE GENERAL FUND BUDGET, A SPECIAL REVENUE FUND BUDGET, A CAPITAL PROJECT FUND BUDGET, AND AN INFRASTRUCTURE AND COMMUNITY SPACES PROJECT FUND BUDGET FOR THE CITY OF VESTAVIA HILLS FOR THE PERIOD BEGINNING OCTOBER 1, 2020 UNTIL SEPTEMBER 30, 2021.**

**WHEREAS**, the City Manager has prepared and presented a “general fund budget” which has been reviewed and amended by the City Council for said period reflecting anticipated expenditures in the amount of \$47,731,737 including transfers out, to be effective for the period beginning October 1, 2020, through September 30, 2021; and

**WHEREAS**, the City Manager has prepared a “special fund budget” for said period reflecting anticipated expenditures in the amount of \$3,562,600 including transfers from the General Fund, to be effective for the period beginning October 1, 2020, through September 30, 2021; and

**WHEREAS**, the City Manager has prepared a “capital projects fund budget” for said period reflecting expenditures in the amount of \$4,490,967 to be effective for the period beginning October 1, 2020, through September 30, 2021.

**WHEREAS**, the City Manager has prepared an “infrastructure and community spaces fund budget” for said period reflecting expenditures in the amount of \$4,434,491 to be effective for the period beginning October 1, 2020, through September 30, 2021.

**WHEREAS**, Title 11-43-57, Code of Alabama, 1975, provides as follows:

*Annual appropriation of funds for expenditures of all departments and interest on indebtedness: In all cities, the Council shall appropriate the sums necessary for the expenditures of the several City departments and for the interest on its bonded and other indebtedness, not exceeding in the aggregate within ten (10) percent of its estimated expenses, and such City Council shall not appropriate in the aggregate an amount in excess of its annual legally authorized revenue. But, nothing in this section shall prevent such cities from anticipating their revenues for the year for which such appropriation was made, or from contracting for temporary loans as provided in the applicable provision of this title, or from bonding or refunding their outstanding indebtedness or from appropriating anticipated revenue at any time for the current expenses of the City and interest on the bonded and other indebtedness of the City; and*

**WHEREAS**, the City Council agrees to approve and adopt ninety (90) percent, or \$42,958,563, of the municipal “general fund budget” for the City of Vestavia Hills for fiscal year 2020-2021 upon the terms, conditions, and provisions set forth below; and

**WHEREAS**, the City Council agrees to approve and adopt ninety (90) percent, or \$3,206,340, of the municipal “special revenue fund budget” for the City of Vestavia Hills for fiscal year 2020-2021 upon the terms, conditions and provisions set forth below; and

**WHEREAS**, the City Council agrees to approve and adopt ninety (90) percent, or \$4,041,870, of the “capital project fund budget” for the City of Vestavia Hills for fiscal year 2020-2021 upon the terms, conditions and provisions set forth below.

**WHEREAS**, the City Council agrees to approve and adopt ninety (90) percent, or \$3,991,042, of the “infrastructure and community spaces project fund budget” for the City of Vestavia Hills for fiscal year 2020-2021 upon the terms, conditions and provisions set forth below.

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

1. The municipal “general fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$42,958,563, which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$47,731,737 multiplied by 90% equals  
\$42,958,563; and

2. The municipal “special revenue fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$3,206,340 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$3,562,600 multiplied by 90% equals  
\$3,206,340; and

3. The “capital projects fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$4,041,870 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$4,490,967 multiplied by 90% equals  
\$4,041,870; and

4. The “infrastructure and community spaces fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$3,991,042 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$4,434,491 multiplied by 90% equals  
\$3,991,042; and

5. The City Manager is hereby authorized to expend the sum of \$42,958,563 from the General Fund, \$3,206,340 from the Special Revenue Fund, \$4,041,870 from the Capital Projects Fund, and \$3,991,042 from the Infrastructure and Community Spaces Fund for municipal expenses for the period beginning October 1, 2020, and ending September 30, 2021.

6. Copies of the budget outlines are attached hereto, marked as Exhibit “A” and incorporated into this Resolution by reference as though set out fully herein.

**BE IT FURTHER ORDAINED**, this Ordinance shall become effective immediately upon its approval and adoption.

**APPROVED and ADOPTED** this the 14<sup>th</sup> day of September, 2020.

Rusty Weaver  
Mayor Pro-Tem

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 # 2945 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 14th day of September, 2020, as same appears in the official records of said City.

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

Rebecca Leavings  
City Clerk

FY 2021 Budget

**CITY OF VESTAVIA HILLS  
ANNUAL BUDGET  
SUMMARY OF "ALL FUNDS" REVENUE & EXPENDITURES  
FISCAL YEAR ENDING SEPTEMBER 30, 2021**

| <b>REVENUE:</b>               | <b><u>GENERAL</u></b> | <b><u>SPECIAL</u></b> | <b><u>CAPITAL</u></b> | <b><u>COMMUNITY SPACES</u></b> | <b><u>TOTAL</u></b> |
|-------------------------------|-----------------------|-----------------------|-----------------------|--------------------------------|---------------------|
| STATE REVENUE                 | 125,936               |                       | 330,000               |                                | 455,936             |
| COUNTY REVENUE                | 17,570,086            |                       |                       |                                | 17,570,086          |
| CITY REVENUE                  | 29,575,651            |                       | 1,667,735             | 1,155,000                      | 32,398,386          |
| PARKS & RECREATION            | 462,000               |                       |                       |                                | 462,000             |
| 4 CENT GASOLINE TAX           |                       | 217,000               |                       |                                | 217,000             |
| 5 CENT GASOLINE TAX           |                       | 100,000               |                       |                                | 100,000             |
| 10 CENT GASOLINE TAX          |                       | 195,200               |                       |                                | 195,200             |
| 7 CENT GASOLINE TAX           |                       | 1,184,576             |                       |                                | 1,184,576           |
| E-911 FUNDS                   |                       | 796,943               |                       |                                | 796,943             |
| COURT & CORRECTIONS           |                       | 552,999               |                       |                                | 552,999             |
| LIBRARY STATE AID             |                       | 27,155                |                       |                                | 27,155              |
| LIBRARY BOOKS & DONATIONS     |                       | 45,300                |                       |                                | 45,300              |
| VEHICLE TAGS / ADMINISTRATION |                       | 152,200               |                       |                                | 152,200             |
| <b>TOTAL REVENUE</b>          | <b>\$47,733,673</b>   | <b>\$3,271,373</b>    | <b>\$1,997,735</b>    | <b>\$1,155,000</b>             | <b>\$54,157,781</b> |

FY 2021 Budget

**ORDINANCE NUMBER 3034**

**AN ORDINANCE APPROVING AND ADOPTING THE GENERAL FUND BUDGET, A SPECIAL REVENUE FUND BUDGET, A CAPITAL PROJECT FUND BUDGET, AND AN INFRASTRUCTURE AND COMMUNITY SPACES PROJECT FUND BUDGET FOR THE CITY OF VESTAVIA HILLS FOR THE PERIOD BEGINNING OCTOBER 1, 2021 UNTIL SEPTEMBER 30, 2022.**

**WHEREAS**, the City Manager has prepared and presented a “general fund budget” which has been reviewed and amended by the City Council for said period reflecting anticipated expenditures in the amount of \$52,032,124 including transfers out, to be effective for the period beginning October 1, 2021, through September 30, 2022; and

**WHEREAS**, the City Manager has prepared a “special fund budget” for said period reflecting anticipated expenditures in the amount of \$4,290,942 including transfers from the General Fund, to be effective for the period beginning October 1, 2021, through September 30, 2022; and

**WHEREAS**, the City Manager has prepared a “capital projects fund budget” for said period reflecting expenditures in the amount of \$5,290,446 to be effective for the period beginning October 1, 2021, through September 30, 2022.

**WHEREAS**, the City Manager has prepared an “infrastructure and community spaces fund budget” for said period reflecting expenditures in the amount of \$5,780,675 to be effective for the period beginning October 1, 2021, through September 30, 2022.

**WHEREAS**, Title 11-43-57, Code of Alabama, 1975, provides as follows:

*Annual appropriation of funds for expenditures of all departments and interest on indebtedness: In all cities, the Council shall appropriate the sums necessary for the expenditures of the several City departments and for the interest on its bonded and other indebtedness, not exceeding in the aggregate within ten (10) percent of its estimated expenses, and such City Council shall not appropriate in the aggregate an amount in excess of its annual legally authorized revenue. But, nothing in this section shall prevent such cities from anticipating their revenues for the year for which such appropriation was made, or from contracting for temporary loans as provided in the applicable provision of this title, or from bonding or refunding their outstanding indebtedness or from appropriating anticipated revenue at any time for the current expenses of the City and interest on the bonded and other indebtedness of the City; and*

**WHEREAS**, the City Council agrees to approve and adopt ninety (90) percent, or \$46,828,912, of the municipal “general fund budget” for the City of Vestavia Hills for fiscal year 2021-2022 upon the terms, conditions, and provisions set forth below; and

**WHEREAS**, the City Council agrees to approve and adopt ninety (90) percent, or \$3,861,848, of the municipal “special revenue fund budget” for the City of Vestavia Hills for fiscal year 2021-2022 upon the terms, conditions and provisions set forth below; and

**WHEREAS**, the City Council agrees to approve and adopt ninety (90) percent, or \$4,761,402, of the “capital project fund budget” for the City of Vestavia Hills for fiscal year 2021-2022 upon the terms, conditions and provisions set forth below.

**WHEREAS**, the City Council agrees to approve and adopt ninety (90) percent, or \$5,202,608, of the “infrastructure and community spaces project fund budget” for the City of Vestavia Hills for fiscal year 2020-2021 upon the terms, conditions and provisions set forth below.

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

1. The municipal “general fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$46,828,912, which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$52,032,124 multiplied by 90% equals  
\$46,828,912; and

2. The municipal “special revenue fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$3,861,848 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$4,290,942 multiplied by 90% equals  
\$3,861,848; and

3. The “capital projects fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$4,761,402 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$5,290,446 multiplied by 90% equals  
\$4,761,402; and

4. The “infrastructure and community spaces fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$5,202,608 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$5,780,675 multiplied by 90% equals  
\$5,202,608; and

5. The City Manager is hereby authorized to expend the sum of \$46,828,912 from the General Fund, \$3,861,848 from the Special Revenue Fund, \$4,761,402 from the Capital Projects Fund, and \$5,202,608 from the Infrastructure and Community Spaces Fund for municipal expenses for the period beginning October 1, 2021, and ending September 30, 2022.

6. Copies of the budget outlines are attached hereto, marked as Exhibit “A” and incorporated into this Resolution by reference as though set out fully herein.

**BE IT FURTHER ORDAINED**, this Ordinance shall become effective immediately upon its approval and adoption.

**APPROVED and ADOPTED** this the 13<sup>th</sup> day of September, 2021.

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 # 3034 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 13th day of September, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of September, 2021.

Rebecca Leavings  
City Clerk

**CITY OF VESTAVIA HILLS  
ANNUAL BUDGET  
SUMMARY OF "ALL FUNDS" REVENUE & EXPENDITURES  
FISCAL YEAR ENDING SEPTEMBER 30, 2022**

| <b><u>REVENUE:</u></b>        | <b><u>GENERAL</u></b> | <b><u>SPECIAL</u></b> | <b><u>CAPITAL</u></b> | <b><u>COMMUNITY<br/>SPACES</u></b> | <b><u>TOTAL</u></b> |
|-------------------------------|-----------------------|-----------------------|-----------------------|------------------------------------|---------------------|
| STATE REVENUE                 | 180,463               |                       | 330,000               |                                    | 510,463             |
| COUNTY REVENUE                | 18,791,687            |                       |                       |                                    | 18,791,687          |
| CITY REVENUE                  | 32,300,474            |                       | 2,913,043             | 2,020,000                          | 37,233,517          |
| PARKS & RECREATION            | 709,500               |                       |                       |                                    | 709,500             |
| 4 CENT GASOLINE TAX           |                       | 217,000               |                       |                                    | 217,000             |
| 5 CENT GASOLINE TAX           |                       | 100,000               |                       |                                    | 100,000             |
| 10 CENT GASOLINE TAX          |                       | 220,320               |                       |                                    | 220,320             |
| 7 CENT GASOLINE TAX           |                       | 1,254,576             |                       |                                    | 1,254,576           |
| E-911 FUNDS                   |                       | 796,943               |                       |                                    | 796,943             |
| COURT & CORRECTIONS           |                       | 579,576               |                       |                                    | 579,576             |
| LIBRARY STATE AID             |                       | 27,155                |                       |                                    | 27,155              |
| LIBRARY BOOKS & DONATIONS     |                       | 65,000                |                       |                                    | 65,000              |
| VEHICLE TAGS / ADMINISTRATION |                       | 192,084               |                       |                                    | 192,084             |
| <b>TOTAL REVENUE</b>          | <b>\$51,982,124</b>   | <b>\$3,452,654</b>    | <b>\$3,243,043</b>    | <b>\$2,020,000</b>                 | <b>\$60,697,821</b> |

**CITY OF VESTAVIA HILLS  
ANNUAL BUDGET  
SUMMARY OF "ALL FUNDS" REVENUE & EXPENDITURES  
FISCAL YEAR ENDING SEPTEMBER 30, 2022**

| <b><u>EXPENDITURES:</u></b>                                    | <b><u>GENERAL</u></b> | <b><u>SPECIAL</u></b> | <b><u>CAPITAL</u></b> | <b><u>COMMUNITY SPACES</u></b> | <b><u>TOTAL</u></b> |
|----------------------------------------------------------------|-----------------------|-----------------------|-----------------------|--------------------------------|---------------------|
| NON DEPARTMENTAL                                               | 8,583,871             |                       | 75,000                | 3,445,425                      | 12,104,296          |
| CITY COUNCIL                                                   | 84,811                |                       |                       |                                | 84,811              |
| MAYOR & ADMINISTRATION                                         | 1,604,815             |                       | 4,799                 |                                | 1,609,614           |
| CITY CLERK                                                     | 448,638               |                       |                       |                                | 448,638             |
| MUNICIPAL COMPLEX                                              | 204,359               |                       |                       |                                | 204,359             |
| INFORMATION SERVICES / TECHNOLOGY                              | 676,074               |                       | 133,054               |                                | 809,128             |
| POLICE                                                         | 10,952,554            |                       | 2,592,369             |                                | 13,544,922          |
| FIRE                                                           | 11,262,301            |                       | 1,349,925             |                                | 12,612,226          |
| BUILDING SAFETY & INSPECTIONS                                  | 652,961               |                       |                       |                                | 652,961             |
| PUBLIC SERVICES                                                | 8,410,343             |                       | 971,799               |                                | 9,382,142           |
| PUBLIC LIBRARY                                                 | 2,711,616             |                       | 113,500               | 2,335,250                      | 5,160,366           |
| 4 CENT GASOLINE TAX                                            |                       | 299,891               |                       |                                | 299,891             |
| 5 CENT GASOLINE TAX                                            |                       | 116,345               |                       |                                | 116,345             |
| 10 CENT GASOLINE TAX                                           |                       | 247,721               |                       |                                | 247,721             |
| 7 CENT GASOLINE TAX                                            |                       | 1,806,919             |                       |                                | 1,806,919           |
| E-911 FUNDS                                                    |                       | 887,441               |                       |                                | 887,441             |
| COURT & CORRECTIONS                                            |                       | 620,386               |                       |                                | 620,386             |
| LIBRARY STATE AID                                              |                       | 27,155                |                       |                                | 27,155              |
| LIBRARY BOOKS & DONATIONS                                      |                       | 93,000                |                       |                                | 93,000              |
| VEHICLE TAGS / ADMINISTRATION                                  |                       | 192,084               |                       |                                | 192,084             |
| <b>SUB-TOTAL EXPENDITURES</b>                                  | <b>\$45,592,342</b>   | <b>\$4,290,942</b>    | <b>\$5,240,446</b>    | <b>\$5,780,675</b>             | <b>\$60,904,406</b> |
| <b><u>TRANSFER-OUT:</u></b>                                    |                       |                       |                       |                                |                     |
| General Fund to Special Funds (fund 11)                        | 40,810                |                       | 50,000                |                                | \$90,810            |
| General Fund to Capital Reserve Fund (sales tax %)             | 953,038               |                       |                       |                                | \$953,038           |
| General Fund to Community Spaces                               | 5,445,934             |                       |                       |                                | \$5,445,934         |
| Capital/Confiscation to General Fund (policeman salary offset) |                       |                       |                       |                                | \$0                 |
| <b>TOTAL - TRANSFER-OUT</b>                                    | <b>\$6,439,782</b>    |                       | <b>50,000</b>         |                                | <b>\$6,489,782</b>  |
| <b>TOTAL EXPENDITURES</b>                                      | <b>\$52,032,124</b>   | <b>\$4,290,942</b>    | <b>\$5,290,446</b>    | <b>\$5,780,675</b>             | <b>\$67,394,188</b> |

**CITY OF VESTAVIA HILLS  
ANNUAL BUDGET  
SUMMARY OF "ALL FUNDS" REVENUE & EXPENDITURES  
FISCAL YEAR ENDING SEPTEMBER 30, 2022**

| <b><u>OTHER REVENUE SOURCES:</u></b>                | <b><u>GENERAL</u></b> | <b><u>SPECIAL</u></b> | <b><u>CAPITAL</u></b> | <b><u>COMMUNITY SPACES</u></b> | <b><u>TOTAL</u></b> |
|-----------------------------------------------------|-----------------------|-----------------------|-----------------------|--------------------------------|---------------------|
| TRANSFER-IN:                                        |                       |                       |                       |                                |                     |
| From Capital/Confiscation (policeman salary offset) | \$50,000              |                       |                       |                                | 50,000              |
| From General Fund (fund 11)                         |                       | 40,810                |                       |                                | 40,810              |
| From General Fund (projected sales tax %)           |                       |                       | 953,038               |                                | 953,038             |
| From General Fund to Community Spaces               |                       |                       |                       | \$5,445,934                    | 5,445,934           |
| <b>TOTAL - OTHER REVENUE SOURCES</b>                | <b>\$50,000</b>       | <b>\$40,810</b>       | <b>\$953,038</b>      | <b>\$5,445,934</b>             | <b>\$6,489,782</b>  |
| <br>                                                |                       |                       |                       |                                |                     |
| <b>REVENUE OVER / (UNDER) EXPENDITURES</b>          | <b>\$0</b>            | <b>(\$797,478)</b>    | <b>(\$1,094,365)</b>  | <b>\$1,685,259</b>             | <b>(\$206,584)</b>  |
| <br>                                                |                       |                       |                       |                                |                     |
| <b>USE OF RESERVES / FUND BALANCE</b>               | <b>\$0</b>            | <b>\$797,478</b>      | <b>\$1,094,365</b>    | <b>(\$1,685,259)</b>           | <b>\$206,584</b>    |
| <br>                                                |                       |                       |                       |                                |                     |
| <b>REPORT BALANCE</b>                               | <b>\$0</b>            | <b>\$0</b>            | <b>\$0</b>            | <b>\$0</b>                     | <b>(\$0)</b>        |

**RESOLUTION NUMBER 5344**

**AUTHORIZING AND APPROVING AN INCREASE  
IN SALARY AND WAGES FOR EMPLOYEES**

**THIS RESOLUTION WAS ADOPTED AND APPROVED BY THE CITY  
COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA ON SEPTEMBER  
13, 2021.**

**WITNESSETH THESE RECITALS**

**WHEREAS**, the City Manager has proposed the surplus expenditures vs. budget projections for the said fiscal year 2021-2022 year and has recommended a three-percent (3%) across-the-board increase of wages and salaries for all current employees effective October 1, 2021; and

**WHEREAS**, the Council, at its regularly scheduled meeting of September 13, 2021, feel it is in the best public interest to approve a three-percent (3%) across-the-board increase in wages and salaries for all current employees.

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

1. The City Council hereby approves a three-percent (3%) across-the-board increase in wages and salaries for all current employees; and
2. Said increase is effective October 1, 2021.

**APPROVED and ADOPTED** this the 13<sup>th</sup> day of September, 2021.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

## **RESOLUTION NUMBER 5345**

### **A RESOLUTION APPROVING FINANCING TERMS FOR CITY VEHICLES AND/OR EQUIPMENT THROUGH BB&T BANK**

**WHEREAS**, The City of Vestavia Hills (“Governmental Entity”) has previously determined to undertake a project for the purchase of various vehicles & equipment (the “Project”) and the Officer of the Governmental Entity responsible for financial affairs of the Governmental Entity (the “Finance Officer”) has now presented a proposal for the financing of such Project.

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

1. The Governmental Entity hereby determines to finance the Project through BB&T Bank (“BB&T”), in accordance with the proposals obtained by the Finance Officer as detailed in Exhibit A attached to and incorporated into this Resolution Number 5345 as though written fully therein; and
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Governmental Entity are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as Regions may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Governmental Entity officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the document’s final form.

4. The Governmental Entity shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations under the Financing Documents. The Governmental Entity hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Governmental Entity intends that the adoption of this resolution will be a declaration of the Governmental Entity’s official intent to reimburse expenditures for the Project that is to be financed from the proceeds of the Regions financing described above. The Governmental Entity intends that funds that have been advanced, or that may be advanced, from the Governmental Entity’s general fund, or any other Governmental Entity fund related to the Project, for Project costs may be reimbursed from the financing proceeds.
6. The officers of the Governmental Entity and any person or persons designated and authorized by any officer of the Governmental Entity to act in the name and on behalf of the Governmental Entity, or any one or more of them, are authorized to do and perform or cause to be done and performed in the name and on behalf of the Governmental Entity such other acts, to pay or cause to be paid on behalf of the Governmental Entity such related costs and expenses, and to execute and deliver or cause to be executed and delivered in the name and on behalf of the Governmental Entity such other notices, requests, demands, directions, consents, approvals, orders, applications, certificates, agreements, further assurances, or other instruments or communications, under the corporate seal of the Governmental Entity, or otherwise, as they or any of them may deem necessary, advisable, or appropriate in order to (a) complete the plan of financing contemplated by the Financing Documents, (b) carry into effect the intent of the provisions of this resolution and the Financing Documents, and (c) demonstrate the validity of the Financing Documents, the absence of any pending or threatened litigation with respect to the Financing Documents and the plan of financing contemplated by the Financing Documents, and the exemption of interest on the interest payment obligations under the Financing Documents from federal and State of Alabama income taxation.

7. All prior actions of Governmental Entity officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

**ADOPTED and APPROVED** this the 13<sup>th</sup> day of September, 2021.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

SEAL



CITY OF VESTAVIA HILLS  
VEHICLES and HEAVY EQUIPMENT  
"LEASE/PURCHASE PROPOSALS"  
FISCAL 2021-2022

| Bank No.                                                  |                          |                           |                                 |                               |                                |                     |                      |                         |  |
|-----------------------------------------------------------|--------------------------|---------------------------|---------------------------------|-------------------------------|--------------------------------|---------------------|----------------------|-------------------------|--|
| <b>Description</b>                                        | <b>Loan Amount</b>       | <b>Terms</b>              | <b>BB&amp;T / Truist Bank</b>   | <b>Bancorp South Bank</b>     | <b>IBERIA BANK</b>             | <b>Regions Bank</b> | <b>Renasant Bank</b> | <b>ServisFirst Bank</b> |  |
| Vehicles                                                  | \$94,410                 | Rates - 3 yrs             | 0.92%                           | 2.21%                         | 1.69%                          | 1.21%               | 2.95%                | 2.50%                   |  |
| Heavy Vehicles & Equipment                                | \$1,707,634              | Rates - 5 yrs             | 1.20%                           | 2.29%                         | 1.96%                          | 1.26%               | 3.10%                | 2.75%                   |  |
| Heavy Equipment                                           | \$2,961,000              | Rates - 7 yrs             | 1.46%                           | 2.41%                         | 2.26%                          | 1.57%               | 3.20%                | 2.98%                   |  |
| <b>TOTAL LEASE/LOAN AMOUNT</b>                            | <b>\$4,763,044</b>       |                           |                                 |                               |                                |                     |                      |                         |  |
| <b>Combined Percentage Total</b>                          |                          |                           | <b>3.58%</b>                    | <b>6.91%</b>                  | <b>5.91%</b>                   | <b>4.04%</b>        | <b>9.25%</b>         | <b>8.23%</b>            |  |
| <b>Rankings</b>                                           |                          |                           | <b>1</b>                        | <b>6</b>                      | <b>4</b>                       | <b>3</b>            | <b>8</b>             | <b>7</b>                |  |
| <b>Bank No.</b>                                           |                          |                           |                                 |                               | <b>Proposed Warrant Issues</b> |                     |                      |                         |  |
| <b>Description</b>                                        | <b>Loan Amount</b>       | <b>Terms</b>              | <b>Signature Public Funding</b> | <b>The Bancorp Bank</b>       | <b>BBVA/PNC Bank</b>           |                     |                      |                         |  |
| Vehicles                                                  | \$94,410                 | Rates - 3 yrs             | 1.160%                          | 1.97%                         | 0.57%                          |                     |                      |                         |  |
| Heavy Vehicles & Equipment                                | \$1,707,634              | Rates - 5 yrs             | 1.315%                          | 2.12%                         | 0.78%                          |                     |                      |                         |  |
| Heavy Equipment                                           | \$2,961,000              | Rates - 7 yrs             | 1.477%                          | 2.55%                         | 0.97%                          |                     |                      |                         |  |
| <b>TOTAL LEASE/LOAN AMOUNT</b>                            | <b>\$4,763,044</b>       |                           |                                 |                               | <b>Warrant fees applicable</b> |                     |                      |                         |  |
| <b>Combined Percentage Total</b>                          |                          |                           | <b>3.95%</b>                    | <b>6.64%</b>                  | <b>2.32%</b>                   |                     |                      |                         |  |
| <b>Rankings</b>                                           |                          |                           | <b>2</b>                        | <b>5</b>                      | <b>9</b>                       |                     |                      |                         |  |
| <b>Financial Institutions/Banks - Submitted Proposals</b> |                          |                           |                                 | <b>PROPOSALS</b>              |                                |                     |                      |                         |  |
| <b>Highlighted - Didn't Submit Proposals:</b>             |                          |                           |                                 | <b>RATE RANKINGS</b>          |                                |                     |                      |                         |  |
| <b>Total Banks</b>                                        |                          | <b>Proposals Received</b> |                                 | <b>BB&amp;T / Truist Bank</b> | <b>1</b>                       | <b>3.58%</b>        |                      |                         |  |
| 1                                                         | BB&T Banking             | 1                         |                                 | Signature Public Funding      | 2                              | 3.95%               |                      |                         |  |
| 2                                                         | BBVA/PNC Bank            | 2                         |                                 | Regions Bank                  | 3                              | 4.04%               |                      |                         |  |
| 3                                                         | Bancorp South            | 3                         |                                 | IBERIA BANK                   | 4                              | 5.91%               |                      |                         |  |
| 4                                                         | IBERIABANK               | 4                         |                                 | The Bancorp Bank              | 5                              | 6.64%               |                      |                         |  |
| 5                                                         | Regions Bank             | 5                         |                                 | Bancorp South Bank            | 6                              | 6.91%               |                      |                         |  |
| 6                                                         | Renasant Bank            | 6                         |                                 | ServisFirst Bank              | 7                              | 8.23%               |                      |                         |  |
| 7                                                         | ServiFirst Bank          | 7                         |                                 | Renasant Bank                 | 8                              | 9.25%               |                      |                         |  |
| 8                                                         | Signature Public Funding | 8                         |                                 | BBVA/PNC Bank                 | 9                              | Warrant Issue Rates |                      |                         |  |
| 9                                                         | SouthCity Bank           |                           |                                 | <b>FISCAL YEAR 2021-2022</b>  |                                |                     |                      |                         |  |
| 10                                                        | Southlake Capital LLC    |                           |                                 |                               |                                |                     |                      |                         |  |
| 11                                                        | SouthPoint Bank          |                           |                                 |                               |                                |                     |                      |                         |  |
| 12                                                        | SouthState Bank          |                           |                                 |                               |                                |                     |                      |                         |  |
| 13                                                        | The Bancorp Bank         | 9                         |                                 |                               |                                |                     |                      |                         |  |
| 14                                                        | Trustmark Bank           |                           |                                 |                               |                                |                     |                      |                         |  |

August 9, 2021

Mr. Melvin Turner  
Director, Finance Department  
City of Vestavia Hills Alabama

Via Electronic Mail: [MTurner@vhal.org](mailto:MTurner@vhal.org);

Dear Mr. Turner:

Truist Bank (“Lender”) is pleased to offer this proposal for the financing requested by the City of Vestavia Hills, Alabama (“Borrower”).

**PROJECT:** Lease Purchase for Various Vehicles, Equipment and Turf Replacement

**AMOUNT:** \$2,961,000.00

**TERM:** Seven (7) Years

**INTEREST RATE:** 1.46%

**TAX STATUS:** Tax Exempt-BQ

**PAYMENTS:** Interest: Quarterly  
Principal: Quarterly

**INTEREST RATE CALCULATION:** 30/360

**SECURITY:** First lien security interest in vehicles and equipment purchase with loan proceeds.

**PREPAYMENT TERMS:** Callable in whole at par at any time.

**RATE EXPIRATION:** 9/20/2021

**DOCUMENTATION/ LEGAL REVIEW FEE:** \$0

**FUNDING:** Proceeds will be deposited into an account held with Lender pending disbursement unless equipment is delivered prior to closing.

**DOCUMENTATION:** Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.

**REPORTING REQUIREMENTS:** Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow less than \$10,000,000 in the current calendar year and that the financing will be bank qualified and tax exempt under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not bank qualified and tax exempt.

We appreciate the opportunity to offer this financing proposal. Please call me at (704) 607-6985 with your questions and comments. We look forward to hearing from you.

Sincerely,

**Truist Bank**



Mary Parrish Coley  
Senior Vice President

**Resolution Approving Financing Terms**

**WHEREAS:** The City of Vestavia Hills, Alabama (the "Borrower") has previously determined to undertake a project for the financing of various vehicles, equipment and a turf replacement project (the "Project"), and the finance director ("Finance Director") has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated August 9, 2021. The amount financed shall not exceed \$2,961,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.46%, and the financing term shall not exceed seven (7) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3)].

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

SEAL

City of Vestavia Hills, Alabama  
 Heavy Equipment, Vehicles and Turf Replacement Project  
 Sample Payment Schedule  
 Seven (7) Years; Quarterly Payments in Arrears

---

Nominal Annual Rate: 1.460%

**TValue Amortization Schedule - Normal, 360 Day Year**

|                    | Date       | Payment           | Interest         | Principal         | Balance      |
|--------------------|------------|-------------------|------------------|-------------------|--------------|
| Loan               | 09/15/2021 |                   |                  |                   | 2,961,000.00 |
| <b>2021 Totals</b> |            | <b>0.00</b>       | <b>0.00</b>      | <b>0.00</b>       |              |
| 1                  | 12/15/2021 | 111,438.56        | 10,807.65        | 100,630.91        | 2,860,369.09 |
| 2                  | 03/15/2022 | 111,438.56        | 10,440.35        | 100,998.21        | 2,759,370.88 |
| 3                  | 06/15/2022 | 111,438.56        | 10,071.70        | 101,366.86        | 2,658,004.02 |
| 4                  | 09/15/2022 | 111,438.56        | 9,701.71         | 101,736.85        | 2,556,267.17 |
| <b>2022 Totals</b> |            | <b>445,754.24</b> | <b>41,021.41</b> | <b>404,732.83</b> |              |
| 5                  | 12/15/2022 | 111,438.56        | 9,330.38         | 102,108.18        | 2,454,158.99 |
| 6                  | 03/15/2023 | 111,438.56        | 8,957.68         | 102,480.88        | 2,351,678.11 |
| 7                  | 06/15/2023 | 111,438.56        | 8,583.63         | 102,854.93        | 2,248,823.18 |
| 8                  | 09/15/2023 | 111,438.56        | 8,208.20         | 103,230.36        | 2,145,592.82 |
| <b>2023 Totals</b> |            | <b>445,754.24</b> | <b>35,079.89</b> | <b>410,674.35</b> |              |
| 9                  | 12/15/2023 | 111,438.56        | 7,831.41         | 103,607.15        | 2,041,985.67 |
| 10                 | 03/15/2024 | 111,438.56        | 7,453.25         | 103,985.31        | 1,938,000.36 |
| 11                 | 06/15/2024 | 111,438.56        | 7,073.70         | 104,364.86        | 1,833,635.50 |
| 12                 | 09/15/2024 | 111,438.56        | 6,692.77         | 104,745.79        | 1,728,889.71 |
| <b>2024 Totals</b> |            | <b>445,754.24</b> | <b>29,051.13</b> | <b>416,703.11</b> |              |
| 13                 | 12/15/2024 | 111,438.56        | 6,310.45         | 105,128.11        | 1,623,761.60 |
| 14                 | 03/15/2025 | 111,438.56        | 5,926.73         | 105,511.83        | 1,518,249.77 |
| 15                 | 06/15/2025 | 111,438.56        | 5,541.61         | 105,896.95        | 1,412,352.82 |
| 16                 | 09/15/2025 | 111,438.56        | 5,155.09         | 106,283.47        | 1,306,069.35 |
| <b>2025 Totals</b> |            | <b>445,754.24</b> | <b>22,933.88</b> | <b>422,820.36</b> |              |
| 17                 | 12/15/2025 | 111,438.56        | 4,767.15         | 106,671.41        | 1,199,397.94 |
| 18                 | 03/15/2026 | 111,438.56        | 4,377.80         | 107,060.76        | 1,092,337.18 |
| 19                 | 06/15/2026 | 111,438.56        | 3,987.03         | 107,451.53        | 984,885.65   |
| 20                 | 09/15/2026 | 111,438.56        | 3,594.83         | 107,843.73        | 877,041.92   |
| <b>2026 Totals</b> |            | <b>445,754.24</b> | <b>16,726.81</b> | <b>429,027.43</b> |              |

|                     |            |                     |                   |                     |            |
|---------------------|------------|---------------------|-------------------|---------------------|------------|
| 21                  | 12/15/2026 | 111,438.56          | 3,201.20          | 108,237.36          | 768,804.56 |
| 22                  | 03/15/2027 | 111,438.56          | 2,806.14          | 108,632.42          | 660,172.14 |
| 23                  | 06/15/2027 | 111,438.56          | 2,409.63          | 109,028.93          | 551,143.21 |
| 24                  | 09/15/2027 | 111,438.56          | 2,011.67          | 109,426.89          | 441,716.32 |
| <b>2027 Totals</b>  |            | <b>445,754.24</b>   | <b>10,428.64</b>  | <b>435,325.60</b>   |            |
| 25                  | 12/15/2027 | 111,438.56          | 1,612.26          | 109,826.30          | 331,890.02 |
| 26                  | 03/15/2028 | 111,438.56          | 1,211.40          | 110,227.16          | 221,662.86 |
| 27                  | 06/15/2028 | 111,438.56          | 809.07            | 110,629.49          | 111,033.37 |
| 28                  | 09/15/2028 | 111,438.56          | 405.19            | 111,033.37          | 0.00       |
| <b>2028 Totals</b>  |            | <b>445,754.24</b>   | <b>4,037.92</b>   | <b>441,716.32</b>   |            |
| <b>Grand Totals</b> |            | <b>3,120,279.68</b> | <b>159,279.68</b> | <b>2,961,000.00</b> |            |

| <b>ANNUAL PERCENTAGE RATE</b>             | <b>FINANCE CHARGE</b>                       | <b>Amount Financed</b>                                  | <b>Total of Payments</b>                                                     |
|-------------------------------------------|---------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------------|
| The cost of your credit as a yearly rate. | The dollar amount the credit will cost you. | The amount of credit provided to you or on your behalf. | The amount you will have paid after you have made all payments as scheduled. |
| <b>1.460%</b>                             | <b>\$159,279.68</b>                         | <b>\$2,961,000.00</b>                                   | <b>\$3,120,279.68</b>                                                        |

August 9, 2021

Mr. Melvin Turner  
Director, Finance Department  
City of Vestavia Hills Alabama

Via Electronic Mail: [MTurner@vhal.org](mailto:MTurner@vhal.org);

Dear Mr. Turner:

Truist Bank (“Lender”) is pleased to offer this proposal for the financing requested by the City of Vestavia Hills, Alabama (“Borrower”).

|                                                 |                                                                                                                                  |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>PROJECT:</b>                                 | Lease Purchase for Various Vehicles                                                                                              |
| <b>AMOUNT:</b>                                  | \$94,410.00                                                                                                                      |
| <b>TERM:</b>                                    | Three (3) Years                                                                                                                  |
| <b>INTEREST RATE:</b>                           | 0.92%                                                                                                                            |
| <b>TAX STATUS:</b>                              | Tax Exempt-BQ                                                                                                                    |
| <b>PAYMENTS:</b>                                | <u>Interest:</u> Quarterly<br><u>Principal:</u> Quarterly                                                                        |
| <b>INTEREST RATE<br/>CALCULATION:</b>           | 30/360                                                                                                                           |
| <b>SECURITY:</b>                                | First lien security interest in vehicles purchased with loan proceeds.                                                           |
| <b>PREPAYMENT<br/>TERMS:</b>                    | Callable in whole at par at any time.                                                                                            |
| <b>RATE<br/>EXPIRATION:</b>                     | 9/20/2021                                                                                                                        |
| <b>DOCUMENTATION/<br/>LEGAL REVIEW<br/>FEE:</b> | \$0                                                                                                                              |
| <b>FUNDING:</b>                                 | Proceeds will be deposited into an account held with Lender pending disbursement unless equipment is delivered prior to closing. |

**DOCUMENTATION:** Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.

**REPORTING REQUIREMENTS:** Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow less than \$10,000,000 in the current calendar year and that the financing will be bank qualified and tax exempt under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not bank qualified and tax exempt.

We appreciate the opportunity to offer this financing proposal. Please call me at (704) 607-6985 with your questions and comments. We look forward to hearing from you.

Sincerely,

**Truist Bank**



Mary Parrish Coley  
Senior Vice President



**Resolution Approving Financing Terms**

**WHEREAS:** The City of Vestavia Hills, Alabama (the "Borrower") has previously determined to undertake a project for the financing of various vehicles (the "Project"), and the finance director ("Finance Director") has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated August 9, 2021. The amount financed shall not exceed \$94,410, the annual interest rate (in the absence of default or change in tax status) shall not exceed 0.92%, and the financing term shall not exceed three (3) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3)].

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

SEAL

City of Vestavia Hills, Alabama  
 Various Vehicles  
 Sample Payment Schedule  
 Three (3) Years; Quarterly Payments in Arrears

---

Nominal Annual Rate: 0.920%

**TValue Amortization Schedule - Normal, 360 Day Year**

|                     | Date       | Payment          | Interest        | Principal        | Balance   |
|---------------------|------------|------------------|-----------------|------------------|-----------|
| Loan                | 09/15/2021 |                  |                 |                  | 94,410.00 |
| <b>2021 Totals</b>  |            | <b>0.00</b>      | <b>0.00</b>     | <b>0.00</b>      |           |
| 1                   | 12/15/2021 | 7,985.61         | 217.14          | 7,768.47         | 86,641.53 |
| 2                   | 03/15/2022 | 7,985.61         | 199.28          | 7,786.33         | 78,855.20 |
| 3                   | 06/15/2022 | 7,985.61         | 181.37          | 7,804.24         | 71,050.96 |
| 4                   | 09/15/2022 | 7,985.61         | 163.42          | 7,822.19         | 63,228.77 |
| <b>2022 Totals</b>  |            | <b>31,942.44</b> | <b>761.21</b>   | <b>31,181.23</b> |           |
| 5                   | 12/15/2022 | 7,985.61         | 145.43          | 7,840.18         | 55,388.59 |
| 6                   | 03/15/2023 | 7,985.61         | 127.39          | 7,858.22         | 47,530.37 |
| 7                   | 06/15/2023 | 7,985.61         | 109.32          | 7,876.29         | 39,654.08 |
| 8                   | 09/15/2023 | 7,985.61         | 91.20           | 7,894.41         | 31,759.67 |
| <b>2023 Totals</b>  |            | <b>31,942.44</b> | <b>473.34</b>   | <b>31,469.10</b> |           |
| 9                   | 12/15/2023 | 7,985.61         | 73.05           | 7,912.56         | 23,847.11 |
| 10                  | 03/15/2024 | 7,985.61         | 54.85           | 7,930.76         | 15,916.35 |
| 11                  | 06/15/2024 | 7,985.61         | 36.61           | 7,949.00         | 7,967.35  |
| 12                  | 09/15/2024 | 7,985.61         | 18.26           | 7,967.35         | 0.00      |
| <b>2024 Totals</b>  |            | <b>31,942.44</b> | <b>182.77</b>   | <b>31,759.67</b> |           |
| <b>Grand Totals</b> |            | <b>95,827.32</b> | <b>1,417.32</b> | <b>94,410.00</b> |           |

| <b>ANNUAL PERCENTAGE RATE</b>             | <b>FINANCE CHARGE</b>                       | <b>Amount Financed</b>                                  | <b>Total of Payments</b>                                                     |
|-------------------------------------------|---------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------------|
| The cost of your credit as a yearly rate. | The dollar amount the credit will cost you. | The amount of credit provided to you or on your behalf. | The amount you will have paid after you have made all payments as scheduled. |

|               |                   |                    |                    |
|---------------|-------------------|--------------------|--------------------|
| <b>0.920%</b> | <b>\$1,417.32</b> | <b>\$94,410.00</b> | <b>\$95,827.32</b> |
|---------------|-------------------|--------------------|--------------------|

August 9, 2021

Mr. Melvin Turner  
Director, Finance Department  
City of Vestavia Hills Alabama

Via Electronic Mail: [MTurner@vhal.org](mailto:MTurner@vhal.org);

Dear Mr. Turner:

Truist Bank (“Lender”) is pleased to offer this proposal for the financing requested by the City of Vestavia Hills, Alabama (“Borrower”).

|                                                 |                                                                                                                                  |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>PROJECT:</b>                                 | Lease Purchase for Ford Patrol Interceptors                                                                                      |
| <b>AMOUNT:</b>                                  | \$1,707,634.00                                                                                                                   |
| <b>TERM:</b>                                    | Five (5) Years                                                                                                                   |
| <b>INTEREST RATE:</b>                           | 1.20%                                                                                                                            |
| <b>TAX STATUS:</b>                              | Tax Exempt-BQ                                                                                                                    |
| <b>PAYMENTS:</b>                                | <u>Interest:</u> Quarterly<br><u>Principal:</u> Quarterly                                                                        |
| <b>INTEREST RATE<br/>CALCULATION:</b>           | 30/360                                                                                                                           |
| <b>SECURITY:</b>                                | First lien security interest in vehicles purchased with loan proceeds.                                                           |
| <b>PREPAYMENT<br/>TERMS:</b>                    | Callable in whole at par at any time.                                                                                            |
| <b>RATE<br/>EXPIRATION:</b>                     | 9/20/2021                                                                                                                        |
| <b>DOCUMENTATION/<br/>LEGAL REVIEW<br/>FEE:</b> | \$0                                                                                                                              |
| <b>FUNDING:</b>                                 | Proceeds will be deposited into an account held with Lender pending disbursement unless equipment is delivered prior to closing. |

**DOCUMENTATION:** Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.

**REPORTING REQUIREMENTS:** Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow less than \$10,000,000 in the current calendar year and that the financing will be bank qualified and tax exempt under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not bank qualified and tax exempt.

We appreciate the opportunity to offer this financing proposal. Please call me at (704) 607-6985 with your questions and comments. We look forward to hearing from you.

Sincerely,

**Truist Bank**



Mary Parrish Coley  
Senior Vice President

**Resolution Approving Financing Terms**

**WHEREAS:** The City of Vestavia Hills, Alabama (the "Borrower") has previously determined to undertake a project for the financing of patrol interceptors (the "Project"), and the finance director ("Finance Director") has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated August 9, 2021. The amount financed shall not exceed \$1,707,634, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.20%, and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3)].

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

SEAL

City of Vestavia Hills, Alabama  
 Ford Patrol Interceptors  
 Sample Payment Schedule  
 Five (5) Years; Quarterly Payments in Arrears

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Nominal Annual Rate: 1.200%

**TValue Amortization Schedule - Normal, 360 Day Year**

|                    | Date       | Payment           | Interest         | Principal         | Balance      |
|--------------------|------------|-------------------|------------------|-------------------|--------------|
| Loan               | 09/15/2021 |                   |                  |                   | 1,707,634.00 |
| <b>2021 Totals</b> |            | <b>0.00</b>       | <b>0.00</b>      | <b>0.00</b>       |              |
| 1                  | 12/15/2021 | 88,096.73         | 5,122.90         | 82,973.83         | 1,624,660.17 |
| 2                  | 03/15/2022 | 88,096.73         | 4,873.98         | 83,222.75         | 1,541,437.42 |
| 3                  | 06/15/2022 | 88,096.73         | 4,624.31         | 83,472.42         | 1,457,965.00 |
| 4                  | 09/15/2022 | 88,096.73         | 4,373.90         | 83,722.83         | 1,374,242.17 |
| <b>2022 Totals</b> |            | <b>352,386.92</b> | <b>18,995.09</b> | <b>333,391.83</b> |              |
| 5                  | 12/15/2022 | 88,096.73         | 4,122.73         | 83,974.00         | 1,290,268.17 |
| 6                  | 03/15/2023 | 88,096.73         | 3,870.80         | 84,225.93         | 1,206,042.24 |
| 7                  | 06/15/2023 | 88,096.73         | 3,618.13         | 84,478.60         | 1,121,563.64 |
| 8                  | 09/15/2023 | 88,096.73         | 3,364.69         | 84,732.04         | 1,036,831.60 |
| <b>2023 Totals</b> |            | <b>352,386.92</b> | <b>14,976.35</b> | <b>337,410.57</b> |              |
| 9                  | 12/15/2023 | 88,096.73         | 3,110.49         | 84,986.24         | 951,845.36   |
| 10                 | 03/15/2024 | 88,096.73         | 2,855.54         | 85,241.19         | 866,604.17   |
| 11                 | 06/15/2024 | 88,096.73         | 2,599.81         | 85,496.92         | 781,107.25   |
| 12                 | 09/15/2024 | 88,096.73         | 2,343.32         | 85,753.41         | 695,353.84   |
| <b>2024 Totals</b> |            | <b>352,386.92</b> | <b>10,909.16</b> | <b>341,477.76</b> |              |
| 13                 | 12/15/2024 | 88,096.73         | 2,086.06         | 86,010.67         | 609,343.17   |
| 14                 | 03/15/2025 | 88,096.73         | 1,828.03         | 86,268.70         | 523,074.47   |
| 15                 | 06/15/2025 | 88,096.73         | 1,569.22         | 86,527.51         | 436,546.96   |
| 16                 | 09/15/2025 | 88,096.73         | 1,309.64         | 86,787.09         | 349,759.87   |
| <b>2025 Totals</b> |            | <b>352,386.92</b> | <b>6,792.95</b>  | <b>345,593.97</b> |              |
| 17                 | 12/15/2025 | 88,096.73         | 1,049.28         | 87,047.45         | 262,712.42   |
| 18                 | 03/15/2026 | 88,096.73         | 788.14           | 87,308.59         | 175,403.83   |
| 19                 | 06/15/2026 | 88,096.73         | 526.21           | 87,570.52         | 87,833.31    |
| 20                 | 09/15/2026 | 88,096.73         | 263.42           | 87,833.31         | 0.00         |
| <b>2026 Totals</b> |            | <b>352,386.92</b> | <b>2,627.05</b>  | <b>349,759.87</b> |              |

**Grand Totals**                      **1,761,934.60**    **54,300.60**    **1,707,634.00**

| <b>ANNUAL PERCENTAGE RATE</b>             | <b>FINANCE CHARGE</b>                       | <b>Amount Financed</b>                                  | <b>Total of Payments</b>                                                     |
|-------------------------------------------|---------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------------|
| The cost of your credit as a yearly rate. | The dollar amount the credit will cost you. | The amount of credit provided to you or on your behalf. | The amount you will have paid after you have made all payments as scheduled. |
| <b>1.200%</b>                             | <b>\$54,300.60</b>                          | <b>\$1,707,634.00</b>                                   | <b>\$1,761,934.60</b>                                                        |