

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 5.

**Vestavia Hills
City Council Agenda
November 22, 2021
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Jim Cartledge, Vestavia Hills Senior Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
 - a. Interview dates/times for Vestavia Hills Parks and Recreation Board - November 30, 2021 beginning at 10:30 AM
 - b. Rescheduling of December 27, 2021 Council Meeting to December 20, 2021 Beginning At 6 PM; Work Session To Begin At 5 PM
7. City Manager’s Report
8. Councilors’ Reports
9. Financial Reports – Melvin Turner, III
10. Approval Of Minutes – October 25, 2021 (Regular Meeting) and November 8, 2021 (Regular Meeting)

Old Business

11. Ordinance Number 3056 – Annexation – 90-Day Final – 2429 Altadena Road, Lot 2, Haynies Add to Ridge Forest; Keith and Taylor Cargal, Owners (*public hearing*)
12. Ordinance Number 3057 – Rezoning – 2429 Altadena Road, Lot 2, Haynies Add To Ridge Forest; Rezone From Jefferson County R-1 To Vestavia Hills R-2, Compatible Zoning For Annexation; Keith And Taylor Cargal, Owners (*public hearing*)
13. Ordinance Number 3058 – Annexation – 90-Day Final – 2621 Red Bud Lane; Lot 4a, Gary & Pam West Survey, Less And Except 40’ Strip On Southern Boundary; Jordan Hoffman, Owner (*public hearing*)
14. Ordinance Number 3059 – Annexation – 90-Day Final – 2625 Red Bud Lane; Lot 4B, LB Lloyd Subdivision; Deborah And Jack Standifer, Owners (*public hearing*)

15. Ordinance Number 3060 – Rezoning – 2621 Red Bud Lane And 2625 Red Bud Lane; Rezone From Jefferson County E-1 To Vestavia Hills E-2, Compatible Zoning For Annexation; Jordan Hoffman, Deborah And Jack Standifer, Owners (*public hearing*)
16. Ordinance Number 3061 – Conditional Use Approval – Conditional Use Approval For Operation Of A Veterinarian Clinic With Services To Include Medical, Grooming And Bathing Services Of Dogs By Appointment, Excluding Overnight Boarding; Happy Dog Baths & Grooming, 678 Montgomery Highway, Lot 1, Vestavia Hills City Center North; Mike Mahaffey, Owner (*public hearing*)

New Business

17. Resolution Number 5358 – A Resolution Authorizing Improvements Designated As Project Number: IM-I459(318) Including Planning, Overlay And Striping Of I-459 From 0.25 Miles South Of SR-38 (US-280) To 0.24 Miles South Of Grants Mill Road
18. Ordinance Number 3046 – An Ordinance To Authorize The Issuance And Payment Of General Obligation Warrants, Series 2021, And The Delivery Of Related Documents

New Business (Requesting Unanimous Consent)

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

19. Ordinance Number 3062 – An Ordinance Accepting A Bid For Kyle Lane Drainage Improvement Project And Authorizing The Execution And Delivery Of The Construction Contract Documents By And Between The City Of Vestavia Hills, Alabama, As “Owner,” And Southeastern Seal Coating, As “Contractor.” (*public hearing, December 13, 2021*)
20. Ordinance Number 3063 – An Ordinance Amending Ordinance Number 2665 And Section 5-71 Of The Vestavia Hills Code Of Ordinances Adopting The 2021 International Building Code For The City Of Vestavia Hills, Alabama (*public hearing, December 20, 2021*)
21. Ordinance Number 3064 – An Ordinance Amending Ordinance Number 2666 And 12-20-21Section 5-81 Of The Vestavia Hills Code Of Ordinances Adopting The 2021 International Energy Conservation Code For The City Of Vestavia Hills, Alabama (*public hearing December 20, 2021*)
22. Ordinance Number 3065 – An Ordinance Amending Ordinance Number 2667 And Section 5-91 Of The Vestavia Hills Code Of Ordinances Adopting The 2021 International Existing Building Code For The City Of Vestavia Hills, Alabama (*public hearing, December 20, 2021*)
23. Ordinance Number 3066 – An Ordinance Amending Ordinance Number 2668 And Section 5-101 Of The Vestavia Hills Code Of Ordinances Adopting The 2021 International

- Residential Code For The City Of Vestavia Hills, Alabama (public hearing, December 20, 2021)
24. Ordinance Number 3067 – An Ordinance Amending Ordinance Number 2669 And Section 5-111 Of The Vestavia Hills Code Of Ordinances Adopting The 2021 International Plumbing Code For The City Of Vestavia Hills, Alabama (public hearing, December 20, 2021)
 25. Ordinance Number 3068 – An Ordinance Amending Ordinance Number 2670 And Section 5-121 Of The Vestavia Hills Code Of Ordinances Adopting The 2021 International Mechanical Code For The City Of Vestavia Hills, Alabama (public hearing, December 20, 2021)
 26. Ordinance Number 3069 – An Ordinance Amending Ordinance Number 2671 And Section 5-131 Of The Vestavia Hills Code Of Ordinances Adopting The 2021 International Fuel Gas Code For The City Of Vestavia Hills, Alabama (public hearing, December 20, 2021)
 27. Ordinance Number 3070 – An Ordinance Amending Ordinance Number 2672 And Section 5-141 Of The Vestavia Hills Code Of Ordinances Adopting The 2020 National Electrical Code For The City Of Vestavia Hills, Alabama (public hearing, December 20, 2021)
 28. Ordinance Number 3071 – An Ordinance Amending Ordinance Number 2673 And Section 5-151 Of The Vestavia Hills Code Of Ordinances Adopting The 2021 International Swimming Pool And Spa Code For The City Of Vestavia Hills, Alabama (public hearing, December 20, 2021)
 29. Ordinance Number 3072 – An Ordinance To Amend Section 6-16, *Vestavia Hills Code Of Ordinances*, Republished 2013 Entitled “Codes Adopted;” To Repeal Ordinance Number 2553 And To Adopt The 2021 International Fire Prevention Code For The City Of Vestavia Hills, Alabama (public hearing, December 20, 2021)
 30. Resolution Number 5359 – Annexation – 90 day – 2433 Dolly Ridge Road; Lot 35, Rocky Ridge Estates; Megan Rudolph, Owner (public hearing, December 20, 2021)
 31. Ordinance Number 3047 – Annexation – Overnight – 2433 Dolly Ridge Road; Lot 35, Rocky Ridge Estates; Megan Rudolph, Owner (public hearing, December 20, 2021)
 32. Resolution Number 5360 – Annexation – 90 day – 2736 Ossa Wintha Drive; Lot 9, Block 4, 1st Add to Altadena Valley, 5th Sector; James and Gail Freeman, Owners (public hearing, December 20, 2021)
 33. Ordinance Number 3048 – Annexation – Overnight – 2736 Ossa Wintha Drive; Lot 9, Block 4, 1st Add to Altadena Valley, 5th Sector; James and Gail Freeman, Owners (public hearing, December 20, 2021)
 34. Resolution Number 5361 – Annexation – 90 day – 3408 Watertown Place; Lot 12, Block 2, Coventry; 1st and 2nd Sectors; Mildred Gallant, Owner; Jill Holt, Executor, Representing

35. Ordinance Number 3049 – Annexation – Overnight – 3408 Watertown Place; Lot 12, Block 2, Coventry; 1st and 2nd Sectors; Mildred Gallant, Owner; Jill Holt, Executor, Representing (*public hearing, December 20, 2021*)
36. Citizens Comments
37. Time Of 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. 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

OCTOBER 25, 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
George Pierce, Councilor

MEMBERS ABSENT:

Paul Head, Councilor

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
David Weaver, Alabama State Representative
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Marvin Green, Fire Chief
Melvin Turner, Finance Director
George Sawaya, Asst. Finance Director
**present via Zoom or telephone*

Tom Bell, a 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. Pierce – yes
Mr. Weaver – yes	Mayor Curry – yes

motion carried.

ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION

- Mr. Pierce welcomed Linda Parker and Rachel Patterson, representing the Vestavia Hills Chamber of Commerce Board.
- Mr. Pierce announced that Viva Thursday will be held this year at Hollywood Pool and Spa on October 28th beginning at 6:30 PM. The event is called “Eat Drink and Be Scary” and will be a great event. He stated that tickets are still available and more information can be found on the Chamber of Commerce website.
- The Mayor announced an upcoming vacancy on the Vestavia Hills Parks and Recreation and the Vestavia Hills Library Board. Deadline for application is Monday, November 8, 2021. Individual interviews will be conducted with the applicants and appointment of the new member will be on Monday, December 13, 2021.

PROCLAMATION

The Mayor presented a Proclamation designating October 2021 as “Domestic Violence Awareness Month.” Mr. Downes read the Proclamation aloud and the Mayor presented it to Johnny and Liz Montgomery; Captain Shane Ware, VHPD; Allie Nanni, Al Vance, and Allison Dearing, One Place Metro Family Justice Center; and Maya Witherspoon and Elizabeth Conner, YWCA.

The Mayor stated that he has become very familiar with the threat of domestic violence over the years of his FBI career. He indicated that the number one cause of violence toward police officers was domestic violence calls and he thinks it is important that the city can help bring awareness to this important issue.

Ms. Nanni stated that the individuals present are just a small representation of individuals working to eradicate domestic violence and she is pleased there are many individuals here, who work to combat domestic violence, to receive this Proclamation. She stated the YWCA and One Place Metro stand in solidarity to support victims and survivors.

Johnny Montgomery stated that he lost his daughter, Megan Montgomery, to domestic violence. He stated that it is so difficult to have to bury a child. He has been coping with the help of his church, friends and by becoming involved in bringing awareness to the issue of domestic violence. He stated it is so fulfilling to hear personal stories of women who have escaped domestic violence situations following his family’s efforts to bring awareness to the issue.

Liz Montgomery stated that the Megan Montgomery Memorial Fund is to help prevent domestic violence. She stated that they send out speakers to go to colleges and community groups to educate people to recognize the signs of domestic violence and bring awareness to, hopefully, prevent future occurrences.

Mrs. Cook stated that she had asked Johnny and Liz Montgomery to come tonight. She stated many do not realize how prevalent this problem is and that it hits close to home for many families. When she was reading this week about the testimony from a recent trial of the wife of

one of our police officers who died in a domestic violence incident, it brought to mind that people of all ages need to know where to go to seek help.

PROCLAMATION

The Mayor presented a Proclamation designating November 2021 as “Hospice and Palliative Care Month.” Mr. Downes read the Proclamation aloud and the Mayor presented it to Janey Thorn and Ginny Sirles, Affinity Hospice.

Ms. Thorn, Affinity Hospice, thanked the Mayor and Council for this and explained their services to the residents of this community who need this care.

CITY MANAGER’S REPORT

- None.

COUNCILOR REPORTS

- Mr. Pierce stated he attended Chamber of Commerce Board meeting which continued planning for Viva Vestavia. He stated they also discussed the move into the Community Center and the search for a new President upon the announcement of retirement of Karen Odle.

APPROVAL OF MINUTES

The Mayor opened the floor for approval of the following minutes: October 11, 2021 (Regular Meeting).

MOTION Motion to approve the minutes of October 11, 2021 (Regular Meeting) was by Mrs. Cook and seconded by Mr. Weaver. Roll call vote as follows:

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

motion carried.

OLD BUSINESS

RESOLUTION NUMBER 5349

Resolution Number 5349 – A Resolution Authorizing The City Manager To Execute And Deliver And Easement Agreement With Cellco Partnership D/B/A Verizon Wireless To Grant An Easement On The Property Located At 509

**Montgomery Highway, Aka Vestavia Hills Bill F. Towers Fire Station No. 1
(public hearing)**

MOTION Motion to approve Resolution Number 5349 was by Mr. Weaver and seconded by Mr. Pierce.

Mr. Downes stated that there is an existing monopole behind the fire station and this will allow Verizon to run fiber to collocate on the tower.

Lannie Green, Verizon Wireless, was present remotely in regard to this request.

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

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

NEW BUSINESS

RESOLUTION NUMBER 5353

**Resolution Number 5353 – A Resolution Declaring Certain Personal Property As Surplus
And Directing The City Manager To Sell/Dispose Of Said Equipment**

MOTION Motion to approve Resolution Number 5353 was by Mr. Weaver and seconded by Mr. Pierce

Mr. Downes explained that this Resolution is to surplus a police vehicle that is far past its usage life.

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

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

RESOLUTION NUMBER 5354

**Resolution Number 5354 – A Resolution Authorizing A Special Economic Development
Agreement By The City Of Vestavia Hills, Alabama And Red B, LLC**

MOTION Motion to approve Resolution Number 5354 was by Mr. Weaver and seconded by Mrs. Cook.

Mr. Downes explained that this Resolution is an incentive agreement for The Fig Tree restaurant expansion and a new business called Miss Astrid’s Tavern. The owner, Richard Edge, is attending remotely. Heyward Hosch, Maynard Cooper and Gale, is present in regard to the parameters of the proposed incentive resolution. The agreement is a share of future sales taxes whereby a share of sales taxes generated would be returned to him for the next six years. In return, he has agreed to construct an entertainment venue, improve stormwater infrastructure on his site, and grant a public parking arrangement for his property to capitalize a multi-property development in the area which includes, among other things, a sidewalk pathway for connection.

Mr. Edge stated that they are anxious to get started and hope to see a great venue and a more walkable community.

Mr. Hosch stated that the Council has done this with other businesses and this is the same format. He explained the development and stated that this is Amendment 772-compliant.

Mrs. Cook asked about the agreement term of six years. Mr. Hosch stated that the time begins upon the issuance of certificate of occupancy.

Mr. Pierce asked if The Fig Tree will see improvements. Mr. Edge stated they would like to install a handicap access and develop the entertainment venue.

Mr. Downes explained the location and the proposed development and walkway.

Discussion ensued as to why the Council should grant this agreement. Mr. Downes explained that this helps to create pedestrian connectivity, and the owner will create an entertainment venue in the back of the lot to bring something special to the area.

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

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

ORDINANCE NUMBER 3041

Ordinance Number 3041 – An Ordinance Accepting A Bid For Renovations To Vestavia Hills Bill F. Towers Fire Station No. 1 And Authorizing The Execution And Delivery Of The Construction Contract Documents By And Between The City Of Vestavia Hills Alabama As “Owner” And Jared Building Company As “Contractor”

MOTION Motion to approve Ordinance Number 3041 was by Mr. Weaver and seconded by Mr. Pierce.

Mr. Downes explained that this Ordinance accepts a bid of renovations for the Vestavia Hills Bill F. Towers Fire Station No. 1. He indicated that funding was budgeted for these renovations and that the project was bid with one bid returned due to the volatility of the construction market.

Mr. Pierce asked about TCU's involvement.

Mr. Downes indicated he had requested TCU to assist with this project.

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

Mrs. Cook – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

motion carried.

ORDINANCE NUMBER 3042

Ordinance Number 3042 – An Ordinance Accepting A Bid For Wald Park Field Conversions And Authorizing The Execution And Delivery Of The Construction Contract Documents By And Between The City Of Vestavia Hills, Alabama As Owner And Specialty Turf Supply Inc., As Contractor

MOTION Motion to approve Ordinance Number 3042 was by Mr. Weaver and seconded by Mrs. Cook.

Mr. Downes explained that this Ordinance accepts a bid of the Wald Park Field Conversions. He explained that multiple bidders appeared at the pre-bid meeting; however, only one bidder submitted a bid. He indicated that the bid was within budget and the City has had experience with this bidder who completed the Cahaba Heights fields. He added that this bid also includes the shade structures that the Council has discussed over the past few months.

Mrs. Cook asked Mr. Weaver to elaborate about the reason for the conversion from natural grass to artificial turf.

Mr. Weaver stated that there are so many problems with natural turf that cannot be overcome. He stated the Cahaba Heights fields are more durable, allowing more games and more efficiency of use. As the projects developed, it became clear that this was the best direction in which to go and he feels it is the right decision. This is a chance to allow more play time on the fields.

Mr. Pierce asked about the installation schedule. Mr. Downes stated it would be finished before the season starts but artificial turf is becoming scarce and the work needs to start now.

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

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

motion carried.

ORDINANCE NUMBER 3044

Ordinance Number 3044 – An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With The Birmingham Water Works Board For Maintenance Of Meters In Sidewalks Along Mountainview Drive

MOTION Motion to approve Ordinance Number 3044 was by Mrs. Cook and seconded by Mr. Weaver.

Mr. Downes explained that this Ordinance authorizes an agreement between the City and the Birmingham Water Works to allow certain meters to be located in the newly constructed sidewalks along Mountainview Drive. Future projects will require that all water meters be relocated outside of the sidewalk.

Mr. Pierce asked about the completion. Mr. Brady indicated the contractor would initialize and hopefully finish by Christmas.

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

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

motion carried.

ORDINANCE NUMBER 3043

Ordinance Number 3043 – An Ordinance Authorizing The Settlement Of The Case Of Catherine Brooks V. City Of Vestavia Hills, Alabama, Et Al, Bearing Civil Action Number 01-CV-2020-901202.00 Presently Pending In The Circuit Court For Jefferson County, Alabama; Authorizing And Directing The Mayor And City Manager To Pay The Funds Described Herein And To Take Any Action And Execute And Deliver Any And All Documents Necessary To Effectuate Said Settlement

Mr. Downes explained that this Ordinance authorizes the settlement of litigation between the City and an individual who was injured while riding a bike.

Bent Owens, special legal counsel for the City, was present in regard to this Resolution. He explained that this settlement came following mediation concerning injuries received by

Catherine Brooks from a bicycle accident. He stated he feels it is in the City's best interest to settle this along with the BWWB.

Mr. Pierce asked if the residents of Mountainview have been notified of the arrangements with BWWB. Mr. Downes stated that Mr. Visintainer is the contact for the neighborhood and he was notified that this was on the agenda.

Discussion ensued regarding whether or not the City needs to install signage prohibiting bicycles on the sidewalks.

MOTION Motion to approve Ordinance Number 3043 was by Mrs. Cook and seconded by Mr. Weaver.

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

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

motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

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

CITIZEN COMMENTS

None.

At 6:48 PM, Mr. Pierce made a motion to adjourn. The meeting adjourned at 6:37 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

NOVEMBER 8, 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
Rebecca Leavings, City Clerk
Jason Hardin, Police Captain
Ryan Farrell, Fire Marshal
Melvin Turner, Finance Director
George Sawaya, Asst. Finance Director
Umang Patel, Court Director*
Cinnamon McCulley, Communications Specialist
**present via Zoom or telephone*
***entered at 6:50 PM via Zoom*

Melvin Turner III, Finance Director, led the invocation which was followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The Mayor indicated that the minutes needed to be delayed for approval as the draft was never submitted for review. The Mayor opened the floor for a motion of approval of the agenda as amended.

MOTION Motion to approve the agenda as amended was by Mr. Weaver seconded by Mrs. Cook. Roll call vote was, as follows:
Mrs. Cook – yes Mr. Head – yes

Mr. Weaver – yes

Mayor Curry – yes
motion carried.

ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION

- The Mayor announced that the annual Salute to Veterans event will be held at Vestavia Hills United Methodist Church, tomorrow, beginning at 2 PM. Brian Hastings will be the keynote speaker.
- The Mayor stated there will also be a Veterans celebration beginning at 11 AM at the New Merkel House on November 11 and it will include a special pinning ceremony. This is a more intimate ceremony event for anyone who wishes to attend.
- Mr. Weaver stated that the regular Planning and Zoning Commission meeting will be held tomorrow because of Veterans Day. The meeting will be held in the Council Chamber beginning at 6 PM.
- Mr. Head announced that the Parks and Recreation Board will have a regular work session on November 16, 2021 beginning at 7 AM in the Executive Conference Room.
- Mr. Head read the list of candidates who submitted applications for the upcoming vacancy on the Vestavia Hills Parks and Recreation. He stated that the interviews will be held on Tuesday, November 30, 2021 beginning at 9 AM in the Executive Conference Room.
- The Mayor stated only one application was received for Library Board and that was a request for a re-appointment. He stated that the interviews would be the same date.
- Mayor recognized Karen Odle, John Henley and Keri Bates representing the Vestavia Hills Chamber of Commerce.

PROCLAMATION

The Mayor presented a Proclamation designating November 2021 as “Small Business November.” Mr. Downes read the Proclamation aloud and the Mayor presented it to the following Chamber of Commerce representatives: John Henley, Board Chair; Karen Odle, President; and Keri Bates.

The Mayor stated that Small Business Saturdays are normally on the Saturday after Black Friday. He stated that our City celebrates small businesses on a different day due to the Iron Bowl.

Mrs. Odle stated that it is in everyone’s best interest to keep small businesses going.

Ms. Bates and Mr. Henley thanked the Mayor and Council for the recognition and noted that sales over the next two months will be important for a lot of small businesses as they are their highest sales months.

CITY MANAGER'S REPORT

- Mr. Downes stated that the City is in the process of the latest round of paving. He showed a map of the areas that were recently repaved along with those that are upcoming. He noted that the City does an assessment of paving conditions and that will be updated soon. Therefore, he reminded everyone that, if there are any areas of concern, citizens and staff need to notify the Engineering Department to ensure an evaluation.
- Mr. Downes stated that the Mountainview sidewalk project is wrapping up. The next sidewalk will be installed along Rocky Ridge Road. Designs are begun along with collaborative efforts with Jefferson County to rework the intersection of Dolly Ridge and Rocky Ridge Road. He stated that, as the City wraps up these projects, the sidewalk master plan would need to be refreshed to determine where the next project should begin. In the past, this effort was led by Steve Bendall who has graciously agreed to lead the committee again.
- Mr. Downes stated that the SHAC tunnel construction project should be wrapping up and will hopefully be completed by the end of November. Sidewalks will be installed connecting areas within SHAC and the tunnel to Liberty Park athletic fields.

COUNCILOR REPORTS

- Mrs. Cook stated that she has had business owners contact her regarding the impact of Crosshaven Drive road closures and construction that might impact the Deck the Heights celebration. She stated she was happy to hear that the City Manager has instructed the roadwork to halt on the Small Business Saturday that coincides with this event in Cahaba Heights.

FINANCIAL REPORTS

Melvin Turner, III, Finance Director, delivered the preliminary Financial Reports for month ending September 2021 and the preliminary year-end report. He read and explained the totals.

Mrs. Cook stated that the increase in sales taxes was remarkable.

COMMUNITY SPACES UPDATE

Mr. Downes reminded the Council that the bid for Wald Park Phase III came back extremely high. He stated that the City pulled back and evaluated different opportunities. One such collaborative opportunity was proposed by the Board of Education, to convert the soccer fields near VHEC to tennis courts and relocate the soccer play to the VHEDR campus fields that are being improved. This will alleviate issues with parking and handicapped accessibility during soccer season. The school system and city are conducting a feasibility study which might allow the construction of more tennis courts in this location than were planned at Wald Park. The Board

of Education is already planning to install lighting and upgrade the fields at VHEDR which will create a better facility for the soccer players. He stated this will be discussed in greater detail at next week's Council work session.

Raynor Boles, TCU, and Chris Echroate, Caprine Engineering, were present to show the tennis court construction options.

Mr. Echroate explained options 1-4, the parameters, the differences and the advantages/disadvantages of each option.

Mr. Downes explained that there were 8 courts contemplated at Wald Park, whereas many of these options offer as many as 12 courts.

Mr. Boles updated the Council on the following Community Spaces projects:

- Wald Park: Phase II had a \$309,000 change order which was caused by the domino effect from the earlier electrical problems at Wald that had to be remediated. The increased cost of Wald construction due to this issue created budget crunches in other areas. The Phase III original design included construction of the tennis courts and a lot of stormwater infrastructure that would have contained all the water. A pre-existing subdivision above Wald has inadequate stormwater infrastructure, meaning the water cascades down into Wald Park and floods. This must be addressed. He stated that this will be discussed in greater detail at next Monday's work session. Stabilization of the problem would cost \$50K to \$75k. Mr. Downes stated that there is also a parking enhancement that will be worked into the proposal to finish this part of the park. Discussion ensued as to whether there is still a possibility of any tennis courts in this area or a dog park. Mr. Downes explained all of these things will be determined by the Council. He stated that there are also other funding opportunities that have been proposed by other entities.
- Crosshaven Drive: Of the \$4.6 million total project, over \$3 million is actually completed. One side is completed. There is some new asphalt and the west side of the road is wide enough for three lanes so that two lanes can be running at all times. There will be some slowdowns of traffic, but no major closures during the holiday season. There are some of the driveways and/or entrances that have been or might need to be closed but they are attempting to do these closures during the off-hours or overnight so they can be open during business hours. The section near the Summit has the waterline installed and they are trying to keep from having any daytime closures. The County portion is progressing and he's not really in the loop for their portion.
- Community Center: Just over \$10 million in project is completed. In the new addition, there is paint, drywall and lighting continuing. The renovation portion a bit further along, but there are some issues with the bridge installation. Contractually, they are supposed to be done soon and TCU will address the Council in work session about the contractor's inability to meet the contractual deadline.

APPROVAL OF MINUTES

The Mayor stated that the approval of the October 25, 2021 minutes would be delayed until the next meeting.

OLD BUSINESS

NEW BUSINESS

RESOLUTION NUMBER 5355

Resolution Number 5355 – A Resolution Giving Notice Of A Public Hearing For The Adoption Of Various 2021 International Building And Fire Codes As Well As The 2020 National Electrical Code For The City Of Vestavia Hills

MOTION Motion to approve Resolution Number 5355 was by Mr. Weaver and seconded by Mrs. Cook.

Mayor stated that this Resolution sets a public hearing for the possible adoption of several technical codes including International Building, Residential Building, Pool, HVAC, etc. The date of the meeting will be the regular meeting that was rescheduled to December 20, 2021. Copies of the code are available for public inspection in the City Clerk's office during normal business hours.

There being no one to 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.

RESOLUTION NUMBER 5356

Resolution Number 5356 – A Resolution Changing The Date Of The December 27, 2021 Regular Meeting And The Time Of The December 20, 2021 Work Session

MOTION Motion to approve Resolution Number 5356 was by Mrs. Cook and seconded by Mr. Weaver.

Mayor Curry explained that this Resolution will change the December 27th meeting date in December to the 20th and move the work session that night to 5 PM because of the holidays.

There being no one to 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.

RESOLUTION NUMBER 5357

Resolution Number 5357 – A Resolution Authorizing The City Manager To Execute And Deliver An Agreement With The Alabama Department Of Transportation For The Cooperative Maintenance Of Public Right-Of-Way For Landscaping Work At The Intersection Of Interstate Highway 65 And State Highway 31 (Montgomery Highway) And Authorizing The Installation Of New Landscaping At Said Intersection

MOTION Motion to approve Resolution Number 5357 was by Mr. Weaver and seconded by Mrs. Cook.

Mr. Downes explained that the City currently has improvements at this intersection. Lamar Advertising has offered to do new landscaping to enhance this intersection and the Resolution is to approve the maintenance agreement for those improvements.

There being no one to 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)

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

- Ordinance Number 3056 – Annexation – 90-Day Final – 2429 Altadena Road, Lot 2, Haynies Add to Ridge Forest; Keith and Taylor Cargal, Owners (*public hearing*)
- Ordinance Number 3057 – Rezoning – 2429 Altadena Road, Lot 2, Haynies Add To Ridge Forest; Rezone From Jefferson County R-1 To Vestavia Hills R-2, Compatible Zoning For Annexation; Keith And Taylor Cargal, Owners (*public hearing*)
- Ordinance Number 3058 – Annexation – 90-Day Final – 2621 Red Bud Lane; Lot 4a, Gary & Pam West Survey, Less And Except 40’ Strip On Southern Boundary; Jordan Hoffman, Owner (*public hearing*)
- Ordinance Number 3059 – Annexation – 90-Day Final – 2625 Red Bud Lane; Lot 4B, LB Lloyd Subdivision; Deborah And Jack Standifer, Owners (*public hearing*)

- Ordinance Number 3060 – Rezoning – 2621 Red Bud Lane And 2625 Red Bud Lane; Rezone From Jefferson County E-1 To Vestavia Hills E-2, Compatible Zoning For Annexation; Jordan Hoffman, Deborah And Jack Standifer, Owners (*public hearing*)
- Ordinance Number 3061 – Conditional Use Approval – Conditional Use Approval For Operation Of A Veterinarian Clinic With Services To Include Medical, Grooming And Bathing Services Of Dogs By Appointment, Excluding Overnight Boarding; Happy Dog Baths & Grooming, 678 Montgomery Highway, Lot 1, Vestavia Hills City Center North; Mike Mahaffey, Owner (*public hearing*)

CITIZEN COMMENTS

Danny Barrett, 3308 Shallowford Circle, stated he has brought several concerns concerning potholes on his street which were repaired after Mrs. Cook responded to his email. He stated that his current concern concerns maintenance of the creek that is located in the front of their townhomes and needs to be maintained. He explained that a few weeks ago, the City tried to clean it out. But, on the creekbank, you can see trees and roots that are being uprooted and causing damage. He stated that they were told that, if too many trees are taken out, erosion will increase and flooding will worsen. He stated that there are issues with dangers from falling trees that need to be addressed. Over three decades in his home, Mr. Barrett stated that he has never been flooded until very recently. He stated that the vacant hillside behind his property is slowly sliding and will eventually do damage to his property. The owner of that property refuses to do anything to keep the property from failing stating that he has never developed the property and is not required by law to help with the failure. Mr. Barrett requested help from the City Council with the problems associated with his property.

Katherine McRee, Cahaba Heights Merchants Association, stated that she appreciates everything that the City did to keep businesses open throughout the COVID-19 pandemic and that she doesn't feel like they lost as much patronage of local businesses as many of our sister cities. She asked everyone to come out and support Deck the Heights this Saturday.

At 7:19 PM, Mr. Weaver made a motion to adjourn. The meeting adjourned at 7:20 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3056

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 9th day of August, 2021, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2429 Altadena Road
Lot 2, Haynies Add to Ridge Forest
Keith and Taylor Cargal, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 22nd day of November, 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 # 3056 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 22nd day of November, 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 _____, 2021.

Rebecca Leavings
City Clerk

2429 Altadena Road



Legend

 Vestavia_Hills_City_Limits

PARCEL #: 40 00 05 1 000 052.001
OWNER: CARGAL KEITH R & TAYLOR S
ADDRESS: 2429 ALTADENA RD BIRMINGHAM AL 35243
LOCATION: 2429 ALTADENA RD BHAM AL 35243

[111-C0] Baths: 1.5 H/C Sqft: 1,946
 18-015.0 Bed Rooms: 3 Land Sch: A115
 Land: 73,900 Imp: 140,800 Total: 214,700
 Acres: 0.000 Sales Info: 08/21/2014 \$210,000

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2020 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 2015
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$205,700.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$73,920
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3
 POOL VINYL 60 29VP600 \$19,600
 BLDG 001 111 \$121,200

 TOTAL MARKET VALUE [APPR. VALUE: \$214,700]: \$214,720
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$21,480	\$139.62	\$4,000	\$26.00	\$113.62
COUNTY	3	2	\$21,480	\$289.98	\$2,000	\$27.00	\$262.98
SCHOOL	3	2	\$21,480	\$176.14	\$0	\$0.00	\$176.14
DIST SCHOOL	3	2	\$21,480	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$21,480	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$21,480	\$109.55	\$0	\$0.00	\$109.55
SPC SCHOOL2	3	2	\$21,480	\$360.86	\$0	\$0.00	\$360.86
TOTAL FEE & INTEREST: (Detail)							\$5.00
ASSD. VALUE: \$21,480.00			\$1,076.15		GRAND TOTAL: \$1,028.15		
							FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
201416-435	8/21/2014
9612-4621	10/14/1996

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
1/14/2021	2020	COLE REALTY & INVESTMENT CO	\$1,028.15
12/11/2019	2019	COLE REALTY & INVESTMENT COMPANY INC.	\$983.06
12/20/2018	2018	COLE REALTY AND INVESTMENTS	\$1,053.20
12/12/2017	2017	COLE REALTY & INVESTMENT COMPANY	\$972.04
11/4/2016	2016	COLE REALTY & INVESTMENT COMPANY, INC.	\$939.97
12/7/2015	2015	COLE REALTY & INVESTMENT COMPANY, INC	\$939.97

Annexation Committee Petition Review

Property: 2429 Altadena Road

Owners: Keith and Taylor Cargal

Date: July 6, 2021

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$214,700. Meets city criteria: Yes No
Comment: Value is a little low, but market value will increase with annexation; owner has installed hardwood flooring and made a few other improvements that will increase value with next evaluation.
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes ~16 Number in city ~8
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2429 Altadena Road

8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____


9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH
schools Yes No _____ Comments: _____
At Briarwood currently; plan to enroll in VH schools in 1-2 years

Other Comments: _____

George Pierce
Chairman


Kimberly B. Cook
Acting Chairman

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2429 Altadena Road

Engineering; Public Services

Date: 6/19/2021 Initials: C Brady

2429 Altadena Road -- no concerns noted; Altadena Road is a Jefferson County maintain road, has been recently paved and in good condition.

Police Department:

Date: 6/18/2021 Initials: J Gasta

Comments: n/p

Fire Department:

Date: 6/18/2021 Initials: R Farrell

Comments: no problem

Board of Education:

Date: 6/18/2021 Initials: J Brown

Comments: No concerns

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Ordinance No. 3056
2429 Altadena Road

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2429 Altadena Road	Property Address	
====>	\$ 214,700	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$21,470.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$441.21	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$617.26	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,058.47	Total County remits to City for split with BOE	CITY	
\$324.20	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$176.05	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$441.21	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,117.51	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$1,558.72	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: June 11, 2021

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Keith Cargal

Daytime/cell # (205)447-4060

Email: keithcargal88@gmail.com

EXHIBIT "A"

LOT: 2

BLOCK: -

SURVEY: Haynies Add to Ridge Forest 40-00-05-1-000-052-001 Block — Page 12 Lot 2

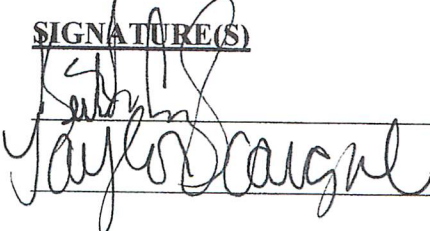
RECORDED IN MAP BOOK 125, PAGE 12 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: R1

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS): *see attached survey*

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

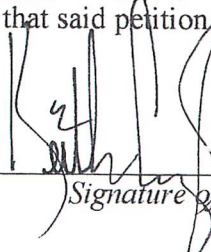
<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
	Lot <u>2</u> Block <u>12</u> Survey <u>12</u> Haynie's Add to Ridge Forest 40-00-05-1-000-052.001 Block <u>12</u> Page 12 Lot 2
	Lot <u>2</u> Block <u>12</u> Survey <u>12</u> Haynie's Add to Ridge Forest 40-00-05-1-000-052.001 Block <u>12</u> Page 12 Lot 2
	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA


JEFFERSON COUNTY

THE UNDERSIGNED being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.



Signature of Certifier

Subscribed and sworn before me this the 12th day of June, 2021.



Notary Public

My commission expires: 4/30/23

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
 Deny _____

Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Keith R. Cargal and Taylor S. Cargal

Address: 2429 Altadena Road

City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Sarah Collins Cargal	6	1st	x	
2.	Lawson Marie Cargal	3	K4	x	
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". Next 1-2 years. Currently attending Briarwood Christian School.

ORDINANCE NUMBER 3057

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 JEFFERSON COUNTY R-1 TO VESTAVIA HILLS R-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County R-1 (medium density single-family residential district) to Vestavia Hills R-2 (medium density single-family residential district):

2429 Altadena Road
Lot 2, Haynies Add to Ridge Forest
Keith and Taylor Cargal, Owners

APPROVED and ADOPTED this the 22nd day of November, 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 # 3057 is a true and correct copy of such 22nd day of November, 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

2429 Altadena Road



Legend

 Vestavia_Hills_City_Limits

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

Date: **OCTOBER 7, 2021**

- **CASE:** P-1021-40
- **REQUESTED ACTION:** Rezoning JC R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 2429 Altadena Rd.
- **APPLICANT/OWNER:** Keith & Taylor Cargal
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on Altadena Rd. from JC R-1 to VH R-2. Property was annexed overnight by Ordinance 3025 on 8/9/21.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

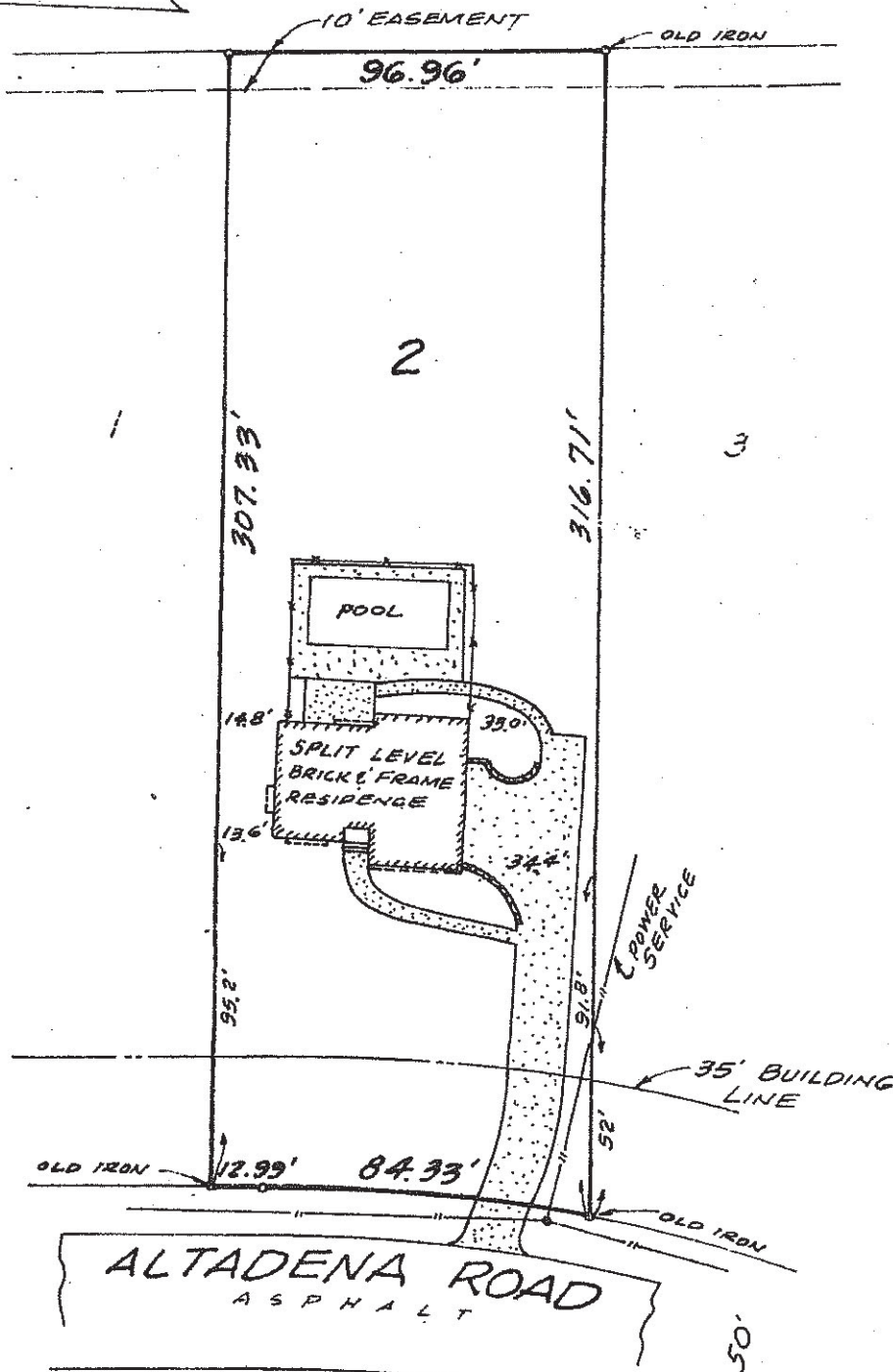
City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

MOTION Mr. Honeycutt made a motion to recommend Rezoning from JC R-1 to Vestavia Hills R-2 for the property located at 2429 Altadena Rd. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Maloof – yes	Mr. Farrell – yes
Mr. Romeo – yes	Mr. Larson – yes
Mr. Sykes – yes	Mr. Vercher – yes
Mr. Honeycutt – yes	Mrs. Barnes – yes

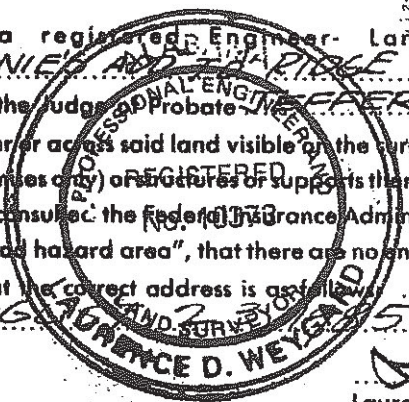
Motion carried.

SCALE: 1" = 50'



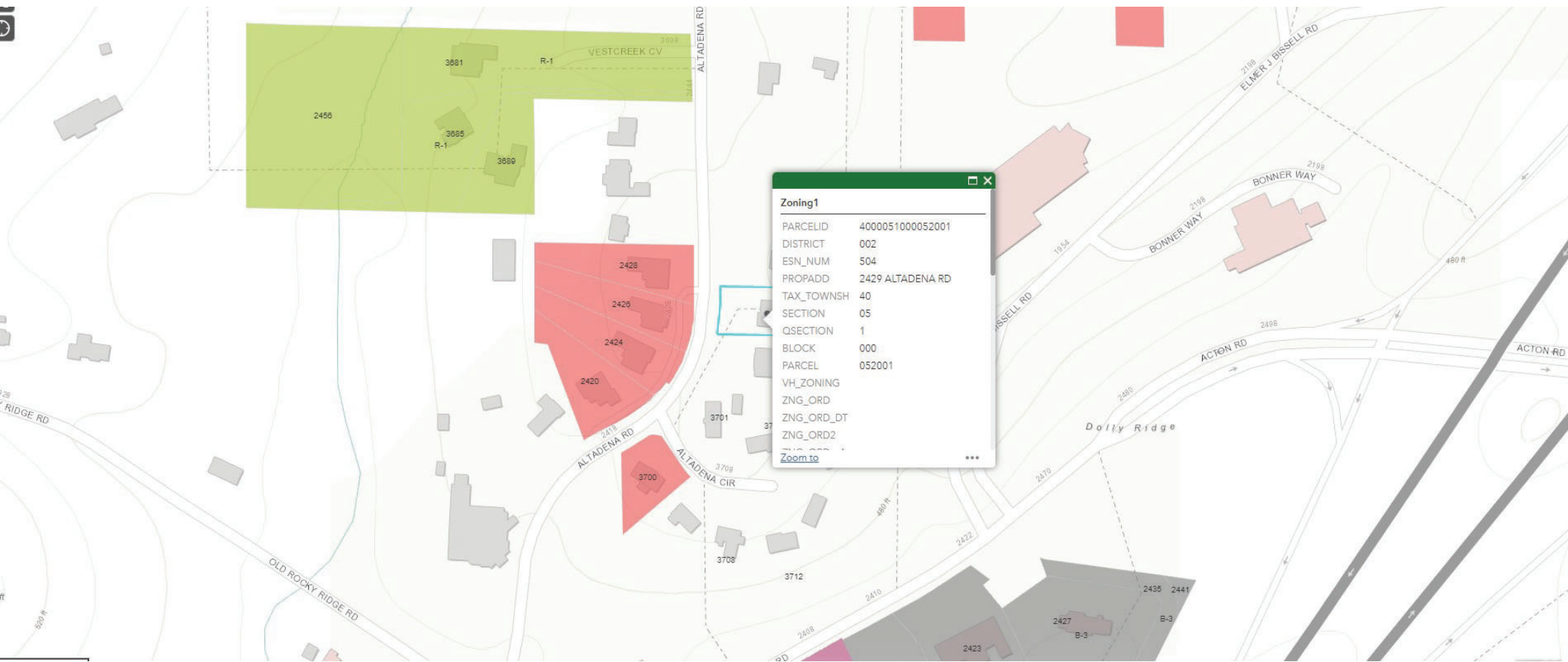
STATE OF ALABAMA
JEFFERSON COUNTY

I, Laurence D. Weygand, a registered Professional Engineer - Land Surveyor, certify that I have surveyed Lot 2, Block - HAYNIE ROAD, HAYNIE FOREST as recorded in Map Volume 125 Page 12, in the office of the Judge of Probate JEFFERSON County, Alabama; that there are no rights-of-way, easements, or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in a special flood hazard area; that there are no encroachments on said lot except as shown; that improvements are located as shown above; and that the correct address is as follows: 2429 ALTADENA ROAD according to my survey of: ALIG AND SURVEY



PUR: COLE
Order No. 79035

Laurence D. Weygand
Laurence D. Weygand, Reg. No. 10 373 phone: 871-7620
1700 S. 20th Court Suite 100 Birmingham, AL 35202



ORDINANCE NUMBER 3058

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 9th day of August, 2021, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2621 Red Bud Lane
Jordan Hoffman, Owner

Lot 4A, Gary & Pam West Survey, LESS AND EXCEPT 40' strip located on the southern boundary of the lot, more particularly described as follows:

Parcel of land situated in northwest 1/4 of Section 33, Township 18 South, Range 2 West, Jefferson County, Alabama, and being a part of Lot 4A, according to the Gary and Pam West Survey, as recorded in Map Book 216, page 90, in the Probate office of Jefferson County, Alabama, and also being a part of Parcel 1 and Parcel 2, as recorded in Deed Book 914, page 5907, and being described as follows:

Commence at the southwest corner of Estate number 4, as recorded in Map Book 27, page 14 in the Probate office of Jefferson County, Alabama and further shown on Map Book 226, page 45. Being a 1 inch iron found, thence from said point run S 53 degrees 54'00"E along the southerly line of said Estate No. 4 for a distance of 179.40 feet to the point of beginning said point being a capped re bar set stamped "CARR 00010 LS" lying on the southerly line of Lot 4A; from said point run N 36 degrees 34'17" E for a distance of 184.92 feet to capped re bar found stamped RYS 21784 lying on the

southerly line of a Red Bud Lane being 30 feet in width; thence run S 53 degrees 37'06" E along said southerly line of Red Bud Lane and along the northernly line of said Lot 4A for a distance of 262.72 feet to a capped rebar set stamped "CARR 000 IO LS"; thence leaving said Red Bud Lane run S 35 degrees 40'00"W for a distance of 183.59 feet to a capped rebar set stamped "CARR 000 1 O LS" lying on the southerly line of said Lot 4A; thence run N 53 degrees 54'00"W along the southerly line of said Lot 4A for a distance of 265.62 feet to the Point of Beginning.

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 22nd day of November, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

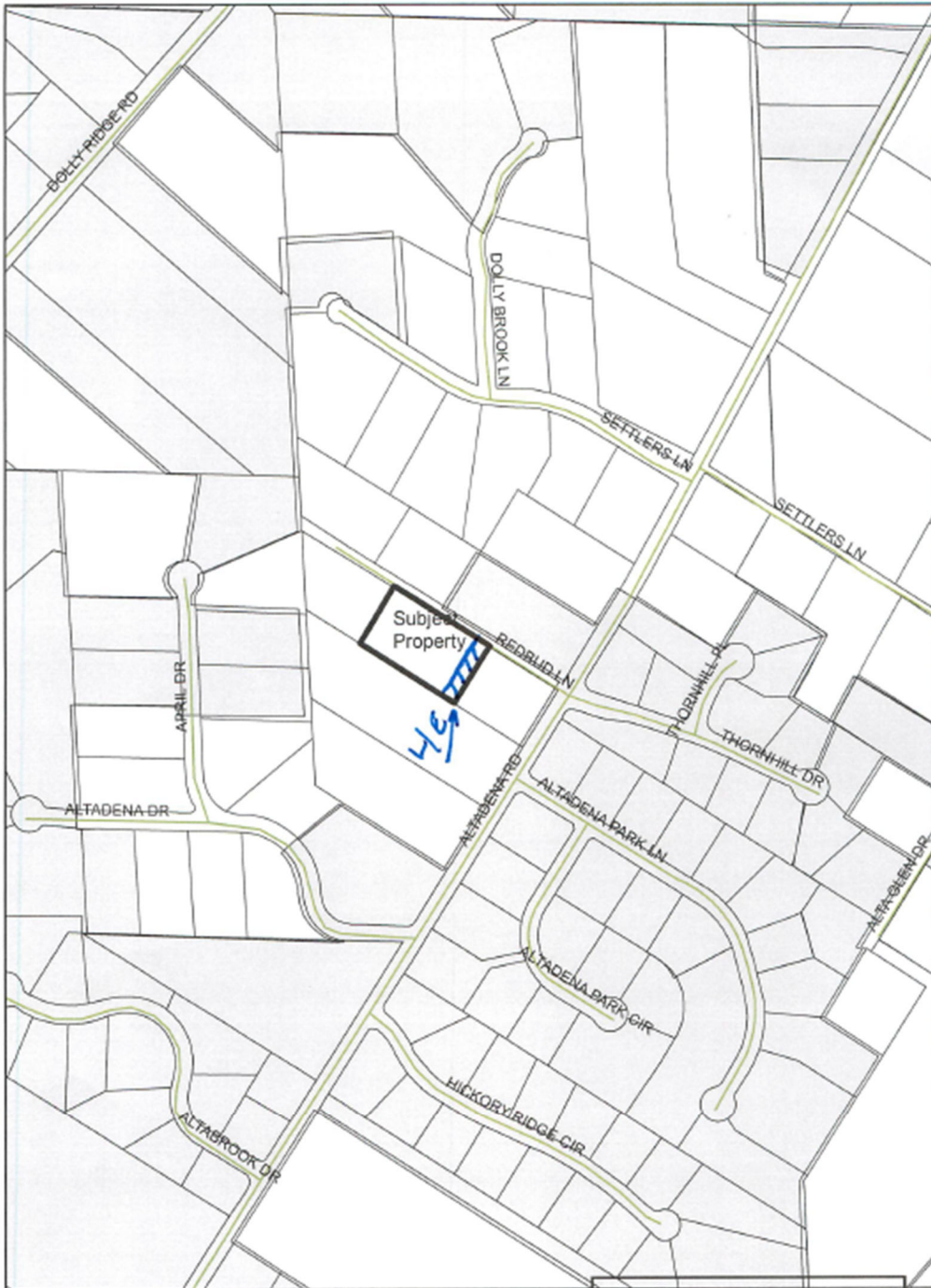
I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3058 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 22nd day of November, 2021, 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 _____, 2021.


Rebecca Leavings
City Clerk

2621 Red Bud Lane

2621 Red Bud Lane



Legend

 Vestavia_Hills_City_Limits

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Ordinance No. 3058
2621 Red Bud Lane

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2621 Red Bud Lane	Property Address	
====>	\$ 515,000	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$51,500.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$1,058.33	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$1,480.63	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$2,538.95	Total County remits to City for split with BOE	CITY	
\$777.65	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$422.30	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$1,058.33	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$2,680.58	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$3,738.90	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

Annexation Committee Petition Review

Property: 2621 Red Bud Ln

Owners: Jordan Hoffman

Date: July 6, 2021

1. The property in question is contiguous to the city limits.
Yes No Comments: With the companion annexation of 2625, this property is clearly contiguous.

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments Streets are in fair condition and road maintenance will remain shared with the County; no significant concerns.

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$515,000. Meets city criteria: Yes No
Comment: _____

6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 6 Number in city 3 (with companion annexation of 2629 Redbud Lane)

7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2621 Red Bud Ln

8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is ~~free~~ and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____
The only concern noted is the lack of an emergency turnaround; Fire Marshal said concern is not critical.

11. Information on children: Number in family N/A; Plan to enroll in VH
schools Yes _____ No N/A Comments: _____

Other Comments: _____

George Pierce
Chairman



Kimberly B. Cook
Acting Chairman

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2621 Red Bud Lane

Engineering; Public Services
2621 Red Bud Lane -- no significant concerns noted; roadway asphalt is in fair condition; evidence of utility cuts in asphalt; the roadway width is slightly more narrow than typical City standards (21 feet vs. 22 feet) and has little to no shoulders; no gutter and no significant drainage structures; residents have noted drainage concerns outside of the public right-of-way; a few neighboring properties will remain in unincorporated Jefferson County so we anticipate roadway maintenance will continue to be shared responsibility with County; there is no emergency turnaround at end of roadway.

C. Brady

Date: 6/18/2021 Initials: J. Gasta

PD Comments: _____
_____ *N/P* _____

Fire Department: Date: 6/18/2021 Initials: S Farrell
Comments: No Emergency Turnaround

Board of Education: Date: 6/18/2021 Initials: S Brown
Comments: No Concerns

PARCEL #: 28 00 33 2 001 024.000
OWNER: PEACOCK DAVID K JR & MERRILL MARLY N
ADDRESS: 2621 RED BUD LN BIRMINGHAM AL 35243-2237
LOCATION: 2621 REDBUD LN BHAM AL 35243

[111-C-] Baths: **2.0** H/C Sqft: **2,533**
18-013.0 Bed Rooms: **3** Land Sch: **A114**
 Land: **209,600** Imp: **197,700** Total: **407,300**
 Acres: **0.000** Sales Info: **03/12/2020 \$515,000**

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2020 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$390,000.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$209,600
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3

UTILITY STEEL O 26SAPFE \$23,700
 BLDG 001 111 \$174,000

TOTAL MARKET VALUE [APPR. VALUE: \$407,300]: \$407,300

Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$40,740	\$264.81	\$4,000	\$26.00	\$238.81
COUNTY	3	2	\$40,740	\$549.99	\$2,000	\$27.00	\$522.99
SCHOOL	3	2	\$40,740	\$334.07	\$0	\$0.00	\$334.07
DIST SCHOOL	3	2	\$40,740	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$40,740	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$40,740	\$207.77	\$0	\$0.00	\$207.77
SPC SCHOOL2	3	2	\$40,740	\$684.43	\$0	\$0.00	\$684.43

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$40,740.00 **\$2,041.07** **GRAND TOTAL: \$1,993.07**
FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
2020030326	3/12/2020
200910-29783	10/30/2009
9914-5907	10/29/1999

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
1/5/2021	2020	NICHOLAS HOFFMAN	\$1,993.07
1/10/2020	2019	CORELOGIC	\$1,905.90
11/14/2018	2018	WELLS FARGO HOME MORTGAGE	\$2,437.13
11/29/2017	2017	WELLS FARGO HOME MORTGAGE	\$1,940.97
11/16/2016	2016	WELLS FARGO	\$1,846.78
11/20/2015	2015	WELLS FARGO	\$1,846.78
12/8/2014	2014	WELLS FARGO HOME MORTGAGE	\$1,389.87
12/11/2013	2013	WELLS FARGO	\$1,389.87

STATE OF ALABAMA

Jefferson COUNTY

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: January 19, 2021

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Contact Information: Cell phone: 575-520-9543
Email: Jordan.Simons@yahoo.com

Car Tag Numbers: 1FA6482
1FA6483

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
<u>[Signature]</u>	Lot <u>4A</u> Block _____ Survey <u>NW 1/4 Section 33, Township 18S, Range 2W</u> <u>Gary and Pam West</u>
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Stellby COUNTY

[Signature] being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Signature]
Signature of Certifier

Subscribed and sworn before me this the 21st day of Nov., 2021.

[Signature]
Notary Public

My commission expires: 11/07/2022

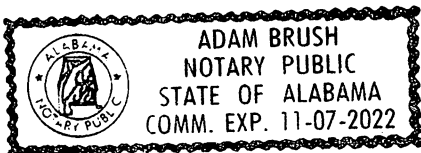


EXHIBIT "A"

LOT: 4A

BLOCK: Northwest 1/4 of Section 33, Township 18 South, Range 2 West

SURVEY: Gary and Pam West

RECORDED IN MAP BOOK 216, PAGE 90 IN THE

PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: Jefferson

COMPATIBLE CITY ZONING: Vestavia Hills

LEGAL DESCRIPTION (METES AND BOUNDS):

Parcel of land situated in northwest 1/4 of Section 33, Township 18 South, Range 2 West, Jefferson County, Alabama, and being a part of Lot 4A, according to the Gary and Pam West Survey, as recorded in Map Book 216, page 90, in the Probate office of Jefferson County, Alabama, and also being a part of Parcel 1 and Parcel 2, as recorded in Deed Book 914, page 5907, and being described as follows:

Commence at the southwest corner of Estate number 4, as recorded in Map Book 27, page 14 in the Probate office of Jefferson County, Alabama and further shown on Map Book 226, page 45. Being a 1 inch iron found, thence from said point run S 53 degrees 54'00"E along the southerly line of said Estate No. 4 for a distance of 179.40 feet to the point of beginning said point being a capped rebar set stamped "CARR 00010 LS" lying on the southerly line of Lot 4A; from said point run N 36 degrees 34'17" E for a distance of 184.92 feet to capped rebar found stamped RYS 21784 lying on the southerly line of a Red Bud Lane being 30 feet in width; thence run S 53 degrees 37'06" E along said southerly line of Red Bud Lane and along the northerly line of said Lot 4A for a distance of 262.72 feet to a capped rebar set stamped "CARR 00010 LS"; thence leaving said Red Bud Lane run S 35 degrees 40'00"W for a distance of 183.59 feet to a capped rebar set stamped "CARR 00010 LS" lying on the southerly line of said Lot 4A; thence run N 53 degrees 54'00"W along the southerly line of said Lot 4A for a distance of 265.62 feet to the Point of Beginning.

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

1204 Montgomery Highway

Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____

Resolution: Date: _____ Number: _____

Overnight Ordinance: Date: _____ Number: _____

90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Jordan Hoffman

Address: 2621 Red Bud Lane

City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	N/A				
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". _____

ORDINANCE NUMBER 3059

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 9th day of August, 2021, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2625 Red Bud Lane
Lot 4B, LB Lloyd Subd.
Deborah and Jack Standifer, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 22nd day of November, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

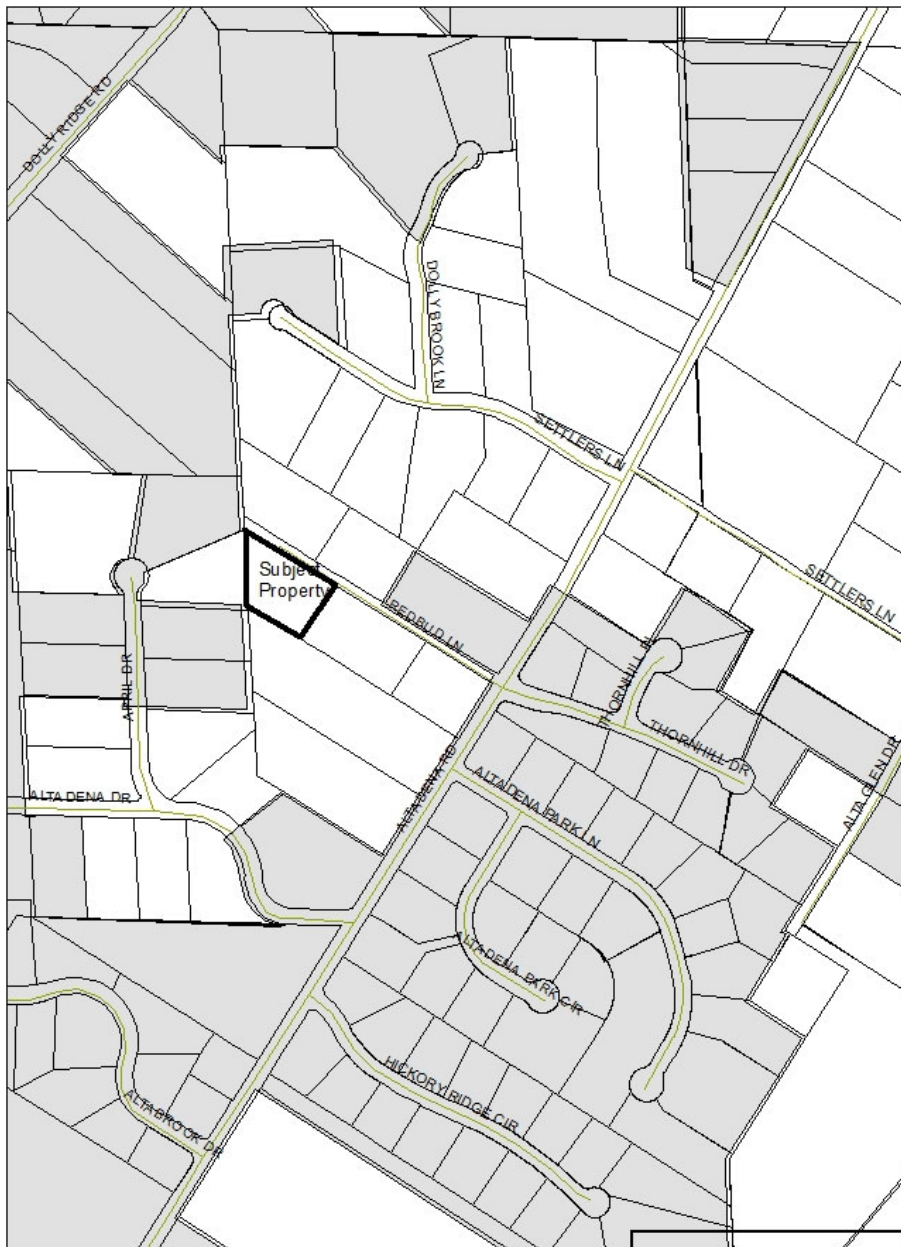
CERTIFICATION:

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 # 3059 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 22nd day of November, 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 _____, 2021.

Rebecca Leavings
City Clerk

2625 Red Bud Lane



Legend

-  Vestavia_Hills_City_Limits

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Ordinance No. 3059
2625 Red Bud Lane

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2625 Red Bud Lane	Property Address	
====>	\$ 626,000	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$62,600.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$1,286.43	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$1,799.75	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$3,086.18	Total County remits to City for split with BOE	CITY	
\$945.26	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$513.32	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$1,286.43	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$3,258.33	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$4,544.76	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

Annexation Committee Petition Review

Property: 2525 Red Bud Ln

Owners: Jack and Deborah Standifer

Date: July 6, 2021

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____
The only concern noted is the lack of an emergency turnaround; Fire Marshal said concern is not critical.
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$626,000. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 6 Number in city 3 (with companion annexation of 2629 Redbud Lane)
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2525 Red Bud Ln

8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH
schools Yes No _____ Comments: (possibly)

Other Comments: _____

George Pierce
Chairman



Kimberly B. Cook
Acting Chairman

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2625 Red Bud Lane

E1 2625 Red Bud Lane -- no significant concerns noted; roadway asphalt is in fair condition; evidence of utility cuts in asphalt; the roadway width is slightly more narrow than typical City standards (21' v 22') and has little to no shoulders; no gutter and no significant drainage structures; a few neighboring properties will remain in unincorporated Jefferson County, so we anticipate roadway maintenance will remain a shared responsibility with the County; there is no emergency turnaround at end of roadway.

Date: _____ Initials: CBradley

Board of Education: Date: 6/18/2021 Initials: S Brown

Comments: No / 0 concerns

Police Department: Date: 6/16/2021 Initials: etw J. Gust

Comments: No concerns

Fire Department: Date: 6/16/2021 Initials: STC RF

Comments: Lacks emergency turn-around. No other concerns.

PARCEL #: 28 00 33 2 001 015.002
OWNER: STANDIFER JACK & DEBORAH
ADDRESS: 2625 RED BUD LN BIRMINGHAM AL 35243
LOCATION: 2625 REDBUD LN AL 35243

2625 Red Bud Lane
[111-A-] Baths: **3.5** H/C Sqft: **3,456**
18-013.0 Bed Rooms: **4** Land Sch: **A114**
 Land: **81,600** Imp: **544,400** Total: **626,000**
 Acres: **0.000** Sales Info: **06/25/2013 \$142,500**

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2020 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 2016
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$668,700.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$81,600
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3
 BLDG 001 111 \$544,400

 TOTAL MARKET VALUE [APPR. VALUE: \$626,000]: \$626,000
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$62,600	\$406.90	\$4,000	\$26.00	\$380.90
COUNTY	3	2	\$62,600	\$845.10	\$2,000	\$27.00	\$818.10
SCHOOL	3	2	\$62,600	\$513.32	\$0	\$0.00	\$513.32
DIST SCHOOL	3	2	\$62,600	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$62,600	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$62,600	\$319.26	\$0	\$0.00	\$319.26
SPC SCHOOL2	3	2	\$62,600	\$1,051.68	\$0	\$0.00	\$1,051.68
TOTAL FEE & INTEREST: (Detail)							\$5.00
ASSD. VALUE: \$62,600.00			\$3,136.26		GRAND TOTAL: \$3,088.26		

FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
201318-28552	6/25/2013
201108-17032	10/28/2011
201106-179	04/20/2011
200620-25346	12/20/2006
200605-17652	09/28/2005

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
1/7/2021	2020	-	\$3,088.26
12/10/2019	2019	CORELOGIC	\$3,302.69
12/31/2018	2018	CORELOGIC	\$2,981.05
1/12/2018	2017	CORELOGIC	\$3,017.12
12/28/2016	2016	CORELOGIC/CENLAR	\$3,372.83
10/6/2015	2015	NATIONAL REAL ESTATE INFORMATION SERVICES OF ALABAMA INC	\$4,408.80
10/21/2014	2014	DEBORAH D STANDIFER	\$1,618.20
10/29/2013	2013	STANDIFER, DEBORAH D	\$1,618.20

EXHIBIT "C"

CITY OF VESTAVIA HILLS

*Department Review of Proposed Annexation
(To Be completed by City Staff)*

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2625 Red Bud Lane

E1 2625 Red Bud Lane -- no significant concerns noted; roadway asphalt is in fair condition; evidence of utility cuts in asphalt; the roadway width is slightly more narrow than typical City standards (21' v 22') and has little to no shoulders; no gutter and no significant drainage structures; a few neighboring properties will remain in unincorporated Jefferson County, so we anticipate roadway maintenance will remain a shared responsibility with the County; there is no emergency turnaround at end of roadway.

Board of Education: Date: _____ Initials: _____
Comments: _____

Police Department: Date: 12/28/18 Initials: CLW
Comments: No concerns

Fire Department: Date: 12/28/2018 Initials: (SIC)
Comments: Lacks emergency turn-around. No other concerns.

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 12-11-18

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Deborah 205-370-8656
deborahstandifer@yahoo.com

Jack 205-835-8657
Jstennis@charter.net

EXHIBIT "A"

LOT: 4-B

BLOCK: L.B. Lloyd Subdivision

SURVEY: # 24973 Ray Weygand - Alabama

RECORDED IN MAP BOOK 226, PAGE 45 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.



COUNTY ZONING: JC E-1

COMPATIBLE CITY ZONING: UH E-2

LEGAL DESCRIPTION (METES AND BOUNDS):

See Attached survey

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.


<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
	Lot <u>4B</u> Block _____ Survey _____
	Lot <u>4B</u> Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

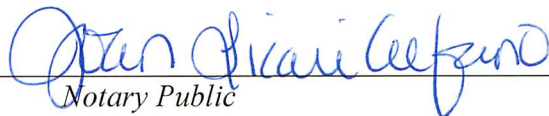
Jefferson COUNTY

Deborah Standifer being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.


Signature of Certifier

Subscribed and sworn before me this the 12 day of December, 2018.




Notary Public

My commission expires: April 18, 2022

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____

Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Jack and Deborah Standifer

Address: 2625 Red Bud Lane

City: Birmingham State: Al Zip: 35243

Information on Children:

children currently at Advent
Episcopal School

Plan to Enroll In
Vestavia Hills School?

possibly

	Name(s)	Age	School Grade	Yes	No
1.	Madison	11	7th grade fall 2019	✓	
2.	Peyton	8			✓
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": Fall 2019

ORDINANCE NUMBER 3060

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 JEFFERSON COUNTY E-1 TO VESTAVIA HILLS E-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-1 (low density single-family residential district) to Vestavia Hills E-2 (low density single-family residential district):

2625 & 2621 Red Bud Lane
Jordan Hoffman and Jack & Deborah Standifer, Owners

More Particularly Described as follows:

Parcel 1 (2625 Red Bud Lane) – Lot 4BLB Lloyd Subdivision as recorded in Map Book 226, Page 45, Jefferson County Judge of Probate; and

Parcel 2: (2621 Red Bud Lane) – Lot 4A, Gary & Pam West Survey, LESS AND EXCEPT 40' strip located on the southern boundary of the lot, more particularly described as follows:

Parcel of land situated in northwest 1/4 of Section 33, Township 18 South, Range 2 West, Jefferson County, Alabama, and being a part of Lot 4A, according to the Gary and Pam West Survey, as recorded in Map Book 216, page 90, in the Probate office of Jefferson County, Alabama, and also being a part of Parcel 1 and Parcel 2, as recorded in Deed Book 914, page 5907, and being described as follows:

Commence at the southwest corner of Estate number 4, as recorded in Map Book 27, page 14 in the Probate office of Jefferson County, Alabama and further shown on Map Book 226, page 45. Being a 1 inch iron found, thence from said point run S 53 degrees 54'00"E along the southerly line of said Estate No. 4 for a distance of 179.40 feet to the point of beginning said point being a capped re bar set stamped "CARR 00010 LS" lying on the southerly line of Lot 4A; from said point run N 36 degrees 34'17" E for a distance of 184.92

feet to capped re bar found stamped RYS 21784 lying on the southerly line of a Red Bud Lane being 30 feet in width; thence run S 53 degrees 37'06" E along said southerly line of Red Bud Lane and along the northernly line of said Lot 4A for a distance of 262.72 feet to a capped rebar set stamped "CARR 000 IO LS"; thence leaving said Red Bud Lane run S 35 degrees 40'00"W for a distance of 183.59 feet to a capped rebar set stamped "CARR 000 I O LS" lying on the southerly line of said Lot 4A; thence run N 53 degrees 54'00"W along the southerly line of said Lot 4A for a distance of 265.62 feet to the Point of Beginning.

APPROVED and ADOPTED this the 22nd day of November, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

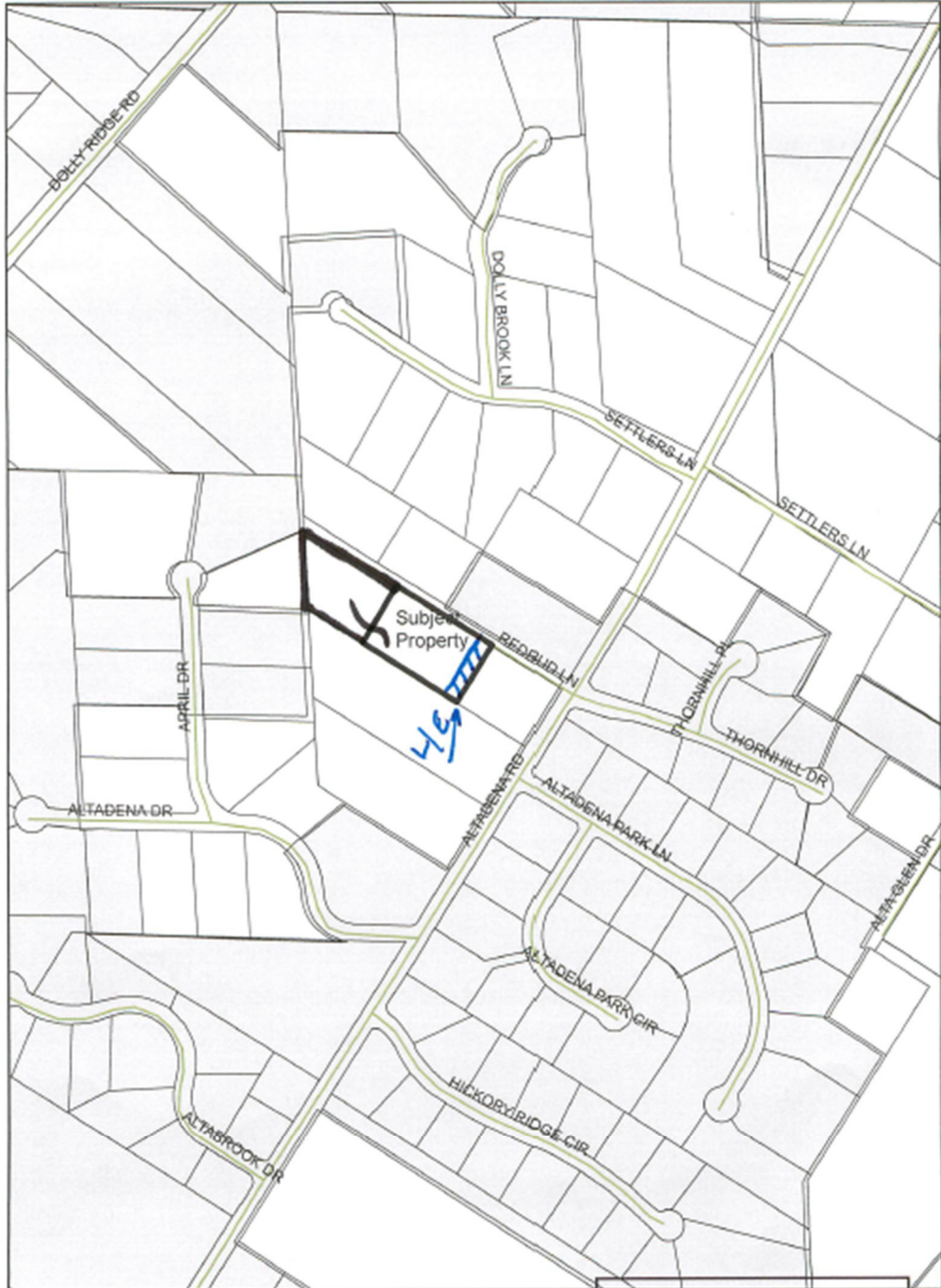
Rebecca Leavings
City Clerk

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 # 3060 is a true and correct copy of such 22nd day of November, 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



Legend

 Vestavia_Hills_City_Limits

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

Date: **OCTOBER 7, 2021**

- **CASE:** P-1021-39
- **REQUESTED ACTION:** Rezoning JC E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 2621 & 2625 Red Bud Ln.
- **APPLICANT/OWNER:** Jordan Huffman and Jack & Deborah Stadifer
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on Red Bud Ln. from JC E-1 to VH E-2. Property was annexed overnight by Ordinance 3026 & 3027 on 8/9/21.
- **STAFF REVIEW AND RECOMMENDATION:**

1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation

2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

MOTION Mr. Larson made a motion to recommend Rezoning from JC E-1 to Vestavia Hills E-2 for the property located at 2621 & 2625 Red Bud Ln. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Maloof – yes
Mr. Romeo – yes
Mr. Sykes – yes
Mr. Honeycutt – yes
Motion carried.

Mr. Farrell – yes
Mr. Larson – yes
Mr. Vercher – yes
Mrs. Barnes – yes



Zoning 1	
PARCELID	2800332001024000
DISTRICT	002
ESN_NUM	504
PROPADD	2621 REDBUD LN
TAX_TOWNSH	28
SECTION	33
CSECTION	2
BLOCK	001
PARCEL	024000
VH_ZONING	
ZNG_ORD	
ZNG_ORD_DT	
ZNG_ORD2	
ZOOMLVL	

ORDINANCE NUMBER 3061

**AN ORDINANCE GRANTING A CONDITIONAL USE APPROVAL
FOR A GROOMING, BATHING SERVICES AND
VETERINARIAN CARE FACILITY FOR DOGS**

WHEREAS, on December 13, 2010, the City Council of the City of Vestavia Hills, Alabama approved and adopted Ordinance Number 2331 re-establishing a Zoning Code for the City of Vestavia Hills, Alabama; and

WHEREAS, Mike Mahaffey has submitted application for conditional use approval for grooming, bathing services and veterinarian care for dogs by appointment only (excluding overnight boarding to be operated in a tenant space in Lot 1, Vestavia Hills City Center North, more specifically in 678 Montgomery Highway, Vestavia Hills, Alabama; and

WHEREAS, Mr. Mahaffey has indicated in his application for conditional use approval that he will operate a veterinarian clinic with services such as medical, grooming and bathing services of dogs by-appointment, with the exclusion of overnight boarding; and

WHEREAS, a copy of said application dated August 26, 2021 is attached and hereby incorporated into this Ordinance Number 3061.

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

1. Conditional Use Approval is hereby approved for Mike Mahaffey for a veterinarian clinic with services such as medical, grooming and bathing services of dogs by-appointment, with the exclusion of overnight boarding for the property described as Lot 1 Vestavia Hills City Center North, Vestavia Hills, Alabama located in the tenant space described as 678 Montgomery Highway:
 - (1) Conditional use is hereby granted for operation of a veterinarian clinic with services such as medical, grooming and bathing services of dogs; and
 - (2) Services shall be conducted by appointment and or walk-in only; and
 - (3) There shall be no overnight boarding of animals at any time; and

- (4) A City of Vestavia Hills Business License shall be issued upon application and payment by Mr. Mahaffey working to the rules and regulations outlined in the Vestavia Hills Business License Code and shall be renewed each year that the veterinarian business is operated from the location at 678 Montgomery Highway, Vestavia Hills, Alabama; and
- (5) At any time should Mr. Mahaffey vacate the premises, discontinue or relocate his business, this conditional use approval shall be nullified and said Ordinance Number 3061 shall be automatically repealed

ADOPTED and APPROVED this the 22nd day of November, 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 # 3061 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 22nd day of November, 2021 as same appears in the official records of said City.

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

Rebecca Leavings
City Clerk

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

Date: **OCTOBER 7, 2021**

- **CASE:** P-1021-41
- **REQUESTED ACTION:** Conditional Use Approval for a Veterinary Clinic and Pet Grooming Located At 678 Montgomery Hwy.
- **ADDRESS/LOCATION:** 678 Montgomery Hwy.
- **APPLICANT/OWNER:** Mike Mahaffey
- **GENERAL DISCUSSION:** The applicant is seeking to establish a small veterinary practice and pet grooming facility in the City Center shopping center in the vacated Subway space. All services would be by appointment only and no overnight boarding offered. As per and agreement with the property owner, the greenspace behind the building would be utilized. A description of the applicant's business is attached.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with plan for commercial core.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: Conditioned on no overnight boarding.
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

With the Commission finding that the application met all nine criteria as defined in Section 13.3.4 of the Vestavia Hills Zoning Ordinance

MOTION Mr. Farrell made a motion to recommend Conditional Use Approval for a veterinary clinic and pet grooming for 678 Montgomery Hwy. with the following conditions:

1. Overnight boarding of animals is prohibited.

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

Mr. Maloof – yes

Mr. Romeo – yes

Mr. Sykes – yes

Mr. Honeycutt – yes

Motion carried.

Mr. Farrell – yes

Mr. Larson – yes

Mr. Vercher – yes

Mrs. Barnes – yes

Determination. Conditional Uses shall only be approved upon a finding that all of the following criteria are satisfied:

1. The use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the surrounding area.
2. The use is necessary or desirable and provides a service or facility that contributes to the general well-being of the surrounding area.
3. The request is consistent with all applicable provisions of the Comprehensive Plan.
4. The request shall not adversely affect adjacent properties.
5. The request is compatible with the existing or allowable uses of adjacent properties.
6. The request can demonstrate that adequate public facilities, including roads, drainage, potable water, sanitary sewer, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.
7. The request can demonstrate adequate provision for maintenance of the use and associated structures.
8. The request has minimized, to the degree possible, adverse effects on the natural environment.
9. The request will not create undue traffic congestion.
10. That such development will comply with all applicable regulations and conditions specified within this Ordinance.

The Council shall describe and have recorded in the minutes, the conditions imposed on the development to assure satisfaction of these criteria.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
Conditional Use Application

I. INSTRUCTIONS AND INFORMATION:

- (1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambers at the Municipal Center.
- (2) All materials and information relating to a conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than **25 working days prior to the scheduled meeting at which it shall be considered**. Applications must be completed in its entirety and must contain all pertinent information in order to be considered. Acceptance by the Clerk does not constitute acceptance of complete and proper filing. All applicants are encouraged to present their request to the Zoning Staff on any Tuesday at 9 AM in the Executive Conference Room, City Hall, prior to submitting for a Conditional use.
- (3) This application must be filled out in its entirety completely, including zip codes.
- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Postage Fees for notification for Planning and Zoning and for City Council meetings along with applicable publication fees will be billed to applicant at a later date. The applicant is responsible for all notification fees. ***No permits will be issued until all fees have been paid.***
- (5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME: Mike Mahaffey

ADDRESS: 2828 Vestavia Forest Place

Vestavia Hills, AL 35216

PHONE: 205-229-3843 EMAIL: MIKEM35216@Gmail.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

Mark McCoy

PHONE: 205-223-2527 EMAIL: _____

P1021-41/28-00-19-3-011-004.000

678 Montgomery Hwy.
Cond. Use for Dog Baths &
Grooming
Mike Mahaffey

II. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: MIKE MAHAFFEY
ADDRESS: 2828 Vestavia Forest Place
Vestavia Forest Hills, AL 35216
PHONE: 205-229-3843 EMAIL: MIKEM35216@Gmail.com

III. ACTION REQUESTED

Request that the above described property be approved conditional use approval pursuant to Section _____ of the Vestavia Hills Zoning Code.

Current Zoning of Property: _____

Requested Conditional use For the intended purpose of: _____

if additional information is needed, please attached full description of request

IV. PROPERTY DESCRIPTION: (address, legal, etc.)

678 Montgomery Highway
Vestavia Hills, AL 35216
Property size: ^{space} 1,276 square feet X _____ feet. Acres: _____


All applications must contain a full legal description of subject property.

V. INFORMATION ATTACHED:

- Attached Checklist complete with all required information.
 Application fees submitted.

P1021-41//28-00-19-3-011-004.000
678 Montgomery Hwy.
Cond. Use for Dog Baths &
Grooming
Mike Mahaffey

VI. I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. **Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted**

 8/26/21
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 26 day of August, 2021.


Notary Public

My commission expires ~~June 25, 2022~~
25 day of June, 2022.



P1021-41//28-00-19-3-011-004.000
678 Montgomery Hwy.
Cond. Use for Dog Baths &
Grooming
Mike Mahaffey



**678 Montgomery Hwy
Vestavia Hills, AL 35216**

**CITY OF VESTAVIA
PLANNING AND ZONING PROPOSAL**

P1021-41//28-00-19-3-011-004.000
678 Montgomery Hwy.
Cond. Use for Dog Baths &
Grooming
Mike Mahaffey

DATE: September 7, 2021
TO: City of Vestavia, Zoning and Planning Commission
FROM: Mike Mahaffey, President/Owner, Pet Vet Grooming, LLC, DBA – Happy Dog Bath & Grooming
SUBJ: Happy Dog Baths & Grooming, 678 Montgomery Hwy, Vestavia Hills, AL 35216 (previous Subway location)

I am a 22-year business owner in Vestavia Hills. In December 2020, my wife, Kris Mahaffey, DVM, and I sold our veterinarian practices (Pet Vet Animal Hospital, 2021 Kentucky Avenue, Vestavia, and Pet Vet Express, 253 County Club Park, Mountain Brook) to a national corporation headquartered in Chicago, IL. The same month, I opened another business in Mountain Brook, Pet Vet Grooming, LLC (now known as Happy Dog Baths & Grooming). This business is a first-class, attractive and inviting grooming salon with three fulltime groomers and three bathers. We currently serve approximately 30 dogs per day, Monday through Friday, and have welcomed more than 300 clients, since our opening.

After the sale of both business locations, the new owners decided to no longer offer grooming and bathing services, which created an opportunity for us to offer these services to the sizable number of pet owners in Vestavia, while expanding our business in Mountain Brook.

Although many of our former Vestavia clients travel to the Mountain Brook location for grooming services, there remain clients, particularly elderly and disabled clients, who are unable to travel to Mountain Brook. The space we have identified (former Subway store) in Vestavia, offers a perfect location to expand the Happy Dog Baths and Grooming business. We plan on having the same staffing levels in the Vestavia location as we currently have in Mountain Brook, and are anticipating opening with approximately 150 former and new clients. This will help draw new customers and tax revenue to surrounding businesses in north Vestavia versus those customers traveling to adjacent cities for services.

As in our Mountain Brook location, Happy Dog Baths and Grooming in Vestavia plan to offer additional pet services and supplies, including veterinarian care. My wife, Dr. Kris, is currently offering mobile vet services, as well.

Kris and I are hoping to bring much needed services that are no longer available in north Vestavia. In addition to living and raising our family in Vestavia for more than 22 years, we want to continue to be a part of our community and support the local economy. The former Subway store location has been vacant for several years, and its floor plan and back-of-building green space perfectly lends itself to our needs for a successful grooming business. Business hours will be 8 a.m. to 4 p.m., Monday-Friday.

P1021-41//28-00-19-3-011-004.000
678 Montgomery Hwy.
Cond. Use for Dog Baths &
Grooming
Mike Mahaffey

9/7/2021

To: City of Vestavia – Planning and Rezoning

From: Mike Mahaffey – President/Owner Pet Vet Grooming, LLC, (DBA Happy Dog Grooming)

Subject: Request for variance of 678 Montgomery Hwy

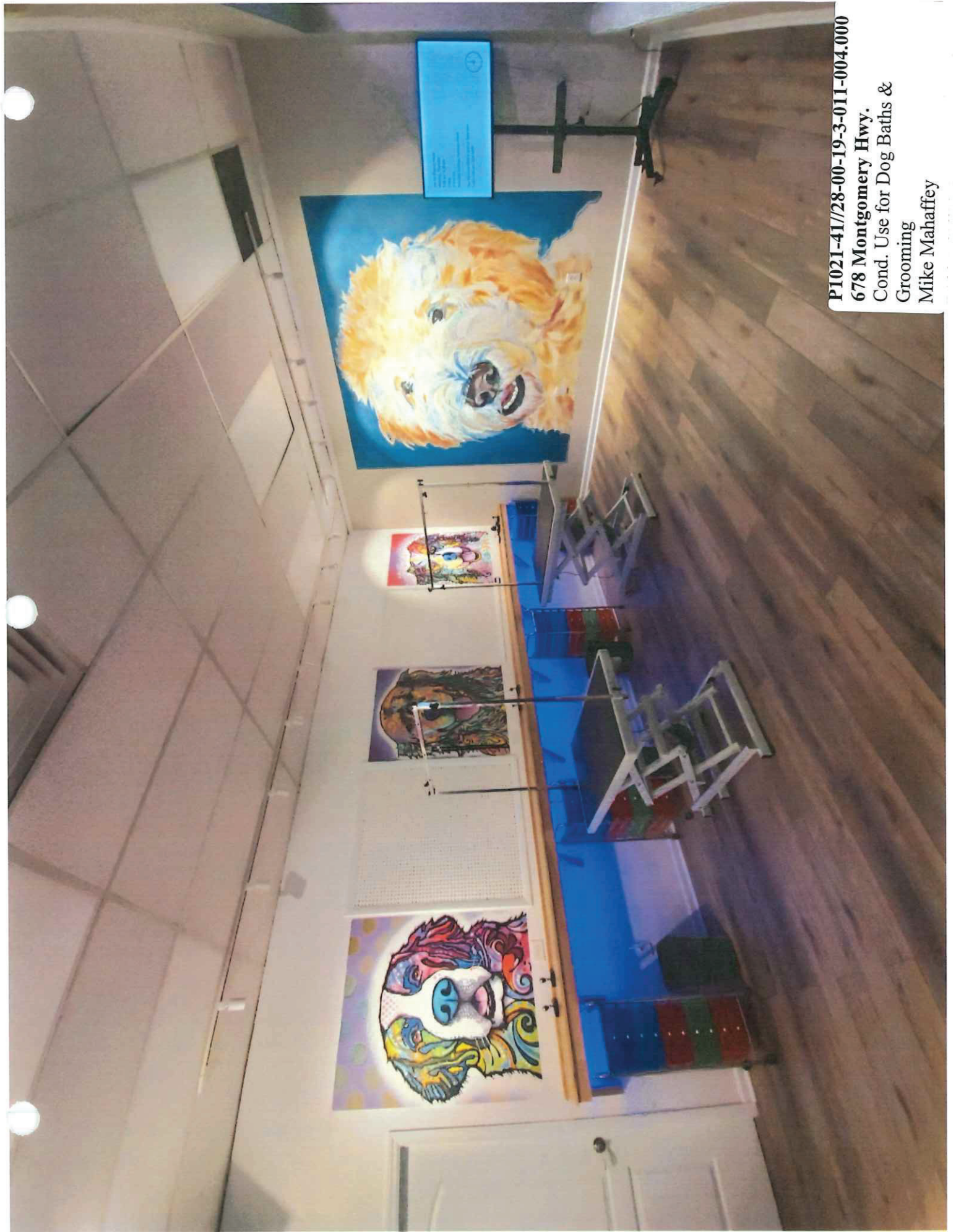
This is a formal request to allow a variance on 678 Montgomery Hwy to allow a dog grooming facility. All business will be conducted between 8-5 pm Monday – Friday. All dogs will come in in the morning and all dogs will leave before closing. No dogs will be kept overnight. All dogs will be walked in the green space behind the facility and not on city property.

This space has been vacant for several years. This new business would bring over 7k clients a year to the upper Vestavia business area.

P1021-41//28-00-19-3-011-004.000
678 Montgomery Hwy.
Cond. Use for Dog Baths &
Grooming
Mike Mahaffey

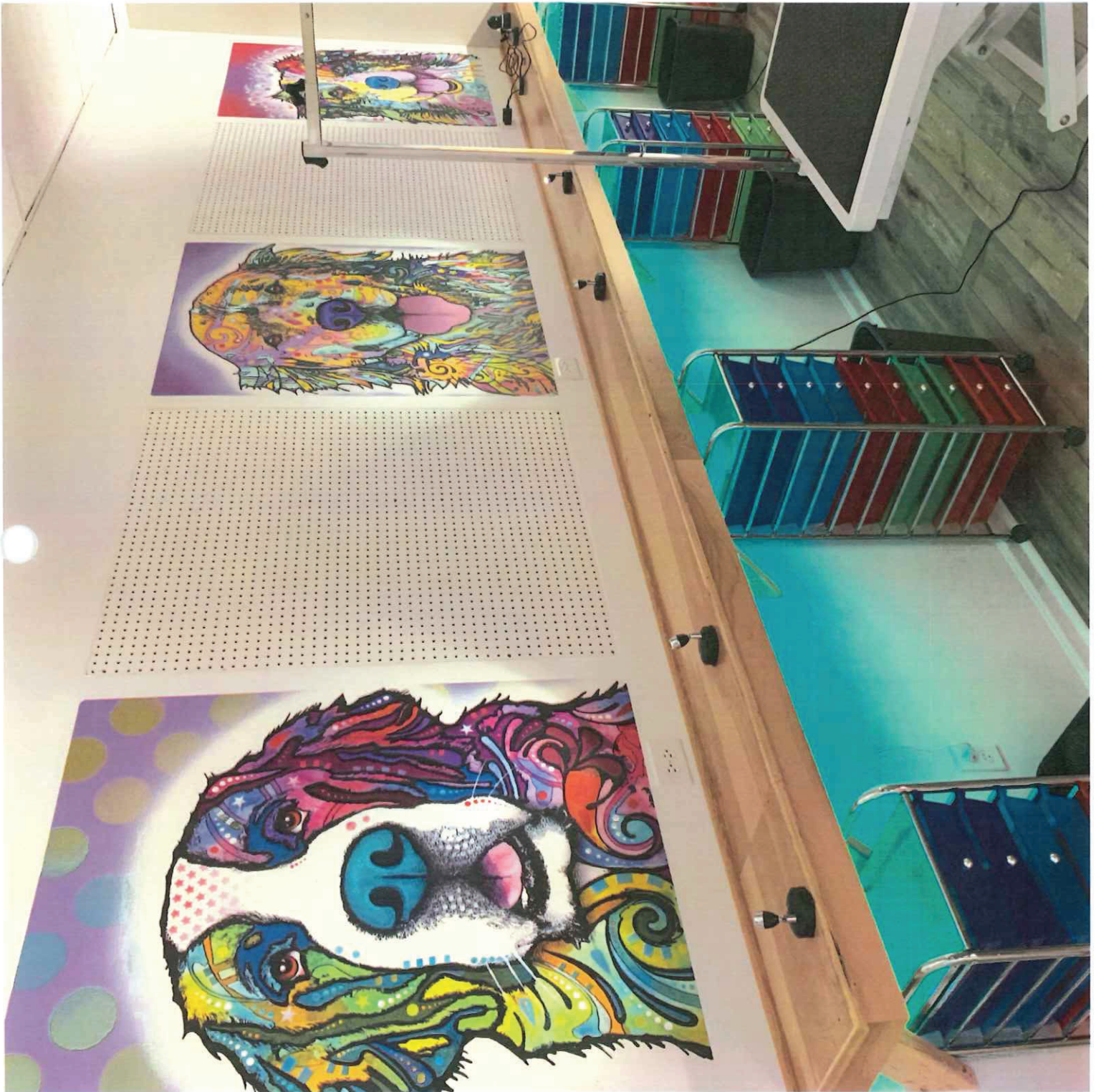


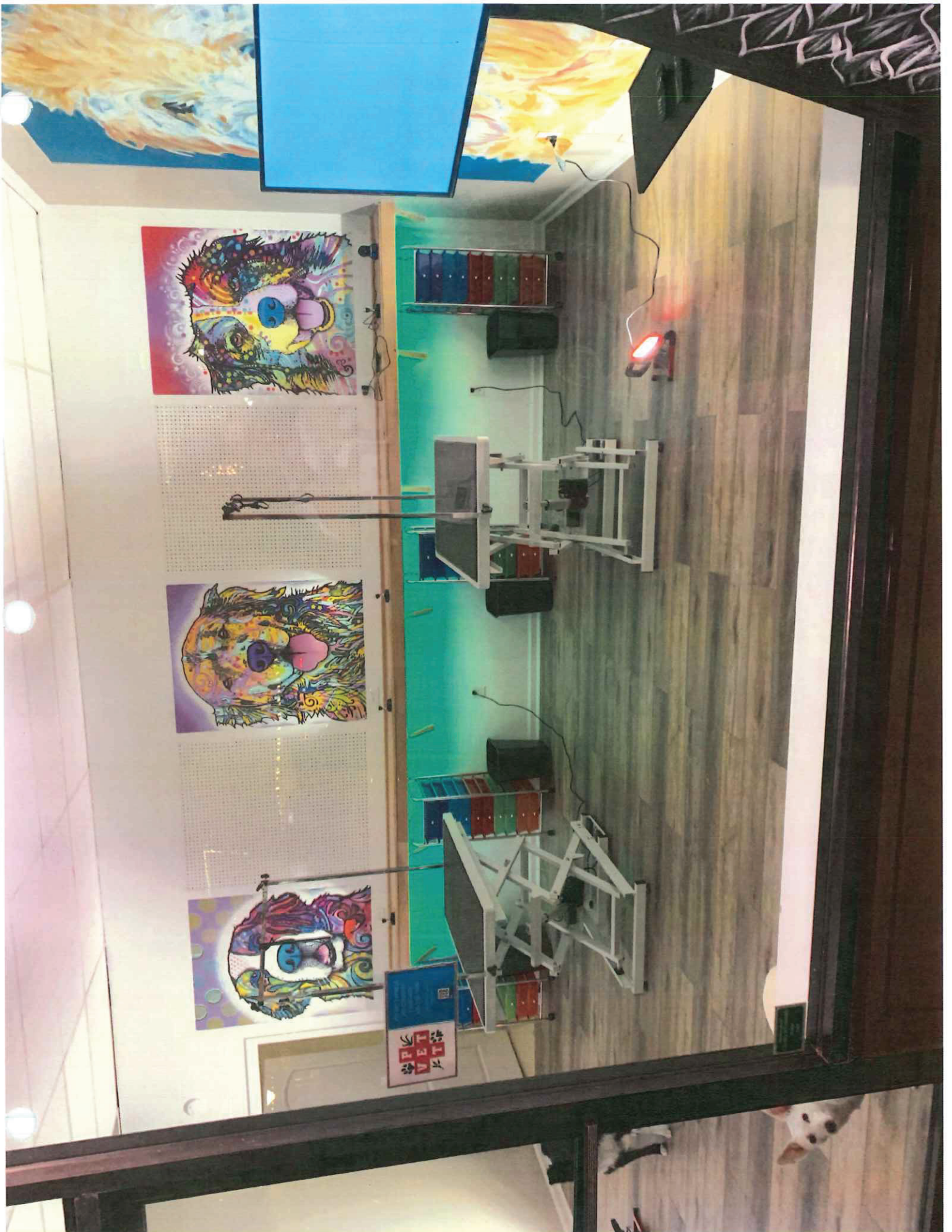
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Cond. Use for Dog Baths &
Grooming
Mike Mahaffey

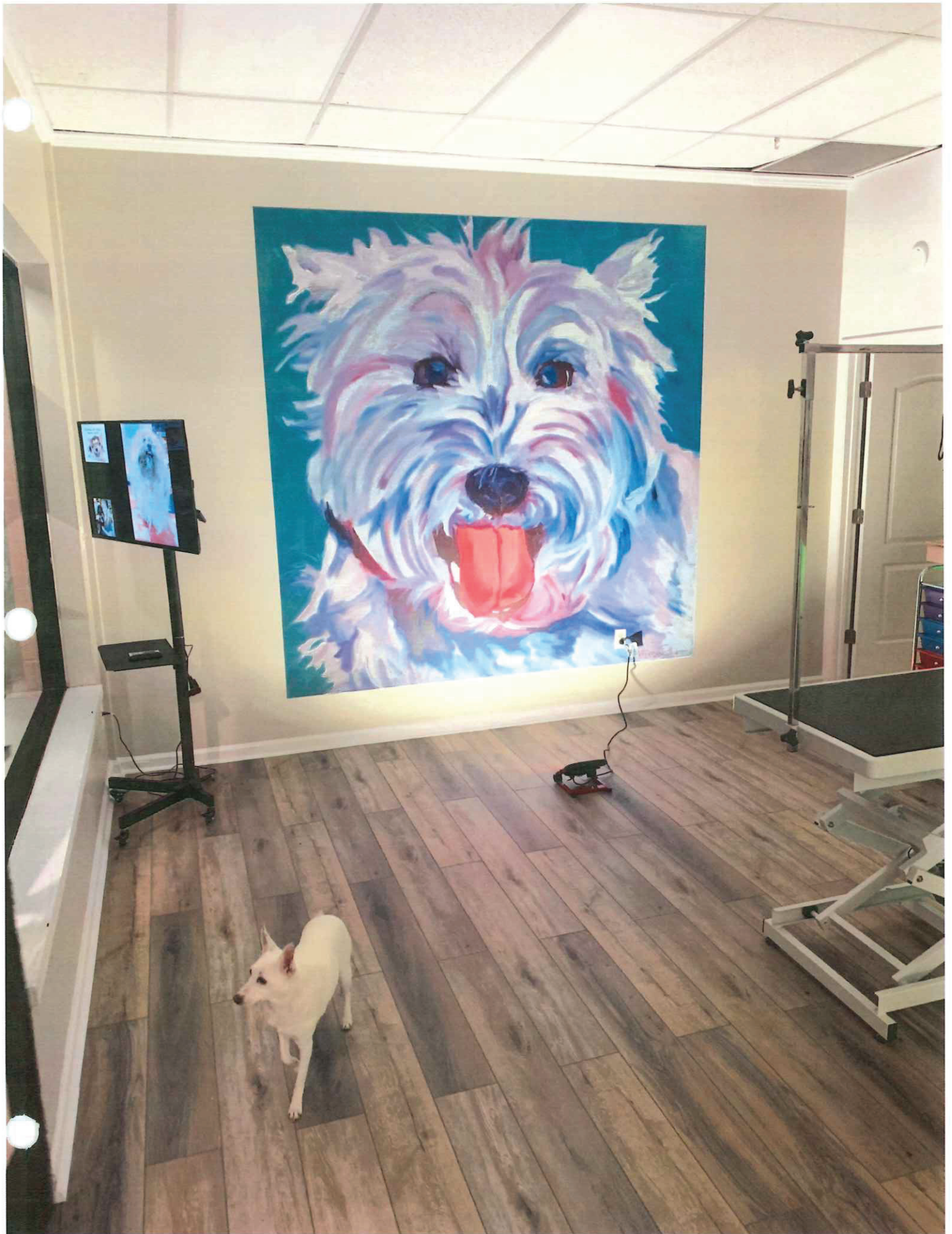


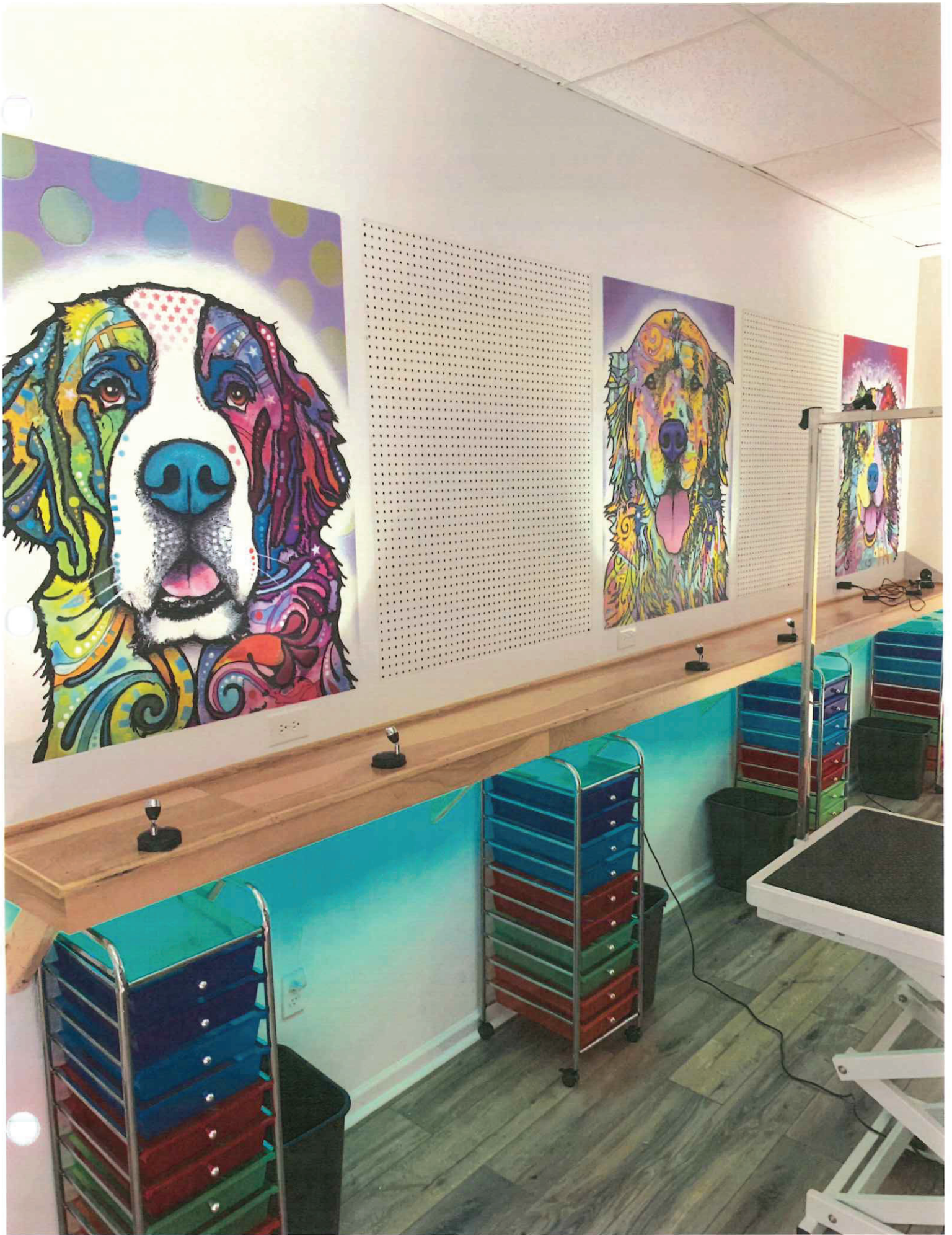
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678 Montgomery Hwy.
Cond. Use for Dog Baths &
Grooming
Mike Mahaffey

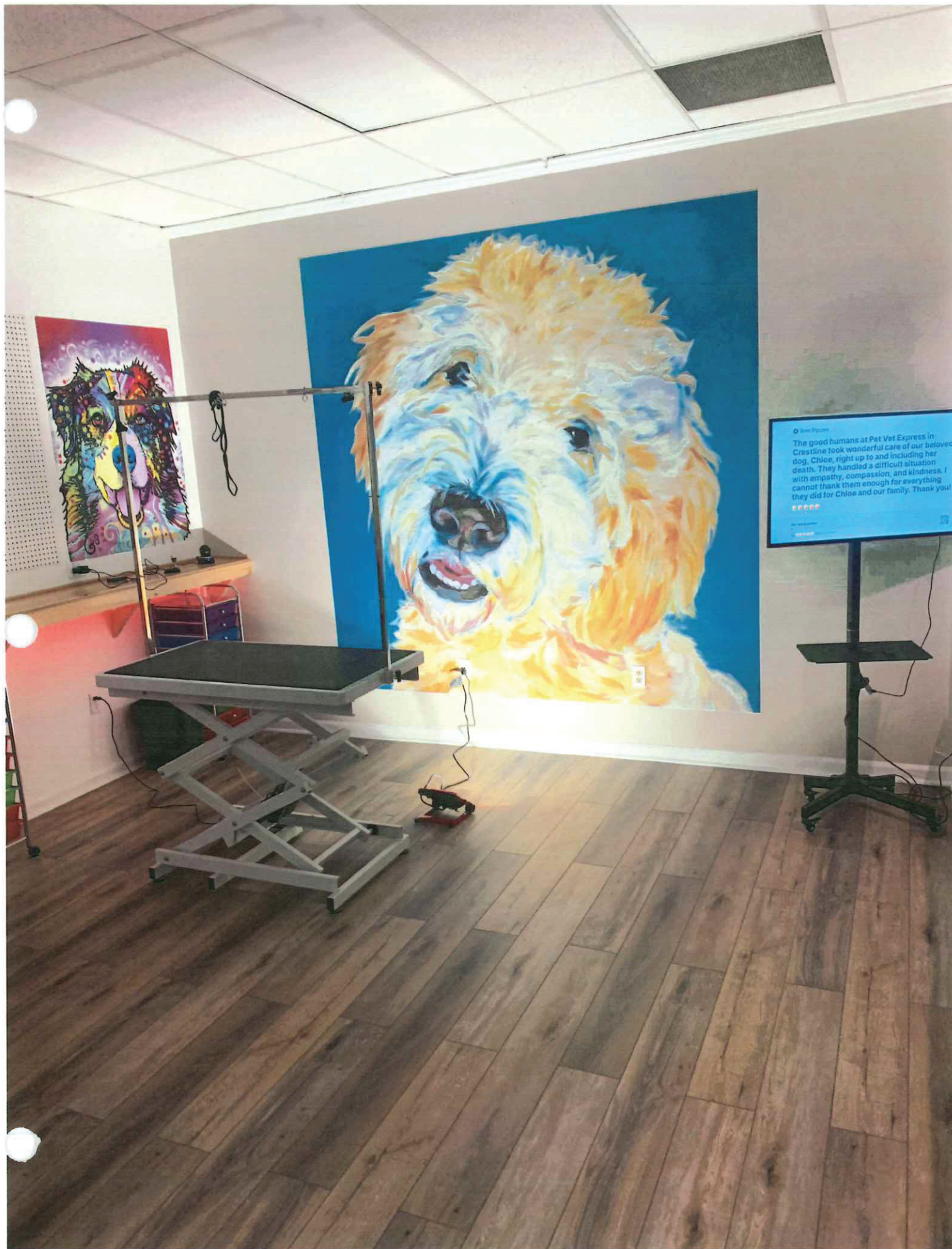
P1021-41//28-00-19-3-011-004.000
678 Montgomery Hwy.
Cond. Use for Dog Baths &
Grooming
Mike Mahaffey



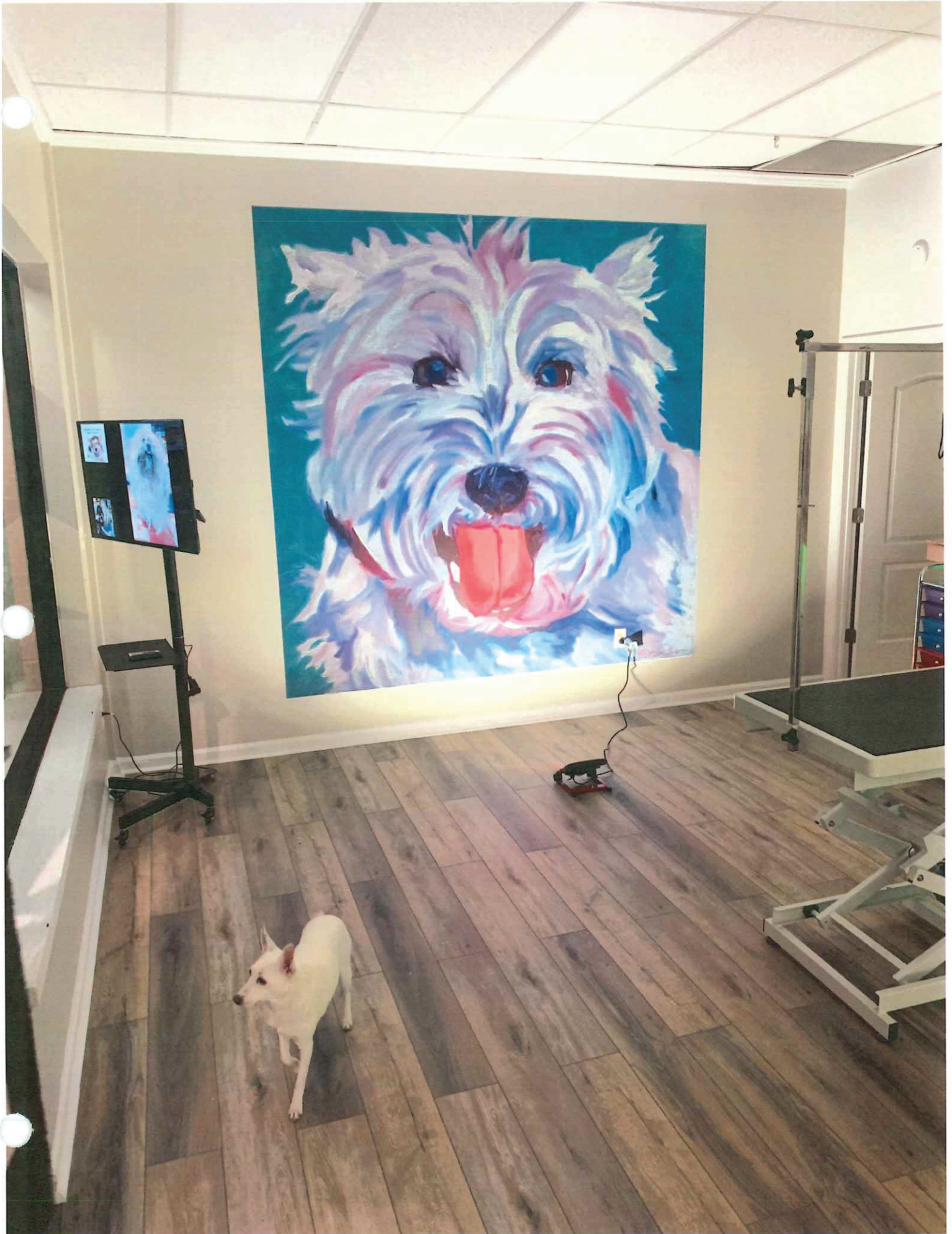


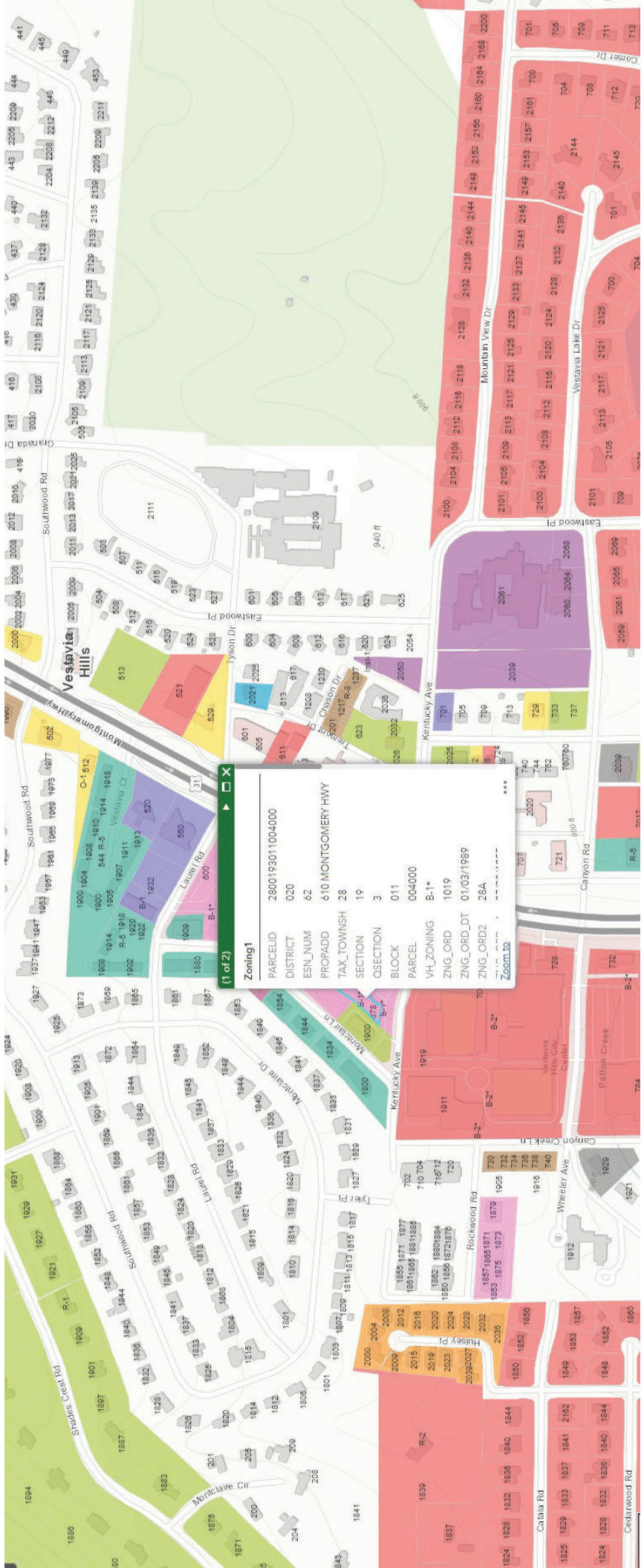






5 stars
The good humans at Pet Vet Express in Crestline took wonderful care of our beloved dog, Chloe, right up to and including her death. They handled a difficult situation with empathy, compassion, and kindness. I cannot thank them enough for everything they did for Chloe and our family. Thank you!





Zoning1

PARCELD	2800193011004000
DISTRICT	020
ESN_NUM	62
PROPADD	610 MONTGOMERY HWY
TAX_TOWNSH	28
SECTION	19
BLOCK	3
PARCEL	004000
VH_ZONING	B-1*
ZNG_ORD	01/03/1989
ZNG_ORD_DT	01/03/1989
ZNG_ORD2	28A

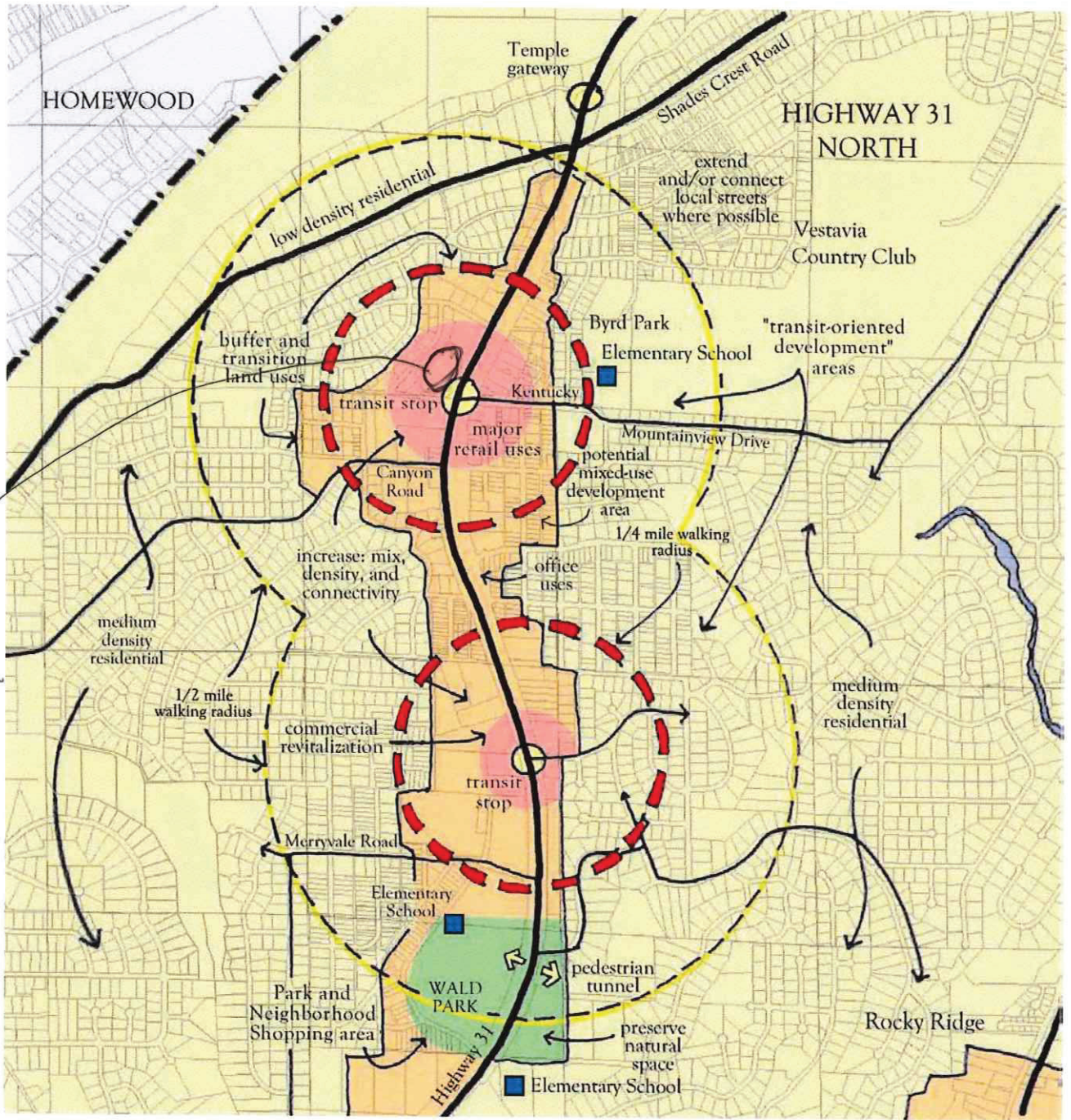
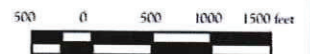


Figure 17: Highway 31 North
Land Use Analysis

- | | |
|---|--|
| <ul style="list-style-type: none"> Neighborhood - primarily low / medium density single-family residential areas with higher densities near village center(s). Other uses may include schools, places of worship, recreational areas, and open space. Village Center - mixed use centers with highest densities in core areas. Mix of uses should include retail and service businesses, professional offices, high density residential areas, institutions, recreation areas, and public spaces. Commercial Core - primarily high density, retail and service business areas with professional offices and multi-family residences on upper floors or on periphery. Other uses may include institutions and public space. Gateways and Nodes - Gateways are entryways into the community or village enhanced with consistent signage, landscaping, and other elements. Nodes are sites, such as transit stops, where public spaces, signage, and other public design elements should be considered. | <ul style="list-style-type: none"> Professional Offices - primarily professional office uses. Density should vary according to surroundings. Other uses may include retail and services (supporting offices and employees), places of worship, public spaces, and open space. Recreation and Open Space - public and private recreation facilities and preserved natural spaces. Recreation facilities may be active, passive or combined. Open spaces are areas preserved in a natural state and may include passive recreational uses. Trailheads - Trailheads are public sites along a trail, where bike racks, seating, parking, and public amenities are provided for trail users. Schools - School facilities administered by the Vestavia Hills School System. |
|---|--|



RESOLUTION NUMBER 5358

A RESOLUTION AUTHORIZING THE ALABAMA DEPARTMENT OF TRANSPORTATION FOR PROJECT DESIGNATED AS PROJECT NUMBER: IM-I459(318) FOR PLANING, OVERLAY AND STRIPING OF PORTIONS OF I-459

WHEREAS, the City of Vestavia Hills Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made on 1-459 within the City Limits of Vestavia Hills, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project Number: IM-1459(318) Planing, Overlay and Striping on 1-459 from 0.25 miles south of SR-38(US-280) to 0.24 miles south Grants Mill Road; and

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, The Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF VESTAVIA HILLS, ALABAMA, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and

hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A – This project does not require the permanently barricade and/or relocate intersecting streets.

Please refer to: Project Notes (Sheets 2D-2E)

Please refer to: General Traffic Control Plan Notes (Sheets 2F-2G)

Please refer to: Temporary Traffic Control Plan (Sheets 9-18)

BE IT FURTHER RESOLVED BY THE CITY COUNCIL, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama

Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED BY THIS CITY COUNCIL:

1. That the City agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. That the City agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the City agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

THIS RESOLUTION PASSED, ADOPTED, AND APPROVED this the 22nd day of November, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, the undersigned, Clerk of the City of Vestavia Hills, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the Council of the foregoing City, at its regular meeting held on the _____ day of _____, 20 ____, which resolution is on file in the office of the City Clerk.

Given under my hand and the official seal of such City this _____ day of _____, 20__.

Rebecca Leavings
City Clerk



Kay Ivey
Governor

ALABAMA DEPARTMENT OF TRANSPORTATION

EAST CENTRAL REGION
OFFICE OF REGION ENGINEER
100 CORPORATE PARKWAY
SUITE 450
HOOVER, AL 35242
P.O. BOX 382348
BIRMINGHAM, AL 35238-2348
TELEPHONE: (205) 327-4962



John R. Cooper
Transportation Director

October 27, 2021

The Honorable Ashley Curry
Mayor, City of Vestavia Hills
City Hall
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

RE: Jefferson County
Project Number: IM-I459(318)
Planing, overlay and Striping on I-459 from 0.25
miles south of SR-38(US-280) to 0.24 miles south
of Grants Mill Road

Dear Mayor Curry:

Attached you will find the Standard Project Resolution and plans concerning the above referenced project.

Please review these documents and, if all is in order, present them to the City Council of Vestavia Hills for consideration and approval. It is important to emboss the official City of Vestavia Hills Seal on each signature sheet. A certified resolution, which authorizes the Mayor to sign the agreement, affixed with the City Seal should also be included with the agreement. After execution, please return this document, with original signatures (no stamps), to this office, ATTN: Mrs. Sandra F. P. Bonner.

If I can supply you with any additional information or clarify any point contained herein, please feel free to contact me at your convenience.

Sincerely,

DeJarvis Leonard, P.E.
East Central Region Engineer

By John S. Haynes ^{MAB}
John S. Haynes, P.E.
Assistant Region Engineer Pre-Construction

DL/JSH/sfpb
Attachment
C: Mrs. Sandra F. P. Bonner
File w/att.

Rebecca Leavings

From: Lori Beth Kearley
Sent: Tuesday, November 9, 2021 3:32 PM
To: Jeff Downes
Cc: Rebecca Leavings; Christopher Brady
Subject: I-459 Resurfacing
Attachments: IM-I459(318) Planing, Overlay, and Striping on I-459.pdf; IM-I459(318) Planing, Overlay, and Striping Plans for I-459.pdf

Jeff,

Attached are plans and a Standard Project Resolution for I-459 resurfacing plans from 0.25 miles south of Hwy 280 to 0.24 miles south of Grants Mill Road. This includes milling, resurfacing and striping of the Overton Road ramps.

Based on discussions with ALDOT yesterday,

- The project is scheduled for a January 2022 letting.
- The project starting date will be approximately April or May 2022, but no later than May 2022.
- The approximate working days is 4 – 5 months

I have looked through the plans and do not have any issues to note. Based on the project notes, all lane closures are scheduled in the nighttime and overnight hours, outside of the peak travel times. I have the ALDOT project contacts if you have any additional questions. I understand from Becky that this will not require a 1st read. If Engineering needs to provide any additional information, let me know.

Thanks,

Lori Beth



Lori Beth Kearley, P.E.
Department of Public Services
P 205 978 0236 | vhal.org
Vestavia Hills

  WWW.ALIFEABOVE.ORG

CERTIFICATE AND AGREEMENT

December 2, 2021

City of Vestavia Hills, Alabama
General Obligation Warrants
Series 2021

This Certificate and Agreement is made and delivered simultaneously with the issuance of the above Warrants on the date hereof by:

City: City of Vestavia Hills, Alabama

Paying Agent: The Bank of New York Mellon Trust Company, National Association and the successors and assigns thereof

The undersigned City and Paying Agent hereby certify and agree as follows:

1. (a) On the date hereof the City has delivered to the Paying Agent a certified copy of the proceedings of the City had and taken on November 22, 2021 for the adoption thereby of the Ordinance attached hereto as Exhibit A with respect to the above Warrants (the "Authorizing Ordinance").
(b) Capitalized terms used herein without definition shall have the respective meanings assigned thereto in the Authorizing Ordinance.
2. Pursuant to the Authorizing Ordinance the City has: (i) authorized and provided for the issuance of the above Warrants and (ii) named therein the Paying Agent as Paying Agent, Warrant Registrar, and depository of the Warrant Fund for the Warrants.
3. The Paying Agent has received and reviewed the Authorizing Ordinance and hereby agrees to act as Paying Agent, Warrant Registrar and depository of the Warrant Fund for the Warrants as provided in the Authorizing Ordinance.

IN WITNESS WHEREOF, the City of Vestavia Hills, Alabama and the Bank of New York Mellon Trust Company, National Association have each caused this Certificate and Agreement to be executed in the name and on behalf thereof, under seal, on the above date by an office or officers thereof duly authorized thereunto.

CITY OF VESTAVIA HILLS, ALABAMA

THE BANK OF NEW YORK MELLON TRUST COMPANY, NATIONAL ASSOCIATION

By: _____
Mayor

By: _____

Its: _____

[SEAL]

Attest:

By: _____
City Clerk

EXHIBIT A

CERTIFICATE OF CITY CLERK

December 2, 2021

City of Vestavia Hills, Alabama

General Obligation Warrants

Series 2021

I, the undersigned, do hereby certify that, as the duly qualified and acting City Clerk of the City of Vestavia Hills, Alabama (the "City"):

(1) I have access to all original records of the City and I am duly authorized to make certified copies of its records on its behalf;

(2) the attached pages constitute a complete, verbatim and compared copy of excerpts from the minutes of the meeting of the City duly held on November 22, 2021, the original of which is on file and of record in the official minute book of the City in my custody;

(3) the minutes of such meeting show that (i) such meeting was a regular meeting of the City for which notice thereof was publically announced and given as provided by law, (ii) a quorum of the members of the City was present and acting for the duration of such meeting, and (iii) the Ordinance contained in such minutes with respect to the above warrants was unanimously adopted by the vote in favor thereof by the members of the City present; and

(4) the Ordinance set forth in such excerpts is a complete, verbatim and compared copy of such Ordinance as introduced and adopted by the City on such date and is in full force and effect without amendment thereto or supplement thereof.

IN WITNESS WHEREOF, I have, pursuant to the authority of the Ordinance, executed this Certificate in the name and on behalf of the City of Vestavia Hills, Alabama, under the seal thereof, on the above date.

City Clerk of the City of Vestavia Hills, Alabama

S E A L

**EXCERPTS FROM THE MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA**

**City of Vestavia Hills, Alabama
General Obligation Warrants
Series 2021**

The City Council of the City of Vestavia Hills, Alabama met in regular public session at City Hall in the City of Vestavia Hills, Alabama, at 5:00 p.m. on November 22, 2021.

The meeting was called to order by the Mayor and the roll was called with the following results:

Present: Ashley Curry, Mayor
Rusty Weaver, Mayor Pro Tempore
Kimberly Cook
Paul Head
George Pierce

Absent: _____

* * *

The Mayor stated that a quorum was present and that the meeting was open for the transaction of business.

* * *

Thereupon, the following Ordinance was introduced in writing by the Mayor and considered by the City:

CITY OF VESTAVIA HILLS, ALABAMA

ORDINANCE NO. 3046

November 22, 2021

**General Obligation Warrants
Series 2021**

ORDINANCE NO. 3046

AN ORDINANCE TO AUTHORIZE THE ISSUANCE AND PAYMENT OF GENERAL
OBLIGATION WARRANTS, SERIES 2021, AND THE DELIVERY OF RELATED DOCUMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA:

ARTICLE I

Definitions; Construction of Certain Terms

Section 1.01 Definition of Terms

Applicable Law means (i) the applicable provisions of all constitutions, statutes, rules, regulations, orders, judgments, and decrees of any Governmental Person and (ii) all laws and rules of law which provide legal or equitable rights and remedies for creditors.

Auditor means a Person (i) who is a certified public accountant regularly engaged in the auditing of financial records and who is not employed full time by the City or (ii) who is regularly employed by the Alabama Department of Examiners of Public Accounts.

Authorized City Representative means the Mayor, and the Finance Director, of the City.

Authorized Denomination means the amount of \$5,000 and any integral multiple thereof for each maturity.

Authorized Investments means any investment, obligation, or security at any time permitted by the laws of the State of Alabama for the investment or security of municipal funds or county funds, as such terms are defined in Section 11-81-21 of the Code of Alabama 1975 (or any successor provision of law), including without limitation (i) U.S Government Obligations or a trust or fund consisting of U.S. Government Obligations and (ii) U.S. dollar denominated deposit accounts and certificates of deposit with banks or savings associations which are qualified public depositories under Chapter 14A of Title 41 of the Code of Alabama 1975 (or any successor provision of law).

Authorized Purpose Costs means (i) all Issuance Costs and (ii) all costs of acquisition, construction and installation of the Financed Facilities, including without limitation, fees for architectural, engineering, environmental studies and surveys, geological, surveying and title examination and correction service; labor, materials and transportation costs; expenses incurred in the enforcement of remedies against contractors, suppliers, sureties and vendors; payment to the City for any such costs, expenses or fees paid by the City from the general revenues thereof (to the extent permitted by Treas. Reg. Section 1.150-2, if applicable); and payment of the principal of and interest on any indebtedness incurred by the City (prior or subsequent to the Date of Initial Delivery) for payment of any of the foregoing Authorized Purpose Costs.

Beneficial Owner means the owner of a beneficial interest in a Warrant held pursuant to a Book-Entry System.

Bond Counsel means a Person (i) licensed to practice law in the State of Alabama and (ii) having experience with respect to obligations issued as “tax-exempt bonds” or “tax-advantaged bonds” (within the meaning of the Code) by the State of Alabama and by or on behalf of political subdivisions of the State of Alabama.

Book-Entry System means a book-entry only system of evidence of purchase and transfer of beneficial ownership interests in the Warrants.

Business Day means a day, other than a Saturday or a Sunday, on which commercial banking institutions are open for business in the state where the Principal Office of the Paying Agent is located and a day on which the payment system of the Federal Reserve System is operational.

City means the City of Vestavia Hills, Alabama.

Continuing Disclosure Agreement means the Continuing Disclosure Agreement dated the Date of Initial Delivery by the City in favor of the Owners.

Date of Initial Delivery means the initial date of delivery of and payment for the Warrants established pursuant to the Warrant Purchase Agreement.

Defeasance Fund means an independent and irrevocable account or fund established by the City pursuant to Section 9.04(b) for the benefit of any Warrant or Warrants.

Defeased Warrant means any Warrant, or any portion of the principal amount thereof, for which a Defeasance Fund shall be established.

Direct Participant or **Direct Participants** means securities brokers and dealers, banks, trust companies, clearing corporations and other financial institutions which have access to the Book-Entry System.

Electronic Means means the following communications methods: e-mail, facsimile transmission, secure electronic transmission containing applicable authorization codes, passwords and/or authentication keys, or another method or system specified by the Paying Agent as available for use in connection with its services hereunder.

Enabling Law means Section 11-47-2 of the Code of Alabama 1975.

Escrow Trustee means the Bank of New York Mellon Trust Company, National Association.

Final Official Statement means the Preliminary Official Statement completed with the final terms of the Warrants and otherwise as defined in 17 CFR 240.15c2-12.

Finance Director means (i) the Finance Director of the City and (ii) any successor to the duties and functions thereof.

Financed Facilities means the capital assets refinanced by the Warrants.

Fiscal Year means the period beginning on October 1 of one calendar year and ending on September 30 of the next succeeding calendar year or such other Fiscal Year as may be adopted by the City.

Governing Law means, collectively (i) the Enabling Law and (iii) the applicable provisions of the Constitution of Alabama of 1901, as amended, and the laws of the State of Alabama.

Governmental Person means (i) the United States of America, (ii) the State of Alabama and any political subdivision (within the meaning of 26 CFR Section 1.103-1) thereof other than the City, and (iii) any agency, authority, board, branch, bureau, commission, court, department, division, instrumentality, tribunal or other entity or organization of competent jurisdiction at any time established by the United States of America or the State of Alabama.

Governmental Purposes means (i) refinance of the Refunded Warrants to restructure the long-term indebtedness of the City evidenced thereby and to realize interest costs savings with respect thereto and (ii) provide funds for the Financed Facilities, and (iii) payment of Issuance Costs.

Indirect Participant or Indirect Participants means securities brokers and dealers, banks, trust companies, clearing corporations and other financial institutions for which the Securities Depository holds Warrants as securities depository through a Direct Participant.

Issuance Costs means all costs of issuance (as described in 26 CFR Section 1.150-1(b)) of the Warrants.

Mayor means (i) the Mayor of the City and (ii) any successor to the duties and functions thereof.

Net Warrant Proceeds means the net proceeds received from the sale of the Series 2021 Warrants of, \$5,811,804.80, being the principal amount thereof plus net original issue premium of \$573,129.80 and less underwriting discount of \$26,325.00.

Opinion of Bond Counsel means a written opinion of Bond Counsel.

Ordinance means this Ordinance as originally adopted and as it may from time to time be supplemented, modified or amended.

Owner when used with respect to any Warrant means the Person in whose name such Warrant is registered in the Warrant Register, including without limitation the Securities Depository or Securities Depository Nominee with respect to any Warrant held under the Book-Entry System.

Paying Agent means (i) The Bank of New York Mellon Trust Company, National Association, and the successors and assigns thereof, and (ii) any successor designated as depository, paying agent and registrar pursuant to this Ordinance.

Person means and includes any natural person, corporation, general or limited partnership, limited liability company, joint venture, association, trust, unincorporated organization and Governmental Person.

Preliminary Official Statement means the Preliminary Official Statement, dated the date of delivery, of the City prepared in compliance with 17 CFR Section 240.15c2-12 for the Warrants.

Principal Office of the Paying Agent means the designated office of the Paying Agent for purposes of this Ordinance, or such other office as shall be designated by the Paying Agent by written notice to the City.

Record Date means the fifteenth day of a calendar month (whether or not a Business Day) next preceding each Stated Interest Payment Date.

Refunded Warrants means, those of the General Obligation Refunding Warrants, Series 2015, having stated maturities in 2023 through 2028, inclusive.

Refunding Trust Agreement means the Refunding Trust Agreement dated the date of delivery by the City and the Escrow Trustee.

Securities Depository means The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, and the successors and assigns thereof, and any substitute securities depository therefor that maintains a Book-Entry System for the Warrants.

Securities Depository Nominee means the Securities Depository or the nominee of such Securities Depository in whose name there shall be registered on the Warrant Register the Warrants to be delivered to such Securities Depository during a period in which the Warrants are held pursuant to the Book-Entry System.

Series 2021 Proceeds Fund means the fund established by Section 3.05.

Series 2021 Warrants means the General Obligation Warrants, Series 2021, of the City.

Special Funds means, collectively, the Series 2021 Proceeds Funds, the Warrant Fund, and any Defeasance Fund.

Stated Interest Payment Date means August 1, 2022 and each February 1 and August 1 thereafter, or, if any of such dates is not a Business Day, the then next succeeding Business Day.

Stated Principal Payment Date means each February 1, or, if any such date is not a Business Day, the then next succeeding Business Day.

Tax Certificate and Agreement means the Tax Certificate and Agreement delivered by the City with respect to the Warrants.

Taxable means, with respect to any Warrant, interest on such Warrant is includible in the gross income of the Owner therefor for the purposes of federal taxation; provided, however, interest on any Warrant shall not be deemed "Taxable" if interest on such Warrant is includible in any calculation of income for purposes of an alternative minimum tax or any other type of taxation other than the regular federal tax imposed on income.

Transaction Documents means, collectively, the following documents:

- (a) the Refunding Trust Agreement;
- (b) the Continuing Disclosure Agreement; and
- (c) the Warrant Purchase Agreement.

Underwriter means The Frazer Lanier Company, Incorporated.

U.S. Government Obligations means direct general obligations of the United States of America or any obligations on which the payment of the principal thereof and interest thereon are unconditionally guaranteed by the United States of America.

Warrant means, on any date of determination, any Warrant executed, registered, authenticated and delivered pursuant to this Ordinance, less and except any Warrant, or any portion of the principal amount of any such Warrant, which shall (i) have ceased to accrue interest under Section 3.02 or (ii) be payable solely from a Defeasance Fund under Section 9.04(b).

Warrant Fund means the fund established pursuant to Section 9.03.

Warrant Purchase Agreement means the Warrant Purchase Agreement dated the date of delivery by the City and the Underwriter with respect to the sale of the Warrants to the Underwriter.

Warrant Register shall have the meaning assigned in Section 4.03(a).

Warrant Registrar means the Paying Agent appointed by the City to act as Warrant Registrar pursuant to Section 12.01.

Section 1.02 Construction of Certain Terms

(a) The terms “herein”, “hereof” and “hereunder” and other words of similar import refer to this Ordinance as a whole and not to any particular Article, Section or other subdivision.

(b) The terms “agree”, “shall” and “will”, when used in this Ordinance with respect to the observance or performance of any agreement, duty or requirement to take, or forbear from taking, any action by the City, the Paying Agent, or an Owner, mean that such agreement, duty or requirement is enforceable at law or in equity against the Person charged therewith.

(c) The Article and Section headings herein are for convenience only and do not affect the construction hereof.

ARTICLE 2

Representations

The governing body of the City certifies, represents and warrants, upon evidence duly presented thereto and considered thereby, that:

(a) the issuance of the Warrants for the Governmental Purposes at fixed rates of interest per annum and by private sale thereof to the Underwriters will produce direct financial benefits to the City and the taxpayers and citizens of the City;

(b) the City has adopted this Ordinance and authorized the issuance of the Warrants by proceedings duly had and taken pursuant to the Governing Law in due time, form and manner as required thereby;

(c) the City is not in default with respect to any indebtedness or obligation of the City;

(d) no proceedings with respect to the City have ever been taken pursuant to Chapter 9 of Title 11 of the United States Code or Section 11-81-3 of the Code of Alabama 1975 or any similar federal or state law with respect to creditors' rights;

(e) the period of usefulness of the Financed Facilities will extend beyond the final maturity date of the Warrants;

(f) the expenditure of the Net Warrant Proceeds for the Governmental Purposes will serve a valid and sufficient public purpose notwithstanding any incidental benefit accruing to any private entity or entities;

(g) the information provided in the Preliminary Official Statement by the City, or by another Person in reliance upon a representation by the City, is correct and does not contain an untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading;

ARTICLE 3

Authorization of Warrants, Transaction Documents and Preliminary Official Statement

Section 3.01 Authorization of the Warrants

For the Governmental Purposes the City authorizes the issuance of a series of warrants designated “General Obligation Warrants, Series 2021” pursuant to the Governing Law and this Ordinance in an aggregate principal amount of \$5,265,000 payable on the Stated Principal Payment Date in the following principal amounts and years and bearing interest at the following respective per annum rates for the principal amount set opposite thereto:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$805,000	3.000%
2024	830,000	3.000
2025	855,000	3.000
2026	885,000	4.000
2027	925,000	4.000
2028	965,000	4.000

Section 3.02 Accrual of Interest on Warrants

The principal amount of each Warrant shall accrue interest at the per annum rate of interest thereof calculated on the basis of a 360-day year of 12 consecutive 30-day months for the period beginning on (and including) the date of delivery of and payment for such Warrant and continuing thereafter until (but not including) the date on which the principal of such Warrant is paid in full and retired; provided that, anything in this Ordinance or in the Warrants to the contrary notwithstanding, interest on the principal amount of any Warrant will cease to accrue from and after:

(a) the date on which such Warrant shall have been (i) replaced pursuant to Section 8.03 or (ii) delivered to the Paying Agent for cancellation pursuant to Section 4.02; and

(b) the date on which any amount of the principal of a Warrant becomes due if, and to the extent, that on any of such dates the Paying Agent holds (pursuant to Section 9.04 in a Defeasance Fund, or Section 9.05, or otherwise) funds in an aggregate amount sufficient to pay in full the principal of, and interest on, such Warrant becoming due and payable on such date.

Section 3.03 Approval and Authorization of Warrants and Transaction Documents

The City (i) approves and authorizes the Transaction Documents and (ii) authorizes and directs the Mayor, the Finance Director, and the City Clerk to execute and attest, in the name and under the seal of the City, the Transaction Documents with such changes thereto as shall not increase or extend any pecuniary liability of the City thereunder and as such officers shall conclusively approve.

Section 3.04 Delivery of Warrants and Transaction Documents

The City authorizes and directs the Mayor, the Finance Director and the City Clerk to effect delivery on the Date of Initial Delivery:

(a) to the Paying Agent of (i) the Warrants, (ii) a certified copy of this Ordinance and (iii) the Transaction Documents;

(b) to, or as directed by, the Underwriter of (i) the Official Statement and (ii) the certificates, documents and proceedings required by the Warrant Purchase Agreement.

Section 3.05 Application of Net Warrant Proceeds; Series 2021 Proceeds Fund

(a) The City authorizes and directs the Treasurer to apply the Net Warrant Proceeds on the Date of Initial Delivery as follows:

(1) delivery of the amount of \$5,533,141.25 to the Escrow Trustee for application as provided in the Refunding Trust Agreement;

(2) delivery of the amount of \$278,663.55 to the Paying Agent for deposit in the Series 2021 Proceeds Fund.

(b) The City authorizes and directs the Paying Agent to:

(1) on the Date of Initial Delivery, establish a special fund in the name of the City designated the "Series 2021 Proceeds Fund" and deposit therein the amount set forth in Section 3.05(a)(2);

(2) hold the Series 2021 Proceeds Fund as provided herein and invest the amounts therein in Authorized Investments;

(3) retain as part of the Series 2021 Proceeds Fund all proceeds of the investment of amounts therein;

(4) apply the amounts in the Series 2021 Proceeds Fund to the payment of Authorized Purpose Costs as directed by requisition in form of Exhibit B hereto appropriately completed and signed by an Authorized City Representative; and

(5) pursuant to the written instruction of the City upon completion of the City Projects, transfer all amounts, if any, in the Series 2021 Proceeds Fund to the Warrant Fund for credit against deposits to be made therein under Section 9.03(b)(1) and for application to the payment of the principal of the Series 2021 Warrants on the then next succeeding principal payment date.

(c) The City agrees the Paying Agent has no liability for the application of any money in the Series 2021 Proceeds Fund if applied as provided in this Section and without actual knowledge that any such application constitutes an illegal or unauthorized use of public funds.

Section 3.06 Redemption and Refunding of Refunded Warrants

The Refunded Warrants are called for redemption and refunded pursuant to the Refunding Trust Agreement.

Section 3.07 General Authorization of Officers

The City authorizes and directs the Mayor, the Finance Director and the City Clerk to take all actions, and to execute, deliver, file and record all certificates, documents, engagement agreements, instruments and notices as are required by Bond Counsel, the Governing Law, or the Warrant Purchase Agreement to effect the issuance of the Warrants and the purposes of this Ordinance.

Section 3.08 Ratification of Offering Documents and Actions

The City approves, authorizes, ratifies and confirms (i) the form, content, execution and delivery of the Preliminary Official Statement and the Official Statement and (ii) all actions taken, and all certifications and representations made, by any officer of the City in connection with, or in furtherance of, the actions and transactions authorized and approved by this Ordinance.

ARTICLE 4

Issuance, Execution, Registration, Authentication, Cancellation of Warrants; Validity of Warrants

Section 4.01 Issuance of Warrants by the City

The City shall issue a Warrant or Warrants in form as provided on Exhibit A, with appropriate designations of series and with such changes thereto as required by Applicable Law or this Ordinance, only in Authorized Denominations and numbered consecutively in the order of issuance, as follows:

(a) on the Date of Initial Delivery, in the principal amounts, of the stated maturities, and bearing interest at the rates, of the Warrants as set forth in Section 3.01 therefor;

(b) on the date of transfer, exchange or replacement of a Warrant pursuant to Article 8, in like tenor, principal amount, maturity, and interest rate of the Warrant surrendered for transfer or exchange or to be replaced.

Section 4.02 Execution and Delivery of Warrants by the City

(a) The City authorizes and directs the Mayor and the City Clerk of the City to execute, seal and attest, and the Finance Director to register as a claim against the Warrant Fund, all Warrants presented for issuance and delivery pursuant to this Article.

(b) The City authorizes and directs the Finance Director to deliver to the Paying Agent all Warrants executed and registered by the City pursuant to this Section.

Section 4.03 Registration, Authentication and Delivery of Warrants by Paying Agent

The City authorizes and directs the Paying Agent, by duly authorized officer thereof, to:

(a) authenticate, and register the ownership of each Warrant delivered to the Paying Agent by the City under this Article in a register (the "Warrant Register") maintained by the Paying Agent on behalf of the City at the Principal Office of the Paying Agent;

(b) deliver the Warrants, upon such authentication and registration, in accordance with (i) the written instructions of the City with respect thereto and (ii) the procedures and rules of the Securities Depository to the extent thereto.

Section 4.04 Validity of Warrants Executed and Authenticated under this Article

(a) The City agrees that every Warrant executed, authenticated, registered and delivered under this Article is issued pursuant to the terms of the Governing Law and thereupon constitutes the valid general obligation indebtedness of the City entitled to the equal and proportionate security and benefit of this Ordinance.

(b) The City will treat as valid for all purposes of this Ordinance each Warrant executed and registered by the natural persons who on the date of such execution thereof validly hold and exercise the offices of the Mayor and Finance Director, respectively, without regard to whether at any time prior to, or after, the date of delivery of such Warrant either of such natural persons shall have ceased to hold and exercise the office thereof.

Section 4.05 Cancellation of Surrendered Warrants

The City authorizes and directs the Paying Agent to cancel and destroy all Warrants surrendered to the Paying Agent for payment, transfer, exchange or replacement.

ARTICLE 5

Operation of Ordinance for Warrants Held in Book-Entry System

(a) The Warrants will initially be held pursuant to a Book-Entry System administered by the Securities Depository.

(b) The City and the Paying Agent will administer and construe the provisions of this Ordinance to effect full compliance with the procedures and rules of the Securities Depository with respect to all Warrants held pursuant to a Book-Entry System, including without limitation (i) payment of Warrants; (ii) transfers of beneficial interests in Warrants; (iii) delivery of notices pursuant to this Ordinance; (iv) grant of consent or waiver with respect to any action or inaction by the City.

ARTICLE 6

Determination of Ownership of Warrants

(a) The ownership of a Warrant shall be proven by the Warrant Register for all purposes of this Ordinance.

(b) The City and the Paying Agent shall treat the Person in whose name any Warrant is registered as the owner of such Warrant for the purpose of receiving payment of principal of and interest on such Warrant and for all other purposes of this Ordinance, and, to the extent permitted by Applicable Law, neither the City or the Paying Agent shall be affected by notice to the contrary.

(c) (1) During a period in which the Warrants are held pursuant to a Book-Entry System, the City and the Paying Agent shall treat the Securities Depository or the Securities Depository Nominee as the only Owner of the Warrants for all purposes of this Ordinance.

(2) In the event the Securities Depository or the Securities Depository Nominee assigns its rights to consent or vote under this Ordinance to any Direct Participant or Indirect Participant, the City, the Paying Agent and the Developer shall treat such assignee or assignees as the only Owner or Owners of the Warrants for the purpose of exercising such rights so assigned.

ARTICLE 7

No Redemption of Warrants

The Warrants are not subject to redemption in advance of maturity.

ARTICLE 8

Transfer, Exchange and Replacement of Warrants

Section 8.01 Transfer of Warrants

The Owner of any Warrant may transfer such Warrant, subject to Section 8.04, to such transferee as directed in writing by the Owner to the City and the Paying Agent, by delivery to the Principal Office of the Paying Agent of such Warrant duly endorsed for transfer, or with a written instrument of transfer acceptable to the Paying Agent, executed by such Owner or the attorney thereof authorized in writing therefor, and payment in advance of all applicable expenses and governmental charges of the City and the Paying Agent therefor; whereupon the City and the Paying Agent shall, pursuant to Article 4, deliver to such transferee a new Warrant of like tenor, principal amount, maturity and interest rate as the Warrant surrendered for transfer.

Section 8.02 Exchange of Warrants

An Owner may exchange a single Warrant for multiple Warrants, or multiple Warrants for a single Warrant, subject to Section 8.04, as directed in writing to the City and the Paying Agent, in an aggregate principal amount in Authorized Denominations and of the same year of maturity as the Warrant or Warrants so surrendered, by delivery to the Principal Office of the Paying Agent of such Warrant or Warrants to be exchanged; whereupon the City and the Paying Agent shall, pursuant to Article 4, deliver to such Owner such new Warrant or Warrants of like tenor, principal amount, maturity and interest rate as the Warrant or Warrants surrendered for exchange.

Section 8.03 Replacement of Warrants

An Owner may request in writing the City and the Paying Agent issue a Warrant in replacement of any Warrant which the Owner proves to the satisfaction of the City and the Paying Agent shall have been lost, destroyed or mutilated (so that the same is not held by such Owner as that property hereof) and shall not have been acquired by a bona-fide purchaser, by delivery to the Principal Office of the Paying Agent of such indemnity and security as the City and the Paying Agent shall require to save harmless the City and the Paying Agent from any claim whatsoever because of such lost, destroyed or mutilated Warrant; whereupon the City and the Paying Agent shall pursuant to Article 4, deliver to such Owner such new Warrant or Warrants of like tenor, principal amount, maturity and interest rate as the Warrant or Warrants so proven to have been lost, destroyed or mutilated; provided, however, the City and the Paying Agent will not replace any Warrant which the City and the Paying Agent know is then owned by a bona-fide purchaser.

Section 8.04 Limitation on Time of Transfer or Exchange

Anything in this Ordinance to the contrary notwithstanding, the Paying Agent is not required to transfer or exchange any Warrant during the period beginning on a Record Date and ending on the then next succeeding Stated Interest Payment Date.

ARTICLE 9

Payment of Warrants

Section 9.01 General Obligation, Pledge of Faith and Credit

(a) The City covenants and agrees the indebtedness evidenced and ordered paid by the Warrants is a general obligation of the City for the punctual payment of the principal of and interest on which the full faith and credit of the City are hereby sacredly and irrevocably pledged.

(b) The Warrants are solely an obligation of the City and shall never constitute a direct, indirect, or contingent obligation, indebtedness, pecuniary liability, or charge against the general credit, revenues, or taxing power of any other Governmental Person.

Section 9.02 Payment of Warrants

(a) The City authorizes, directs and orders the Finance Director and the Paying Agent to pay, solely from the amounts on deposit in the Warrant Fund and in lawful money of the United States of America immediately available, at par and to the Owners in whose names the Warrants are registered on the applicable Record Date, pursuant to this Ordinance and in the Warrants:

- (1) the principal of the Warrants in full on each Stated Principal Payment Date, only upon surrender thereof at the Principal Office of the Paying Agent; and
- (2) the interest on the Warrants in full on each Stated Interest Payment Date.

(b) Upon the written request of the Owner of any Warrant in a principal amount of not less than \$1,000,000, the Paying Agent will make payment of the principal of and interest on such Warrant by wire transfer to an account of such Owner maintained at a bank in the continental United States or by any other method providing for payment in same-day funds that is acceptable to the Paying Agent, if such written request contains adequate instructions for the method of payment and final payment of principal is made upon such surrender of the Warrant or Warrants.

(c) If any payment is due pursuant to Section 9.02(a) on a day which is not a Business Day, such payment shall be made, in the same amount, on the first succeeding day which is a Business Day, with the same effect as if made on the date on which such payment was due.

(d) All payments to the Owners of principal of and interest on the Warrants on behalf of the City or the Paying Agent shall be valid and effectual to discharge, satisfy and terminate the liability of the City and the Paying Agent to the extent of the amounts so paid.

Section 9.03 The Warrant Fund

(a) The City establishes a special fund designated the “Warrant Fund” to be held and applied by the Paying Agent under this Ordinance solely for the payment of the principal of and interest on the Warrants.

(b) The City authorizes and directs the Finance Director and the Paying Agent to deposit into the Warrant Fund:

(1) on or before the Record Date for each Stated Interest Payment Date, an amount equal to:

(i) the interest becoming due on the Warrants on the then next succeeding Stated Interest Payment Date; and

(ii) the principal maturing on the then next succeeding Stated Principal Payment Date; and

(2) such amounts, if any, at such times as shall provide funds in the Warrant Fund sufficient for the payment of the principal of and interest on the Warrants in full when due.

(c) The City authorizes and directs the Paying Agent to deposit in the Warrant Fund any funds received by the Paying Agent with written directions from an Authorized City Representative to deposit such funds in the Warrant Fund.

(d) (1) The Paying Agent shall invest the amounts at any time on deposit in, or credited to, the Warrant Fund (the “Warrant Fund Amount”) as directed in writing by the City and subject to the following provisions therefor:

(i) the Warrant Fund Amount shall be invested only in Authorized Investments which mature by the Paying Agent at times and in amounts sufficient for the purposes of the Warrant Fund;

(ii) the Warrant Fund Amount shall be increased by all income and profits, and decreased by all losses, resulting from the investment thereof;

(iii) all income and profits from investment of the Warrant Fund Amount shall remain in the Warrant Fund and be credited against the next succeeding deposits required therein;

(iv) the Paying Agent will not be liable for any loss resulting from investment of the Warrant Fund Amount except to the extent such loss resulted from the gross negligence or willful misconduct of the Paying Agent.

(2) The Paying Agent will cause the Warrant Fund Amount to be secured as provided by Applicable Law for public funds.

(e) The City will cause the Paying Agent to apply all amounts in the Warrant Fund to the payment of the principal of and interest on the Warrants in full when due as provided in Section 9.02

(f) The Paying Agent shall transfer to the City all amounts in the Warrant Fund remaining after the City shall have no obligation with respect to the Warrants under Section 9.04.

Section 9.04 Discharge of Obligations of City to Pay Warrants; Establishment of Defeasance Funds

(a) The obligation of the City for the payment of any amount of the principal of or interest on a Warrant will be fully discharged, satisfied and terminated, without recourse (in a proceeding at law or in equity) against the City, from and after the date on which such Warrant:

(1) ceases to accrue interest as provided in Section 3.02; or

(2) becomes a Defeased Warrant payable solely from a Defeasance Fund as provided in Subsection 9.04(b).

(b) The City may provide for the payment and retirement of the Warrants, or any amount of the principal thereof (such Warrants or such principal amount thereof being defined as the “Defeased Warrants”) by establishing with the Paying Agent a Defeasance Fund for the exclusive benefit of the Defeased Warrants to be paid therefrom and depositing therein such combination of cash and U.S. Government Obligations as will (assuming the due and punctual payment of the principal of and interest on such U.S. Government Obligations) provide funds sufficient to pay in full the principal of and interest on the Defeased Warrants until the maturity of the Defeased Warrants; provided, however, that:

(1) such U.S. Government Obligations must not be subject to redemption prior to their respective maturities at the option of the issuer thereof;

(2) the Paying Agent shall have received (i) an Opinion of Bond Counsel to the effect that establishment of such Defeasance Fund will not cause interest on any of the Defeased Warrants to be or become Taxable, and (ii) a certificate of an Auditor to the effect that the funds on deposit in such Defeasance Fund and the income therefrom without reinvestment will be sufficient to pay when due the principal of and interest on the Defeased Warrants.

(c) The Paying Agent may invest any investment proceeds received by the Paying Agent in a Defeasance Fund in U.S. Government Obligations.

(d) The Paying Agent will apply all amounts in a Defeasance Fund solely for the payment of the principal of and interest on the Defeased Warrants with respect to which such fund was established.

Section 9.05 Funds for Payment of Unsurrendered Warrants to be Held in Separate Trust; Repayment of Unclaimed Money

(a) If an Owner fails to present or surrender the Warrant or Warrants thereof on any date fixed or scheduled for payment of principal thereof, the Paying Agent is authorized and directed to transfer amounts held in the Warrant Fund, or in a Defeasance Fund, as applicable, sufficient for the payment of principal of, and interest on such Warrant or Warrants to a separate trust fund created by the Paying Agent for such purpose and hold such amounts in trust, without investment, for the sole benefit of the Persons entitled thereto.

(b) The City authorizes and directs the Paying Agent to pay such amounts to the Owner of such Warrants upon presentation thereof, provided, however, the City authorizes the Paying Agent to pay to the City, subject to Applicable Law, upon written request of an Authorized City Representative, any amounts held in trust by the Paying Agent pursuant to this Section which are unclaimed for three (3) years after the date on which payment thereof was due to have been made; whereupon the Owner of any such Warrant or Warrants to be paid from such amounts shall thereafter, as an unsecured general creditor, have recourse only to the City for payment thereof, and all liability of the Paying Agent with respect to such trust money shall cease; provided, however, the Paying Agent may, prior to payment of such amounts to the City and at the written direction and expense of the City, publish notice once, by newspaper of general circulation within the jurisdiction of the City or by such Electronic Means as the Paying Agent determines is appropriate, that such amounts remain unclaimed and that, after a date specified in such notice (which shall be not less than 30 days after publication of such notice), such amounts will be paid to the City.

ARTICLE 10

Covenants of City Regarding Federal Tax Matters

(a) The City covenants and agrees to duly and punctually observe and perform all agreements and covenants thereof under the Tax Certificate and Agreement.

(b) The City covenants and agrees that it will not take any action, or fail to take any action, if such action or failure to act would cause the interest on the Warrants to be Taxable.

ARTICLE II

Special Agreements by Owners and Beneficial Owners of Warrants

As a condition of, and as a consideration for, the issuance of the Warrants, each Owner and Beneficial Owner agrees, by acquisition of a Warrant or a beneficial interest therein:

(a) Exempt Persons.

No covenant or agreement contained in the Warrants or in this Ordinance shall operate or be construed as a covenant or agreement of any officer, agent, employee, or member of the governing body, of the City or of the Paying Agent in its natural person capacity, and none of such Persons nor any officer executing the Warrants shall be liable personally on the Warrants or be subject to any personal liability or accountability by reason of the issuance of the Warrants and any liability of every name and nature, either at common law or in equity or by constitution or statute, and all such rights and claims against every such officer, employee, or member of the governing body of the City are irrevocably waived and released.

(b) Operation of Book-Entry System.

The City and the Paying Agent have not undertaken, directly or indirectly, to provide, and therefore shall have no liability, obligation, or responsibility to any Person (including without limitation Beneficial Owners, Direct Participants, and Indirect Participants) for (i) the accuracy of any records maintained by the Securities Depository or any Direct Participant or Indirect Participant, or (ii) the payment by the Securities Depository or any Direct Participant or Indirect Participant of any amount due to any Beneficial Owner in respect of the principal of and interest on any of the Warrants, or (iii) the delivery, or timeliness of delivery by the Securities Depository or any Direct Participant or Indirect Participant of any notice due to any Beneficial Owner which is required or permitted under this Ordinance to be given to such Beneficial Owner, or (iv) any act (including without limitation any consent to, or waiver of, any action or inaction) of whatever nature or type by the Securities Depository or Securities Depository Nominee, as Owner.

(c) Transfer, Exchange and Replacement of Warrants; Defenses of City.

(1) The Warrants will be transferred, exchanged and replaced only as provided in Article 8 of this Ordinance, which provisions are exclusive and preclude (to the extent permitted by Applicable Law) all rights and remedies with respect thereto.

(2) Each Person who acquires a Warrant, or a beneficial interest therein, will be subject to all defenses and rights of the City at law or in equity and to all payments of principal thereof and interest thereon made by the City.

(d) Ordinance is Contract.

The Owner or Beneficial Owner thereof is legally bound by the terms and provisions of this Ordinance as a contractual agreement under the laws of the State of Alabama by the City and each Owner and Beneficial Owner.

(e) Action by Paying Agent

Any action taken by the Paying Agent at the request, or with the written consent, of the Owner of a Warrant will bind all subsequent Owners of the same Warrant and any Warrant issued upon transfer or exchange, or in replacement, thereof.

ARTICLE 12

The Paying Agent

Section 12.01 Designation of Paying Agent

The City designates and appoints Regions Bank as the depository for the Warrant Fund and as Paying Agent, Warrant Registrar and authenticating agent for and with respect to the Warrants.

Section 12.02 Payments at Par

(a) The Paying Agent agrees with the Owners of the Warrants that it will make all remittances of principal of and interest on the Warrants from money supplied by the City for such purpose in bankable funds at par and without discount or deduction for exchange, fees or expenses.

(b) The City agrees to pay the fees and expenses which may be incurred by the Paying Agent in the making of remittances in bankable funds at par.

Section 12.03 Compensation of Paying Agent

The City agrees to pay to Paying Agent from time to time reasonable compensation for all services rendered by it under this Ordinance and, upon written request, and invoice, reimbursement for all reasonable expenses, disbursements and advances incurred or made by the Paying Agent pursuant to this Ordinance, except any such expense, disbursement or advance incurred or made by the Paying Agent pursuant to this Ordinance, except any such expense, disbursement or advance as may be determined by a court of competent jurisdiction to be attributable to the gross negligence or willful misconduct of the Paying Agent.

Section 12.04 Rights of Paying Agent

(a) The Paying Agent shall not be liable except for its noncompliance with the provisions hereof, its willful misconduct or its gross negligence.

(b) The Paying Agent:

(1) may execute any of the powers conferred on it hereunder or perform any duty hereunder either directly or through agents and attorneys in fact who are not regularly in its employ and who are selected by it with reasonable care, but it shall be responsible for the observance by such agents and attorneys in fact of the terms and conditions hereof;

(2) may consult with counsel on any matters connected herewith and shall not be answerable for any action taken or failure to take any action in good faith on the advice of counsel, provided that its action or inaction is not contrary to an express provision hereof;

(3) need not recognize an Owner of a Warrant as such without the satisfactory establishment of his title to such Warrant;

(4) will not be answerable or liable for any action taken in good faith on any notice, request, consent, certificate or other paper or document which it believes to be genuine and signed or acknowledged by the proper Person;

(5) will be entitled to reasonable compensation for its services hereunder, including extra compensation for unusual or extraordinary services;

(6) may be the Owner of Warrants as if not Paying Agent hereunder;

(7) will not be liable for proper application of any moneys other than those that may be paid to or deposited with it;

(8) will not unreasonably withhold or delay any consent or approval required of it under the provisions of this Ordinance;

(9) may make any investments permitted hereby through its own investment department or affiliated entity, and any Authorized Investments issued or held by it hereunder shall be deemed investments and not deposits;

(10) will, upon reasonable request, advise the City of the amount at the time on deposit in any of the Special Funds herein created;

(11) will have no obligation to file financing statements or continuation statements.

(c) All moneys received by the Paying Agent to be held by it hereunder shall be held as trust funds until disbursed in the manner herein provided therefor. The Paying Agent shall not be liable to pay or allow interest thereon or otherwise to invest any such moneys except as specifically required herein.

(d) The recitals of fact herein and in the Warrants are statements by the City and not by the Paying Agent, and the Paying Agent is in no way responsible for the validity or security of the Warrants, or the validity or enforceability of the Ordinance. The Paying Agent does, however, assume responsibility for its eligibility to accept and administer the duties created hereby, and it agrees and represents that it is duly authorized to accept and administer such duties and that the acceptance and administration by it of such duties do not violate or contravene, and are not void or voidable under, any applicable state or federal law now existing.

(e) The Paying Agent's immunities and protections from liability and its right to indemnification in connection with the performance of its duties under this Ordinance shall extend to the Paying Agent's officers, directors, agents, attorneys and employees. Such immunities and protections and rights to indemnification, together with the Paying Agent's right to compensation, shall survive the Paying Agent's resignation or removal, the discharge of this Ordinance, and final payment of the Warrants.

(f) The Paying Agent shall have the right to accept and act upon directions or instructions given by an Authorized City Representative pursuant to this Ordinance or any other document reasonably relating to Warrants issued hereunder and delivered using Electronic Means. If the City elects to give the Paying Agent directions or instructions using Electronic Means and the Paying Agent in its discretion elects to act upon such directions or instructions, the Paying Agent's understanding of such directions or instructions shall be deemed controlling. The City understands and agrees that the Paying Agent cannot determine the identity of the actual sender of such directions or instructions and that the Paying Agent shall conclusively presume that directions or instructions that purport to have been sent by an Authorized City Representative listed on the incumbency certificate provided to the Paying Agent have been sent by such Authorized City Representative. The City shall be responsible for ensuring that only Authorized City Representatives transmit such directions or instructions to the Paying Agent and that all Authorized City Representatives treat applicable user and authorization codes, passwords and/or authentication keys as confidential and with extreme care. The Paying Agent shall not be liable for any losses, costs or expenses arising directly or indirectly from the Paying Agent's reliance upon and compliance with such directions or instructions notwithstanding such directions or instructions conflict or are inconsistent with a subsequent written direction or written instruction. The City agrees: (i) to assume all risks arising out of the use of Electronic Means to submit directions or instructions to the Paying Agent, including without limitation the risk of the Paying Agent acting on unauthorized directions or instructions, and the risk of interception and misuse by third parties; (ii) that it is fully informed of the protections and risks associated with the various methods of transmitting directions or instructions to the Paying Agent and that there may be more secure methods of transmitting directions or instructions; (iii) that the security procedures (if any) to be followed in connection with its transmission of directions or instructions provide to it a commercially reasonable degree of protection in light of its particular needs and circumstances and (iv) to notify the Paying Agent immediately upon learning of any compromise or unauthorized use of the security procedures.

Section 12.05 Resignation and Removal; Appointment of Successor

(a) The City may remove and discharge the Paying Agent from all duties imposed upon it as Paying Agent, Warrant Registrar and transfer agent by giving written notice of such removal and discharge by certified or registered mail to the Paying Agent not less than 30 days prior to the date when such removal shall take effect.

(b) The Paying Agent may resign and be discharged of all duties imposed upon it as Paying Agent, Warrant Registrar and transfer agent by giving written notice of such resignation by certified or registered mail to the City not less than 30 days prior to the date when such resignation shall take effect.

Section 12.06 Qualification of and Acceptance of Appointment by Successor

(a) If at any time the Paying Agent shall be removed, resign, or be or become incapable of acting, or be adjudged a bankrupt or insolvent, or a receiver of the Paying Agent or of its property shall be appointed or any public officer shall take charge or control of the Paying Agent or of its property or affairs for the purpose of rehabilitation, conservation or liquidation, then the City shall promptly appoint a successor Paying Agent and Warrant Registrar; provided, if an instrument of acceptance by a successor Paying Agent shall not have been delivered to the City pursuant to Section 13.06(c) within 30 days of the occurrence of the event causing the replacement of the Paying Agent the outgoing Paying Agent, and any Owner, may petition any court of competent jurisdiction for the appointment of a successor Paying Agent and Warrant Registrar.

(b) Any successor Paying Agent shall be a bank or trust company authorized to act as Paying Agent and Warrant Registrar under and for the purposes of this Ordinance and having, at the time of its acceptance of such appointment, combined capital and surplus of at least \$500,000,000.

(c) Every successor Paying Agent appointed hereunder shall execute, acknowledge and deliver to the City and to the retiring Paying Agent an instrument accepting such appointment and thereupon the resignation or removal of the retiring Paying Agent shall become effective and such successor Paying Agent, without any further act, deed or conveyance, shall become vested with all the rights, powers, and duties of the retiring Paying Agent under, and for purposes of, this Ordinance.

Section 12.07 Merger or Consolidation

Any corporation into which the Paying Agent may be merged or with which it may be consolidated, or any corporation resulting from any merger or consolidation to which the Paying Agent shall be a party, or any corporation succeeding to all or substantially all of the corporate trust business of the Paying Agent, shall be the successor of the Paying Agent hereunder, without the execution or filing of any paper or any further act on the part of any of the parties hereto. In case any Warrants shall have been authenticated, but not delivered, by the Paying Agent then in office, any successor by merger or consolidation to such authenticating Paying Agent may adopt such authentication and deliver the Warrants so authenticated with the same effect as if such successor Paying Agent had itself authenticated such Warrants.

ARTICLE 13

Operation of Ordinance as a Contract

Section 13.01 Ordinance a Contract; Governing Law

For and in consideration of the purchase of the Warrants and the agreements of the City herein, the City and each of the Owners and the Beneficial Owners, by acquisition of a Warrant or a beneficial interest therein, agrees the terms and provisions of this Ordinance constitute a contractual agreement by the City and the Owners and Beneficial Owners made pursuant to, and governed by, the laws of the State of Alabama without regard to principles of conflicts of law.

Section 13.02 Enforceability and Severability

The provisions of this Ordinance are severable. If any one or more of the provisions of this Ordinance or of the Warrants shall, for any reason, be held illegal or unenforceable, such illegality or unenforceability will not affect the other provisions of this Ordinance or of the Warrants, and this Ordinance and the Warrants will be construed and enforced as if such illegal or invalid provision had not been contained herein or therein.

Section 13.03 Expenses of Collection

The City hereby covenants and agrees that, if the principal of and interest on the Warrants are not paid promptly as such principal and interest matures and comes due, it will pay to the Owners of the Warrants all expenses incident to the collection of any unpaid portion thereof, including reasonable attorneys' fees.

Section 13.04 Remedies

(a) The City covenants and agrees the Owners shall have all rights and remedies for the enforcement of the Warrants and this Ordinance as may be provided by Applicable Law.

(b) The Finance Director is subject to mandamus in the event such officer has money available for payment of principal of and interest on the Warrants and does not apply such money (and investment earnings thereon), when and as required by the Warrants and this Ordinance, to the payment of the principal of and interest on the Warrants in full when due as provided by in this Ordinance.

Section 13.05 Effectiveness of Ordinance

This Ordinance shall be effective immediately on the date of adoption hereof and any provision of any resolution, ordinance, order, or part thereof, of the City which may be in conflict, or inconsistent, with any provision of this Ordinance is hereby, to the extent of any such conflict or inconsistency, repealed.

EXHIBIT A
Form of Warrant

The Warrant has not been registered under the Securities Act of 1933, as amended, in reliance upon applicable exemptions. The City shall transfer this Warrant only upon presentation and surrender hereof by the registered owner of this Warrant (set forth in the Warrant Register of the City therefor) in compliance with the within-referenced Ordinance and applicable federal and state securities laws and subject to all rights and defenses of the City at law or in equity.

**UNITED STATES OF AMERICA
STATE OF ALABAMA**

CITY OF VESTAVIA HILLS, ALABAMA

**GENERAL OBLIGATION WARRANT
SERIES 2021**

Registered Owner:

CEDE & CO.

Warrant No.

R-__

Dated Date:	Principal Amount:	Interest Rate per annum:	Stated Interest Payment Dates:	Maturity Date:	CUSIP:
December 2, 2021	\$_____	_____ %	February 1 and August 1	February 1, 20__	925479__

Authorization of Indebtedness and Payment

The City of Vestavia Hills, a municipal corporation under the laws of the State of Alabama (the "City"), for value received has issued this Warrant pursuant to the Constitution of Alabama 1901, as amended, the laws of the State of Alabama, and an ordinance and related proceedings of the City duly adopted and conducted (the "Ordinance"), in acknowledgement of indebtedness thereof to the Registered Owner, or registered assigns, in the Principal Amount of _____ Dollars and hereupon authorizes, directs and orders the Finance Director of the City to pay to the Registered Owner of this Warrant, through The Bank of New York Mellon Trust Company, National Association (and successors) as Paying Agent, as provided in the within Ordinance (i) the Principal Amount on the Maturity Date, and (ii) the interest accrued on the Principal Amount at the Interest Rate, computed from the Dated Date as provided in the Ordinance, on the Stated Interest Payment Dates.

Ordinance

This Warrant is one of the General Obligation Warrants, Series 2021 (the "Warrants") issued by the City pursuant to the Constitution and laws of the State of Alabama and an Ordinance and related proceedings of the City (the "Ordinance"). The Ordinance is held by the Paying Agent and constitutes a contractual agreement binding upon the City and the registered owners of the Warrants under the laws of the State of Alabama for the payment of, and security for, the Warrants; the registration, transfer, exchange and replacement of the Warrants; the defeasance of the Warrants; the rights and duties of the City and the Paying Agent; and the enforcement of the Ordinance.

Estoppel

The City recites, certifies and declares that the indebtedness evidenced and ordered paid by this Warrant is lawfully due without condition, abatement or offset of any description, that this Warrant has been registered in the manner provided by law, that all acts, conditions and things required by the Constitution and laws of the State of Alabama to happen, exist and be performed precedent to and in the authorization, execution, registration and issuance of this Warrant and the adoption of the Ordinance, have happened, do exist and have been performed in due time, form and manner as so required by law, and that the above Principal Amount of this Warrant, together with all other indebtedness of the City, are within every debt and other limit prescribed by the Constitution and laws of the State of Alabama

Testimonium

IN WITNESS WHEREOF, on the Dated Date the City has caused this Warrant to be executed, under seal, and attested, in its name and on its behalf by the Mayor and the City Clerk of the City upon due authorization thereunto.

CITY OF VESTAVIA HILLS, ALABAMA

By: _____
Mayor

SEAL

Attest: _____
City Clerk

REGISTRATION CERTIFICATE

The undersigned Finance Director of the City of Vestavia Hills, Alabama, certifies that this Warrant has been duly registered in the manner provided by law as a claim against the City of Vestavia Hills, Alabama and the Warrant Fund provided therefor under this Ordinance referenced herein.

Finance Director of the City of Vestavia Hills, Alabama

AUTHENTICATION AND REGISTRATION DATE: December 2, 2021

**CERTIFICATE OF AUTHENTICATION
AND REGISTRATION**

This Warrant is hereby authenticated and has been registered by the City of Vestavia Hills, Alabama on the Warrant Register thereof maintained with the Paying Agent in the name of the above Registered Owner on the Authentication and Registration Date noted above.

**THE BANK OF NEW YORK MELLON TRUST COMPANY,
NATIONAL ASSOCIATION**

By _____
Its Authorized Officer

ASSIGNMENT

For value received _____ hereby sell(s), assign(s), and transfer(s) unto _____ the within Warrant and hereby irrevocably constitute(s) and appoint(s) _____, attorney, with full power of substitution in the premises, to transfer this Warrant on the books of the within mentioned Paying Agent.

Dated this _____ day of _____, _____.

NOTE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Warrant in every particular, without alteration, enlargement or change whatsoever.

Signature Guaranteed:*

(Bank, Trust Company or Firm)

By _____
(Authorized Officer)

* Signature(s) must be guaranteed by an eligible guarantor institution which is a member of the recognized signature guarantee program, i.e., Securities Transfer Agents Medallion Program (STAMP), Stock Exchanges Medallion Program (SEMP), or New York Stock Exchange Medallion Signature Program (MSP).

Notice By Securities Depository

Unless the within Warrant is presented by an authorized representative of the Securities Depository (as defined in the Ordinance referenced in the within Warrant), to the City or its agent for registration of transfer, exchange, or payment, and any Warrant issued is registered in the name of the Securities Depository or the Securities Depository Nominee (as defined in the Ordinance referenced in the within Warrant), as the case may be, or in such other name as is requested by an authorized representative of the Securities Depository (and any payment is made to the Securities Depository or the Securities Depository Nominee or to such other entity as is requested by an authorized representative of the Securities Depository), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, the Securities Depository or Securities Depository Nominee, as the case may be, has an interest herein.

EXHIBIT B

Requisition Form

Series 2021 Proceeds Fund Requisition

To: The Bank of New York Mellon Trust Company, National Association

Re: Series 2021 Proceeds Fund for Series 2021 Warrants of the City of Vestavia Hills, Alabama

Date: _____, 20__

Req. No. _____

1. Capitalized terms used herein without definition shall have the respective meanings assigned thereto in the above Ordinance.

2. This Requisition is delivered to you for the payment from the Series 2021 Proceeds Fund of the amount(s) to the Person(s) for the Authorized Purpose Costs set forth below or attached hereto:

(a) Amount: _____

(b) Payee: _____

(c) Authorized Purpose Costs:

3. The City represents that this Requisition is delivered pursuant to the above Ordinance by an Authorized City Representative for purposes for which the Net Warrant Proceeds are authorized to be expended under the Ordinance.

CITY OF VESTAVIA HILLS, ALABAMA

By _____

Its _____

The foregoing Ordinance is adopted on this 22nd day of November, 2021.

Mayor

S E A L

Attest: _____
City Clerk

After said Ordinance had been discussed and considered in full by the Council, it was moved by Councilmember _____ that said Ordinance be now placed upon its final passage and adopted. The motion was seconded by Councilmember _____. The question being put as to the adoption of said motion and the final passage and adoption of said Ordinance, the roll was called with the following results:

Ayes: Ashley Curry, Mayor
Rusty Weaver
Kimberly Cook
George Pierce
Paul Head

Nays: None

The Mayor thereupon declared said motion carried and the Ordinance passed and adopted as introduced and read.

* * * *

There being no further business to come before the meeting, it was moved and seconded that the meeting be adjourned. Motion carried.

Approval of Minutes and Waiver of Notice

Each of the undersigned does hereby approve, and waive notice of, the date, time, place and purposes of the meeting of the City Council of the City of Vestavia Hills, Alabama, recorded in, the above and foregoing minutes thereof and does hereby approve the form and content of the above and foregoing minutes and Ordinance therein.

Mayor

Member of the City Council

Member of the City Council

Member of the City Council

Member of the City Council

SEAL

Attest: _____
City Clerk

ORDINANCE NUMBER 3062

AN ORDINANCE ACCEPTING A BID FOR KYLE LANE DRAINAGE IMPROVEMENT PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE CONSTRUCTION CONTRACT DOCUMENTS BY AND BETWEEN THE CITY OF VESTAVIA HILLS, ALABAMA, AS “OWNER,” AND SOUTHEASTERN SEAL COATING, AS “CONTRACTOR.”

THIS ORDINANCE NUMBER 3062 is considered, approved, enacted and adopted by the City Council of the City of Vestavia Hills, Alabama on this the 25th day of October, 2021.

WITNESSETH THESE RECITALS:

WHEREAS, on November 10, 2021 at 10:00 a.m., the City of Vestavia Hills, Alabama publicly read aloud bids submitted for the Kyle Lane Drainage Improvement Project for the City of Vestavia Hills (“the Project”); and

WHEREAS, four bids were received and read; and

WHEREAS, a copy of the bid tabulation is attached hereto, marked as Exhibit A and is incorporated into this Ordinance Number 3062 by reference as though set out fully herein;

WHEREAS, the City’s consultant for the Project, Matt Stoop, Sain Associates, and the City’s Assistant City Engineer submitted memorandums to the City Manager, dated November 15 and 17, 2021 (respectively) recommending acceptance of the bid package submitted by Southeastern Seal Coating, a copy of which is marked as Exhibit B and is attached to and incorporated into this Ordinance Number 3062 and

WHEREAS, the Bid Specifications included, but are not limited to, the following contract documents prepared by the City and to be signed by the City of Vestavia Hills, Alabama, as “Owner,” and the lowest responsible bidder as “Contractor”:

- A. Contract AIA Document A101-2017.
- B. General Conditions AIA Document A201-2017.
- C. Performance Bond AIA Document A312-2010.
- D. Payment Bond AIA Document A312-2010.
- E. First Addendum to Contract and General Conditions; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to follow the recommendation of the Consultant and accept said bid as detailed above and to authorize the execution and delivery of the contract documents.

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

1. The bid submitted by Southeastern Seal Coating, as detailed in Exhibit A is attached and recommended by the City Manager, the Asst. City Engineer and Sain Associates is hereby accepted; and

2. The Mayor and City Manager are hereby authorized to execute and deliver any and all documents necessary to contract with Southeastern Seal Coating, including specifically, but not limited to the following contract documents:

- A. Contract AIA Document A101-2017.
- B. General Conditions AIA Document A201-2017.
- C. Performance Bond AIA Document A312-2010.
- D. Payment Bond AIA Document A312-2010.
- E. First Addendum to Contract and General Conditions; and

3. Funding for said renovation project shall be expensed to the City's Capital Funds Budget; and

4. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance which shall continue in full force and effect notwithstanding such holding.

5. This ordinance shall become effective upon its approval, adoption, enactment and publication by posting as set forth in Title 11-45-8(b), *Code of Alabama, 1975*.

DONE, ORDERED, APPROVED and ADOPTED this the 13th day of December, 2021.

CITY OF VESTAVIA HILLS, ALABAMA

By _____
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 #3062 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 December, 2021 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of December, 2021.

Rebecca Leavings
City Clerk

City of Vestavia Hills -- Kyle Lane Drainage Improvements

City of Vestavia Hills City Hall, November 10, 2021 at 10am

				As-bid		With Corrected Calculation											
				Southeastern Sealcoating, Inc		Southeastern Sealcoating, Inc		Avery Landscape & Assoc		Triple J Construction, LLC		CB&A Construction, LLC		Average Bid		Southeastern vs Avg Bid	
item	description	qty	unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total				
1	Clear & Grub (Max \$4000/acre)	1	LS	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 3,864.44	\$ 3,864.44	\$ 3,966.11	101%		
2	Removing Pipe	45	LF	\$ 218.00	\$ 9,810.00	\$ 218.00	\$ 9,810.00	\$ 100.00	\$ 4,500.00	\$ 100.00	\$ 4,500.00	\$ 74.70	\$ 3,361.50	\$ 123.18	177%		
3	Removing Gutter	124	LF	\$ 25.00	\$ 3,100.00	\$ 25.00	\$ 3,100.00	\$ 20.00	\$ 2,480.00	\$ 20.00	\$ 2,480.00	\$ 27.88	\$ 3,457.12	\$ 23.22	108%		
4	Removing Handwalls	2	EA	\$ 2,000.00	\$ 4,000.00	\$ 2,000.00	\$ 4,000.00	\$ 2,000.00	\$ 4,000.00	\$ 2,000.00	\$ 4,000.00	\$ 593.92	\$ 1,187.84	\$ 1,648.48	121%		
5	Mailbox Reset	1	EA	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 314.18	\$ 314.18	\$ 253.55	197%		
6	Unclassified Excavation	75	CY	\$ 55.00	\$ 4,125.00	\$ 55.00	\$ 4,125.00	\$ 15.00	\$ 1,125.00	\$ 15.00	\$ 1,125.00	\$ 35.07	\$ 2,630.25	\$ 30.02	183%		
7	Coarse Aggregate, 8910 or 610	25	CY	\$ 80.00	\$ 2,000.00	\$ 80.00	\$ 2,000.00	\$ 50.00	\$ 1,250.00	\$ 50.00	\$ 1,250.00	\$ 145.00	\$ 3,625.00	\$ 81.25	98%		
8	Wearing Surface	15	TON	\$ 300.00	\$ 4,500.00	\$ 300.00	\$ 4,500.00	\$ 400.00	\$ 6,000.00	\$ 400.00	\$ 6,000.00	\$ 486.00	\$ 7,290.00	\$ 396.50	76%		
9	Upper Binder Surface	30	TON	\$ 200.00	\$ 6,000.00	\$ 200.00	\$ 6,000.00	\$ 400.00	\$ 12,000.00	\$ 400.00	\$ 12,000.00	\$ 283.00	\$ 8,490.00	\$ 320.75	62%		
10	18" Storm Sewer Pipe	80	LF	\$ 159.00	\$ 12,720.00	\$ 159.00	\$ 12,720.00	\$ 50.00	\$ 4,000.00	\$ 50.00	\$ 4,000.00	\$ 124.39	\$ 9,951.20	\$ 95.85	166%		
11	7x3 Concrete Box Culvert	45	LF	\$ 798.00	\$ 35,910.00	\$ 798.00	\$ 35,910.00	\$ 1,800.00	\$ 81,000.00	\$ 2,200.00	\$ 99,000.00	\$ 710.82	\$ 31,986.90	\$ 1,377.21	58%		
12	Mobilization	1	LS	\$ 20,200.00	\$ 20,200.00	\$ 20,200.00	\$ 20,200.00	\$ 10,000.00	\$ 10,000.00	\$ 19,000.00	\$ 19,000.00	\$ 3,721.94	\$ 3,721.94	\$ 13,230.49	153%		
13	Filter Blanket, Geotextile	25	SY	\$ 10.00	\$ 2,500.00	\$ 10.00	\$ 250.00	\$ 30.00	\$ 750.00	\$ 30.00	\$ 750.00	\$ 65.77	\$ 1,644.25	\$ 33.94	29%		
14	Concrete Driveway, 6" Thick	75	SY	\$ 80.00	\$ 6,000.00	\$ 80.00	\$ 6,000.00	\$ 85.00	\$ 6,375.00	\$ 85.00	\$ 6,375.00	\$ 179.51	\$ 13,463.25	\$ 107.38	75%		
15	Minor Structural Concrete	12	CY	\$ 1,575.00	\$ 18,900.00	\$ 1,575.00	\$ 18,900.00	\$ 800.00	\$ 9,600.00	\$ 800.00	\$ 9,600.00	\$ 2,529.84	\$ 30,358.08	\$ 1,426.21	110%		
16	Inlets, Type Special	2	EA	\$ 3,908.00	\$ 7,816.00	\$ 3,908.00	\$ 7,816.00	\$ 3,000.00	\$ 6,000.00	\$ 3,000.00	\$ 6,000.00	\$ 11,619.80	\$ 23,239.60	\$ 5,381.95	73%		
17	Concrete Gutter, Valley	125	LF	\$ 36.00	\$ 4,500.00	\$ 36.00	\$ 4,500.00	\$ 40.00	\$ 5,000.00	\$ 40.00	\$ 5,000.00	\$ 102.13	\$ 12,766.25	\$ 54.53	66%		
18	1" Water Meter and Box Reset	2	EA	\$ 2,500.00	\$ 5,000.00	\$ 2,500.00	\$ 5,000.00	\$ 3,000.00	\$ 6,000.00	\$ 3,000.00	\$ 6,000.00	\$ 595.86	\$ 1,191.72	\$ 2,273.97	110%		
19	Valve Box Reset	1	EA	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 2,885.65	\$ 2,885.65	\$ 1,346.41	111%		
20	Topsoil	15	CY	\$ 55.00	\$ 825.00	\$ 55.00	\$ 825.00	\$ 50.00	\$ 750.00	\$ 50.00	\$ 750.00	\$ 195.54	\$ 2,933.10	\$ 87.64	63%		
21	Solid Sodding	50	SY	\$ 50.00	\$ 2,500.00	\$ 50.00	\$ 2,500.00	\$ 20.00	\$ 1,000.00	\$ 20.00	\$ 1,000.00	\$ 17.39	\$ 869.50	\$ 26.85	186%		
22	Temporary Seeding	0.5	AC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,629.47	\$ 4,814.74	\$ 2,407.37	0%		
23	Temporary Mulching	0.5	TON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,543.94	\$ 2,771.97	\$ 1,385.99	0%		
24	Temporary Riprap, Class 2	50	TON	\$ 75.00	\$ 3,750.00	\$ 75.00	\$ 3,750.00	\$ 65.00	\$ 3,250.00	\$ 65.00	\$ 3,250.00	\$ 88.61	\$ 4,430.50	\$ 73.40	102%		
25	Silt Fence	150	LF	\$ 6.00	\$ 900.00	\$ 6.00	\$ 900.00	\$ 10.00	\$ 1,500.00	\$ 10.00	\$ 1,500.00	\$ 6.67	\$ 1,000.50	\$ 8.17	73%		
26	Silt Fence Removal	150	LF	\$ 2.00	\$ 300.00	\$ 2.00	\$ 300.00	\$ 2.00	\$ 300.00	\$ 2.00	\$ 300.00	\$ 6.67	\$ 1,000.50	\$ 3.17	63%		
27	Wattle	20	LF	\$ 20.00	\$ 400.00	\$ 20.00	\$ 400.00	\$ 10.00	\$ 200.00	\$ 10.00	\$ 200.00	\$ 32.87	\$ 657.40	\$ 18.22	110%		
28	Geometric Controls	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 12,960.00	\$ 12,960.00	\$ 5,240.00	57%		
29	Construction Signs	150	SF	\$ 20.00	\$ 3,000.00	\$ 20.00	\$ 3,000.00	\$ 10.00	\$ 1,500.00	\$ 10.00	\$ 1,500.00	\$ 30.78	\$ 4,617.00	\$ 17.70	113%		
30	Cones (36" high)	30	EA	\$ 55.00	\$ 1,650.00	\$ 55.00	\$ 1,650.00	\$ 30.00	\$ 900.00	\$ 30.00	\$ 900.00	\$ 48.09	\$ 1,442.70	\$ 40.77	135%		
31	Retain Wall Allowance (\$7500)	1	LS		\$ 7,500.00		\$ 7,500.00		\$ 7,500.00		\$ 7,500.00						
	Subtotal				\$ 176,906.00		\$ 174,656.00		\$ 184,080.00		\$ 211,080.00		\$ 202,927.08				
32	Owner's Contingency (10%)	1	LS		\$ 17,690.60		\$ 17,465.60		\$ 18,408.00		\$ 20,658.00		\$ 20,564.20				
Total Bid Amount:					\$ 194,596.60		\$ 192,121.60		\$ 386,568.00		\$ 227,238.00		\$ 223,491.27				

I have reviewed & agree to the correction on the Filter Blanket calculation. The revised contract total shall be \$192,121.60.

David Henderson
Southeastern Seal Coating

CITY OF VESTAVIA HILLS
DEPARTMENT OF PUBLIC SERVICES
OFFICE OF CITY ENGINEER
INTER-DEPARTMENT MEMO

November 17, 2021

To: Jeff Downes, City Manager

Cc: Brian Davis, Director of Public Services
Christopher Brady, City Engineer
Rebecca Leavings, City Clerk

From: Lori Beth Kearley, Assistant City Engineer

RE: Kyle Lane Drainage Improvement Project

On November 10, 2021, we received four bids for a drainage improvement project on Kyle Lane. The project generally consists of replacement of a deteriorated corrugated metal storm pipe that runs underneath the road with a concrete box culvert. The project also includes replacement of two other smaller storm pipes that are in need of replacement. In addition to the drainage improvements, there will also be associated asphalt and concrete repair for the affected portions of the road, gutter and driveways in addition to landscape restoration once complete.

After reviewing the bid results, we recommend award of the Contract go to the low bidder, Southeastern Seal Coating at their total bid price of \$194,596.60. Please see additional comments provided by Sain Associates bid review that indicate the construction costs could be slightly lower than this bid amount.

We are requesting that funding be allocated to this project from Fund 20 Capital Budget to allow this project to move forward and the needed repairs to be made.

Please let me know if questions.

Lori Beth Kearley

November 15, 2021


SAIN
 ASSOCIATES

TO: Christopher Brady, PE
 City of Vestavia Hills
 1032 Montgomery Hwy
 Vestavia Hills, AL 35216
cbrady@vhal.org

Two Perimeter Park South
 Suite 500 East
 Birmingham, Alabama 35243
 Telephone: (205) 940-6420
www.sain.com

SUBJECT: Kyle Lane Drainage Project
 Bid Results

Dear Mr. Brady:

Bids were opened on Wednesday November 10 for the Kyle Lane Drainage Project. There were 4 contractors that submitted bids. The bids and the engineer's cost estimate were as follows:

Southeastern Seal Coating	\$194,596.60
Avery Landscaping	\$202,488.00
CB & A	\$223,491.27
<u>Triple J Construction</u>	<u>\$227,238.00</u>
Engineer's Estimate	\$179,036.00

The apparent low bidder was Southeastern Seal Coating and their bid package was reviewed in detail. There were 3 issues that were worth noting:

1. There was a calculation error on item 610D-003 Filter Fabric. The quantity is 25 sy. They input a unit price of \$10 per sy, but showed the total cost as \$2500. I spoke with Southeastern and their intent was for this item to be \$10 per sy for \$250 total. This would reduce their bid by some \$2250 + the owner's contingency.
2. The temporary seeding & mulching item was not on the bid sheet after the addendum was issued. 3 of the 4 bidders similarly did not include this. The one bidder that did show these 2 pay items used the old bid form and thus missed the new item for the retaining wall allowance. These 2 pay items are to be used as needed at the time of occurrence and I would recommend we omit these 2 pay items from the contract. These 2 pay items would be on the order of \$7000 in cost. If and when it becomes necessary, a change order can be done.
3. The highest cost item for the project in all bids was the box culvert, which was expected. Southeastern's cost of \$35,910 was noticeably lower than 2 bidders, but near the \$31k that CB & A bid. They intend to use Foley as their supplier for box culvert and have been advised of a 5-6 month lead time for procurement.



After speaking with David Henderson of Southeastern, I have corrected the calculations for the Filter Fabric and the owner's contingency. This would give a total contract price of \$192,121.60 as shown on the attached tabulation. Mr. Henderson has verbally agreed, and we can expect his signed concurrence soon.

I recommend the city proceed with contracting with Southeastern on this project at the corrected pricing shown.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Stoops, PE'.

Matt Stoops, PE
Project Manager

Cc: Lori Beth Kearley, PE - Vestavia
David Henderson – Southeastern Seal Coating

ORDINANCE NUMBER 3063

AN ORDINANCE AMENDING ORDINANCE NUMBER 2665 AND SECTION 5-71 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL BUILDING CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2665 AND SECTION 5-71 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-71. International Building Code adopted.

- (a) A certain document, a copy of which is on file in the Office of the Department of Building Safety of the City being marked and designated as the *International Building Code, 2021* edition, including appendix chapters B E, F, G, H, I, J and K, as published by the International Code Council, be and is hereby adopted as the *Building Code of the City of Vestavia Hills*, in the State of Alabama, for regulating and governing the conditions essential to provide that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said *Building Code* on file in the Office of the Department of Building Safety, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in subsection (b)
- (b) The following sections are added or hereby revised in its entirety to read as follows:

101.1. Title. These regulations shall be known as the *Building Code of the City of Vestavia Hills, Alabama*, hereinafter referred to as "this code."

101.4.4 Property Maintenance. The provisions of “The City of Vestavia Hills Property Maintenance Code” shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.8 Electrical. The current published edition provisions of the *National Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment appliances, fixtures, fittings and appurtenances thereto.

103.1 Creation of agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of the code.

105.2 Work Exempt From Permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

6. Sidewalks. not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of any accessible route
7. Painting
8. Temporary motion picture, television and theater stage sets and scenery
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems
11. Swings and other playground equipment accessory to detached one- and two-family dwellings
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. An electronic set of documents shall also be submitted on a CD saved as a PDF file. The construction documents shall be prepared by a registered design professional present to section 107.1.1 where required by the City of Vestavia Hills. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

107.1.1 All Building Plans Shall Be Prepared by a Design Professional. The design professional shall be an architect or engineer legally registered under the laws of the State of Alabama regulating the practice of architecture or engineering and shall affix his/her official seal to said drawings. Engineered plans shall be submitted for electrical, mechanical and plumbing work including specifications

and accompanying data. All group occupancies excluding R-3 (single family homes) shall be designed by an architect.

109.2 Fee Schedule. See ARTICLE III. FEES.

109.6 Fee Refunds. See ARTICLE III. FEES.

703.8 Fire Resistance Wall Rating field construction. All Fire Barriers, Fire Partitions, Smoke Barriers, and Smoke Partition shall extend to the floor or roof deck above. Walls shall not stop at I-Beams. Wall construction shall wrap around the I-Beams and extend to the deck above. Sheetrock shall be installed on both sides of all rated walls and shall extend to the deck above. Sheetrocking only one side of the wall is not permitted.

803.16 Wood interior finish on walls and ceilings. All types and species of wood that are install as an interior finish material on walls and ceilings shall be protected with an Intumescent Fire-Retardant Paint. Intumescent Fire-Retardant Paint shall be installed in accordance with the manufacture installation instructions. Alternate methods of protection can be approved by the Building Official and Fire Marshall.

1013.1 Where required. Delete exception 1.

1013.1.1 Exit Signs. Exit signs shall not be located more than 4 feet above the exit door.

TABLE 1020.2
CORRIDOR FIRE RESISTANCE RATING

REQUIRED FIRE-RESISTANCE RATING (hours)			
OCCUPANCY	OCCUPANT LOAD SERVED BY CORRIDOR	WITHOUT SPRINKLER SYSTEM	WITH SPRINKLER SYSTEM ^{c,d}
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, B, E, F, M, S, U	Greater than 30	1	1 ^d
R	Greater than 10	Not Permitted	0.5
I-2 ^a , I-4	All	Not Permitted	0
I-1, I-3	All	Not Permitted	1 ^b

^a For requirements for occupancies in Group I-2, See Sections 407.2 and 407.3.

^bFor a reduction in the fire-resistance rating for occupancies in Group I-3, See Section 408.8.

^cBuildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.

^dGroup A, B & E occupants in a building exceeding 3000 square feet gross area and/or buildings of any occupancy group occupied by two or more tenants where the Common path of egress travel is through corridors, lobbies, shafts or open vertical exit enclosures shall be protected with walls in accordance with Section 711 (smoke partitions)

1210.2.2.1 Surrounding Material. Tile or sealed masonry shall be required in Group A, E, M, and B occupancies. Approved alternate material may be used in business occupancies less than 1500 square feet in area.

1612.3 Establishment of Flood Hazard Areas. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and support data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for City of Vestavia Hills, Alabama," dated September 3, 2010 or current effective date, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard Map and Supporting Data as amended or revised are hereby adopted by reference and declared to be a part of this section."

P2902.2 Separate Facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exception:

1. Separate facilities shall not be required for dwelling units and sleeping rooms.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 20 or fewer.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or fewer.
4. Separate facilities shall not be required in in business occupancies in which the maximum occupant load is 25 or fewer."

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3063 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3063 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 _____ day of _____, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3064

AN ORDINANCE AMENDING ORDINANCE NUMBER 2666 AND SECTION 5-81 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2666 AND SECTION 5-81 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-81. – International Energy Conservation Code adopted.

(1) A certain document, a copy of which is on file in the Office of the Department of Building Safety of the City of Vestavia Hills, being marked and designated as the *International Energy Conservation Code, 2021* edition, as published by the International Code Council, be and is hereby adopted as the *Energy Conservation Code of the City of Vestavia Hills*, in the State of Alabama, for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said *Energy Conservation Code* on file in the Department of Building Safety, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section with the additions, insertions, deletions and changes, if any, prescribed in Section 2.

(2) The following sections are added or hereby revised in their entirety to read as follows:

C101.1 Title. This code shall be known as the *International Energy Conservation Code of City of Vestavia Hills*, and shall be cited as such. It is referred to herein as “this code.”

R101.1 Title. This code shall be known as the *International Energy Conservation Code of City of Vestavia Hills*, and shall be cited as such. It is referred to herein as “this code.”

R101.1.1 The Alabama Energy and Residential Codes Board. The State of Alabama Energy and Residential Codes Board (AERC) current adoption and amendments shall be enforced.

C104.2.1 Fee Schedule. See ARTICLE III. FEES.

R104.2.1 Fee Schedule. See ARTICLE III. FEES.

C104.3.1 Violation Penalties. See ARTICLE I ADMINISTRATION.

R104.3.1 Violation Penalties. See ARTICLE I ADMINISTRATION.

C104.5 Fee Refund. See ARTICLE III. FEES

R104.5 Fee Refund. See ARTICLE III. FEES

C109.5 Stop Work Orders. See ARTICLE I ADMINISTRATION.

R109.5 Stop Work Orders. See ARTICLE I ADMINISTRATION.

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3064 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3064 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 20th day of December, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3065

AN ORDINANCE AMENDING ORDINANCE NUMBER 2667 AND SECTION 5-91 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL EXISTING BUILDING CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2667 AND SECTION 5-91 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-91. – International Existing Building Code adopted.

(a) A certain document, a copy of which is on file in the office of the Department of Building Safety of the City of Vestavia Hills being marked and designated as the *International Existing Building Code, 2021* edition, including Appendix Chapters A, B, C, and Resource A as published by the International Code Council, be and is hereby adopted as the *Existing Building Code of the City of Vestavia Hills*, in the State of Alabama, for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said *Existing Building Code* on file in the Office of the City of Vestavia Hills are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section (b).

(b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Title. These regulations shall be known as the *Existing Building Code of the City of Vestavia Hills*, hereinafter referred to as “this code.”

108.2.1 Fee Schedule. See ARTICLE III. FEES.

113.4 Violation Penalties. See ARTICLE I ADMINISTRATION.

114.3 Stop Work Orders. See ARTICLE I ADMINISTRATION.

1302.8 General. A building or part of any building shall not be moved through or across any sidewalk, street, alley or highway within the corporate limits without first obtaining a permit from the Department of Building Safety.

1302.8.1 Written Application. Any person desiring to move a building shall first file with the Building Official a written application setting forth the following information:

1. Type and kind of building to be moved
2. The original cost of such building
3. The extreme dimensions of the length, height and width of the building
4. Its present location and proposed new location by lot, block, subdivision and street numbers
5. The approximate time such building will be upon the streets, and contemplated route that will be taken from present to new location

1302.8.2 Permit Refusal. If in the opinion of the Building Official, Engineering Department, or Police Department the moving of any building will cause serious injury to persons or property or serious ~~injury~~ damage to the streets or other public improvements, or the building has deteriorated more than 50 percent of its current value by fire or other element, or the moving of the building will violate any of the requirements of this code or of the zoning regulations, the permit shall not be issued and the building shall not be moved over the streets. Any building being moved for which a permit was granted, shall not be allowed to remain in or on the streets for more than 48 hours and shall not block any street, road or thoroughfare.

1302.8.3 Bond Required. The Building Official, as a condition precedent to the issuance of such permit, shall require a bond to be executed by the person desiring such removal permit with corporate surety to his satisfaction. Such bond shall be made payable to the City of Vestavia Hills for the amount of Ten Thousand Dollars (\$10,000.00). It shall indemnify the City against any damage caused by the moving of such building to streets, curbs, sidewalks, shade trees, highways and any other property which may be affected by the moving of a building. Such surety bond shall also be conditioned upon and liable for strict compliance with the terms of said permit, as to route to be taken and limit of time in which to effect such removal and to repair or compensate for the repair and to pay said applicable governing body as liquidated damages an amount not exceeding \$50.00 to be prescribed by the Building Official for each and every day of delay in completing such removal or in repairing any damages to property or public improvement or in clearing all public streets, alleys or highways of all debris occasioned thereby. The contractor shall provide Certificate of Liability Insurance in the amount of a \$1 million (\$1,000,000.00).

1302.8.4 Notice of Permit. Upon the issuance of said moving permit, the Building Official shall cause notice to be given to the Engineering Department, Chief of Fire and Chief of Police. The Engineering Department and Police

Department shall set forth in all notices the route that will be taken, time started, and approximate time completion.

1302.8.5 Public Safety Requirements. Every building which occupies any portion of public property after sundown shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public.

There shall be a minimum of five red lights placed on each street side of the building. Such red lights shall be attached to the building in such a fashion as to indicate extreme width, height, and size.

In addition to the red lights on the building, flares shall be placed at regular intervals for a distance of 200 ft (61 m) up to the street on each side of the building.

When more than 50 percent of the street, measured between curbs, is occupied at night by the building, or when, in the opinion of the Building Official, flagmen are necessary to divert or caution traffic, the owner or person moving such building shall employ at his expense, two flagmen, one at each street intersection beyond the building. Such flagmen shall in accordance with City Ordinance and remain at these intersections diverting or cautioning traffic from sunset to sunrise. Red lights shall be employed in flagging traffic at night.

1302.8.6 Improvements by Owner. The owner of any house, building, or structure proposed to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of this Code within 90 days from the date of the issuance of the moving permit. Extensions of such time as deemed reasonable may be granted by the Building Official upon a showing of delay caused by matters beyond the control of the owner or house mover. The application for the moving permit, accompanied by complete plans and specifications showing the changes or conditions of said house, building, or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or the owner's agent.

1401.2 Applicability. Structures existing prior to July 16, 1952 in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions of Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or I-1, I-3 or I-4.”

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3065 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number //// 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 20th day of December, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3066

AN ORDINANCE AMENDING ORDINANCE NUMBER 2668 AND SECTION 5-101 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL RESIDENTIAL CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2668 AND SECTION 5-101 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-101. – International Residential Code adopted.

- (a) A certain document, a copy of which is on file in the office of the Department of Building Safety of the City of Vestavia Hills, being marked and designated as the *International Residential Code, 2021* edition, including appendix chapters AA, AB, AC, AD, AE, AF, AG, AH, AJ, AK, AM, AN, AO, AP and AQ as published by the International Code Council, be and is hereby adopted as the *Residential Code of the City of Vestavia Hills*, in the State of Alabama, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said residential code on file in the Office of the Department of Building Safety are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in Section (b).
- (b) The following sections are added or hereby revised in their entirety to read as follows:

R101.1 Title. These provisions shall be known as the *Residential Code for One- and Two-Family Dwellings of the City of Vestavia Hills*, and shall be cited as such and will be referred to herein as "this code."

103.1 Creation of agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of the code.

R105.2 Work Exempt from Permit. Exemption from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

5. Sidewalks
6. Painting, papering, flooring, and carpeting
7. Prefabricated swimming pools that are less than 24 inches (610mm) deep
8. Swings and other playground equipment

R106.1.6 Construction Plans.

An electronic set of construction documents shall be submitted for review on a CD saved as a PDF file along with one set of paper construction documents.

R108.2.1 Fee Schedule. See ARTICLE III. FEES.

R113.5 Violation Penalties. See ARTICLE I ADMINISTRATION.

R114.3.1 Stop Work Orders. See ARTICLE I ADMINISTRATION.

R203 Sleeping Room. Rooms that have a closet shall be classified as a sleeping room and shall meet all emergency egress safety requirements out of that room. The building official or his/her designee may grant exceptions if a room, by its design, cannot function as a sleeping room. Sewing rooms, dens, studios, lofts, game rooms, and any other conditioned room along an exterior wall which is 70 square feet or greater in size will be considered to be sleeping rooms unless the room is specifically exempted. If a home office, library or similar room is proposed, it may be exempted from being considered a sleeping room if there is no closet and at least one of the following is present: a) permanently built-in bookcases, desks and other feature that encumber the room in such a way that it cannot be used as a sleeping room; b) a minimum 4 foot opening, without doors, into another room; or c) a half wall (4 foot maximum height) between the room and another room.

Table R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	FLOOD HAZARDS ¹
	Speed	Topographic effects	Special wind region	Windborne debris zone		
5 PSF	115 MPH	No	No	No	B	Ord. 1688 9/3/2010
SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	AIR FREEZING INDEX	MEAN ANNUAL TEMP
Weathering	Frost line depth	Termite				
Moderate	12 IN	Very Heavy	21°F	No	96	62°F
MANUAL J DESIGN CRITERIA/Birmingham AP Outdoor Design Conditions						
Elevation	Altitude correction factor	Coincident wet bulb	Indoor winter design dry-bulb temp	Outdoor winter design dry-bulb temp	Heating temperature difference	
644	0.97	75°F	70°F	23°F	47°F	
Latitude	Daily range	Indoor summer design relative humidity	Indoor summer design dry-bulb temp	Outdoor summer design dry-bulb temp	Cooling temperature difference	
33	M	45%	75°F	92°F	17°F	

1. Ordinance 1688 was the first adopted enforcement ordinance for the management of flood hazard areas in the City of Vestavia Hills, as amended. The most recent update to the flood insurance study is for the Cahaba River Watershed dated 9/24/2021. City Ordinance 2916, as amended, Article 2 Section B, stipulates the adoption the most current FEMA Flood Insurance Study, "and any revisions".

R302.6.1 Alternate provisions. As an alternate to R302.6, the structure shall be protected by an approved NFPA 13d fire sprinkler system. Installation of said system shall be approved by the Fire Marshal. Sprinkler heads shall be installed in the following locations:

1. Two sprinkler heads in attached garages and basements in each automobile parking space
2. One sprinkler head over each water heater and furnace area if located in basement or garage
3. Two sprinkler heads in the kitchen
4. One sprinkler head in laundry rooms
5. Unsprinklered areas of the basement must be separated from the garage with 1/2" gypsum wallboard applied to the garage side and with opening protection as required by Section R302.5.1

R309.5 Fire Sprinklers. This section shall be deleted in its entirety.

R312.2.3 Window opening control devices limitations. Window opening control device shall not be used in a bedroom on new construction of residential homes, 2nd story additions and bedroom additions to existing homes.

R313.2 One-and Two-Family Dwellings Automatic Fire Systems. This section shall be deleted in its entirety.

R314.3.2 Heat Detector. Heat Detectors shall be installed in basements and garages where a vehicle can be parked. Heat Detectors shall be interconnected to the smoke detection system for the dwelling.

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings to include extensive renovations and the addition of stories to an existing structure. Existing footings for additional stories shall comply with section R403.1.1.1. In addition to the provisions of this chapter, the design and construction of foundations in areas prone to flooding as established by Table R301.2 (1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AWC & PWF.

Exception: The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof
2. When interior basement and foundations wall are constructed at intervals not exceeding 50 feet (15 240mm)

Wood foundations in Seismic Design Category D^o, D¹, or D², shall be designed in accordance with accepted engineering practice.

R401.4.3 Foundation. Footings and foundations for new constructions and additions installed on a lot or parcel that has an average grade slope exceeding 1/3 shall be designed by a State of Alabama licensed engineer. A geotechnical engineer shall be required to evaluate the site and inspect the footings and foundations.

R403.1.1.1 Minimum Size Required on All Footings. The minimum size for concrete footings and reinforcement shall be:

- Exterior Walls: 10" thick by 24" width with 2 #4 rods continuous
- Interior Piers: 12" thick by 24" square width with 4 #4 rods
- Interior Grade Beams: 8" thick by 18" width with 2 #4 rods continuous

N1101.1.1 The Alabama Energy and Residential Codes Board. The State of Alabama Energy and Residential Codes Board (AERC) current adoption and amendments to Chapter 11 shall be enforced.

M1411.3.1.3 Auxiliary Drain Pan in Crawlspace.

Units installed in a crawlspace area shall have an auxiliary (secondary) drain pan under the unit to catch overflow of the primary drain of the unit. Drain pan shall comply with section M1411.3.1.

P2603.5.1 Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 6 inches (152 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 6 inches (152 mm) below grade.

P2801.9 Water Heaters Installed in Attics. Attics containing a water heater shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater. An automatic shutoff valve and water sensor shall be installed to protect rooms below.

P3002.1.1 Pipe installed under slabs. Drain and waste pipe installed in the ground and under slabs shall be polyvinyl chloride (PVC) plastic pipe schedule 40 or better.

P3114.2 Installation of Air Admittance Valves. The air admittance valves shall be approved by the Building Official before installation. The valves shall not be used in new construction or additions where a vent thru the roof is available. If the valve is approved, it shall be installed in accordance with the requirements of this section and the manufacturer's installation instructions. Air admittance valves shall be installed after the DWV testing required by Section P2503.5.1 or P2503.5.2 has been performed.”

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3066 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this the 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3066 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 _____ day of _____, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3067

AN ORDINANCE AMENDING ORDINANCE NUMBER 2669 AND SECTION 5-111 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL PLUMBING CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2669 AND SECTION 5-111 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-111. – International Plumbing Code adopted.

- (a) A certain document, one (1) copy of which are on file in the office of the Department of Building Safety of the City of Vestavia Hills, being marked and designated as the *International Plumbing Code, 2021* edition, including Appendix Chapters B, C, D, and E as published by the International Code Council, be and is hereby adopted as the *Plumbing Code of the City of Vestavia Hills*, in the State of Alabama, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the Department of Building Safety are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section (b).
- (b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Title. These regulations shall be known as the *International Plumbing Code of City of Vestavia Hills* hereinafter referred to as “this code.”

103.1 Creation of agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of the code.

109.2.1 Fee Schedule. See ARTICLE III. FEES.

109.5 Fee Refund. See ARTICLE III. FEES

113.4.1 Stop Work Orders. See ARTICLE I ADMINISTRATION.

115.4.1 Violation Penalties. See ARTICLE I ADMINISTRATION.

305.4.1 Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 6 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 6 inches below grade.

403.2 Separate Facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exception:

1. Separate facilities shall not be required for dwelling units and sleeping rooms.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 20 or fewer.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or fewer.
4. Separate facilities shall not be required in in business occupancies in which the maximum occupant load is 25 or fewer.

410.2 Small Occupancies. Drinking fountains shall not be required for an occupant load of 20 or fewer.

410.4.1 Water Dispensers. Water dispensers shall be permitted to be substituted for a typical drinking fountain in Group B with an occupant load of less than 30 and in M occupancies with an occupant load of less than 50. Water dispensers shall connect to a water supply and use a touch or touchless sensor activation. Water dispensers shall be approved by the Building Official.

702.2.1 Pipe installed in the ground and under slabs. Cellular Core PVC pipe shall not be installed as drain and waste pipe in the ground or under slabs. PVC pipe shall be schedule 40 or better.

903.1 Roof Extension. All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof, except where a roof is to be used for any purpose other than weather protection. Then the vent extensions shall be run at least 7 feet (2134mm) above the roof.

918.2 Installation of Air Admittance Valves. The air admittance valves shall be approved by the Building Official before installation. The valves shall not be used in new construction or additions where a vent thru the roof is available. If the valve is approved, it shall be installed in accordance with the requirements of this section and the manufacturer's installation instructions. Air admittance valves shall be installed after the DWV testing required by Section 312.2 or 312.3 has been performed."

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3067 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this the 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3067 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 _____ day of _____, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3068

AN ORDINANCE AMENDING ORDINANCE NUMBER 2670 AND SECTION 5-121 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL MECHANICAL CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2670 AND SECTION 5-121 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-121. – International Mechanical Code adopted.

- (a) A certain document, one (1) copy of which are on file in the office of the Department of Building Safety of the City of Vestavia Hills, being marked and designated as the *International Mechanical Code, 2021* edition, as published by the International Code Council, be and is hereby adopted as the *Mechanical Code of the City of Vestavia Hills*, in the State of Alabama regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the Department of Building Safety are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section (b).
- (b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Title. These regulations shall be known as the *Mechanical Code of City of Vestavia Hills*, hereinafter referred to as “this code.”

103.1 Creation of agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of the code.

109.2.1 Fee Schedule. See ARTICLE III. FEES.

109.6 Fee Refund. See ARTICLE III. FEES.

113.4.1 Stop Work Orders. See ARTICLE I ADMINISTRATION.

115.4.1 Violation Penalties. See ARTICLE I ADMINISTRATION.

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3068 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3068 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 _____ day of _____, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3069

AN ORDINANCE AMENDING ORDINANCE NUMBER 2671 AND SECTION 5-131 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL FUEL GAS CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2671 AND SECTION 5-131 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-131. – International Fuel Gas Code adopted.

- (a) A certain document, one (1) copy of which are on file in the office of the Department of Building Safety of the City of Vestavia Hills, being marked and designated as the *International Fuel Gas Code, 2021* edition, including Appendix Chapters A, B, and C (see International Fuel Gas Code Section 101.3, 2021 edition), as published by the International Code Council, be and is hereby adopted as the *Fuel Gas Code of the City of Vestavia Hills*, in the State of Alabama for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the Department of Building Safety are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section (b).
- (b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Title. These regulations shall be known as the *Fuel Gas Code of City of Vestavia Hills*, hereinafter referred to as “this code.”

103.1 Creation of agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of the code.

109.2.1 Fee Schedule. See ARTICLE III. FEES.

109.6 Fee Refund. See ARTICLE III. FEES.

115.4.1 Violation Penalties. See ARTICLE I ADMINISTRATION.

116.4.1 Stop Work Orders. See ARTICLE I ADMINISTRATION. “

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3069 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3069 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 20th day of December, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3070

AN ORDINANCE AMENDING ORDINANCE NUMBER 2672 AND SECTION 5-141 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2020 NATIONAL ELECTRICAL CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2672 AND SECTION 5-141 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-141. – National Electrical Code adopted.

A certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Vestavia Hills, the Vestavia Hills Library and the Vestavia Hills Building Inspections Department, being marked and designated as the 2020 National Electrical Code be and is hereby adopted as the Electrical Code of the City of Vestavia Hills in the State of Alabama regulating and governing the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the above mentioned locations in the City of Vestavia Hills are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed below.

(1) Exceptions to Permit Requirements.

No permit shall be required for the following installations or repairs:

- (a) Minor repairs
- (b) The installation of wiring, devices or equipment for telephone, telegraph, district messenger or telautograph systems, or any signaling systems (other than commercial radio systems) operating at fifty (50) volts or less when installed by a public utility subject to regulations as such by the Alabama Public Service Commission
- (c) For the installation, maintenance or repair of electrical service of a public utility corporation regulated by the Alabama Public Service Commission

(2) Unsafe Electrical Installations--Generally.

All electrical installations, regardless of type, which are unsafe or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety by reason of inadequate maintenance, dilapidation,

obsolescence or abandonment are, severally in contemplation of this section, Unsafe Electrical Installations. All such unsafe electrical installations are hereby declared illegal and shall be abated by repair or removal. Where, in the opinion of the Building Official, the hazard involved is sufficient to warrant disconnection of electricity, he shall then disconnect or order the utility company to disconnect immediately.

(3) Existing Installations.

The Department of Building Safety shall inspect or cause to be inspected at regular intervals existing electrical installations in all buildings where a high life hazard exists, such as places of public assembly and education occupancies.

(4) Qualification of Electricians.

Any person who desires to install electrical wiring within the City that is not exempt from a permit shall produce good and sufficient evidence to the Building Official that he/she is competent to do the work. Sufficient evidence shall be the following: Master electrical license from The State of Alabama

(5) Electrical Permit--Required.

No person or homeowner shall install any wiring, device or equipment for the transmission, distribution or utilization of electrical energy for light, heat, power or radio, or the alteration, repair or addition to any existing wiring, the installation of which is regulated by this article, or shall cause any such work to be done, without first making application to the Department of Building Safety and obtaining a permit. Only competent individuals with sufficient evidence under "Qualification of Electricians" shall be permitted to perform electrical work within the City of Vestavia Hills.

(6) Copper Wiring

Copper wiring shall be used within a structure in the city, including wiring of ranges, washing machines and dryer circuits, with the exception that aluminum conductors may be used from the meter socket to the panel.

334.12.1 Nonmetallic-Sheathed Cable. Nonmetallic-Sheathed Cable shall not be used in wood framed commercial type buildings with the exception of inside individual apartment units.

410.36 (B) (1) Means of Support. Luminaires shall be supported on all corners of the fixture independent from ceiling grid.

(7) Emergency Backup Power.

- a) *[Required.]* Emergency backup power will be required in all new buildings built under the International Building Code for retirement and assisted living establishments and Institutional Group I-1, I-2, I-3, I-4 [day care] and all residential R2 that are classified independent senior living; and
- b) *[Capabilities.]* All backup power shall have the capability to handle all emergency life safety equipment listed in the International Building and Fire Codes including, but not limited to:
 - a. Emergency lighting
 - b. Exit lights
 - c. Telephone system
 - d. Fire alarm systems
 - e. Minimum one (1) elevator egress for facilities two (2) stories or more
 - f. Room smoke detectors or corridor smoke detectors
 - g. Means of illuminated egress [corridors and stairs]
 - h. Standby power shall be permanently installed and capable of automatic transfer without loss of services other than transfer time and approved for location
 - i. One (1) heated area in a central area for cold weather emergencies
- c) *[Installation and maintenance.]* All requirements must meet the most recently adopted International Building and Fire Codes for installation and maintenance requirements; and
- d) *[Exception.]* An exception shall be granted to I-4 [day care] occupancies with written and implemented policies in place for emergency pickup; and
- e) *[Remedial compliance.]* Emergency backup power will be required in all existing retirement and assisted living establishments including institutional group I-1, I-2, I-3, I-4 [day care] and all residential R2 that are classified independent senior living. The Ordinance creating this section [Ordinance Number 2080] is hereby declared to be remedial with compliance required within three (3) years of the effective date of this section [March 7, 2005].
- f) *[Violation penalties.]* Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Building Official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- g) *[Abatement of violation.]* In addition to the imposition of the penalties herein described, the Fire Code Official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.”

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3070 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this 20th day of Decmeber, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3070 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 20th day of December, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3071

AN ORDINANCE AMENDING ORDINANCE NUMBER 2673 AND SECTION 5-151 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2673 AND SECTION 5-151 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-151. – International Swimming Pool and Spa Code adopted.

(a) A certain document, a copy of which is on file in the office of the Department of Building Safety of the City of Vestavia Hills, being marked and designated as the *International Swimming Pool and Spa Code, 2021* edition, as published by the International Code Council, be and is hereby adopted as the *Swimming Pool and Spa Code of the City of Vestavia Hills*, in the State of Alabama, for regulating and governing the design, construction, alteration, movement, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Pool and Spa Code on file in the office of the Department of Building Safety are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section (b).

(b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Title. These regulations shall be known as the *Swimming Pool and Spa Code of City of Vestavia Hills*, hereinafter referred to as “this code.”

103.1 Creation of agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of the code.

108.2.1 Fee Schedule. See ARTICLE III. FEES.

108.6 Fee Refund. See ARTICLE I ADMINISTRATION.

113.4.1 Violation Penalties. See ARTICLE I ADMINISTRATION.

114.4.1 Stop Work Orders. See ARTICLE I ADMINISTRATION.

305.9 Swimming Pool Barriers. The permit holder for the installation of a swimming pool shall be required to comply with all of the Barrier Requirements in section 305.”

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3071 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this 20th day of December, 2021

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3071 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 20th day of December, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ___ day of _____, 2021.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3072

AN ORDINANCE TO AMEND SECTION 6-16, VESTAVIA HILLS CODE OF ORDINANCES, REPUBLISHED 2013 ENTITLED “CODES ADOPTED;” TO REPEAL ORDINANCE NUMBER 2553 AND TO ADOPT THE 2021 INTERNATIONAL FIRE PREVENTION CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

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

SECTION 1. That the 2021 International Fire Prevention Code, with officially approved revisions and changes as detailed in “Exhibit A,” a copy of which is attached to and incorporated into this Ordinance Number 3072 as though written fully therein and thereto, said revised Code is hereby adopted by reference and incorporated as is set out and fully herein.

SECTION 2. Ordinance Number 2553 and any Ordinance or parts of Ordinances in conflict with the provisions contained herein are hereby repealed.

SECTION 3. This ordinance shall become effective immediately following publishing/posting as required by Alabama law.

APPROVED and ADOPTED this the 20th day of December, 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 # 3072 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 20th day of December, 2021 as same appears in the official records of said City.

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

Rebecca Leavings
City Clerk

101.1 Title. These regulations shall be known as the *Fire Code* of the City of Vestavia Hills, hereinafter referred to as “this code.”

111 Delete section 111 in its entirety (including sections 111.1-111.4) and replace with the following:

111 Means of Appeals

111.1 General. Appeals of orders, decisions, and determinations made by the fire official related to the application and interpretation of this code shall be heard by the Vestavia Hills Board of Zoning Adjustment pursuant to and according to the appeal procedures set forth therein. Appeals shall be filed with the City Clerk’s Office within twenty (20) days following the date of the decision of the code official for which appeal is sought.

111.2 Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed.

112.4 Delete section 112.4 in its entirety (subsection 112.4.1 shall not be affected by this deletion and shall remain a part of the Fire Code adopted by the City of Vestavia Hills) and replace with the following:

112.4 Violation penalties. Persons who shall violate a provision of the Fire Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of the Fire Code, shall be guilty of an offense against the City of Vestavia Hills punishable as provided in Section 1-5 of the *Municipal Code of the City Vestavia Hills*.

Each day that a violation continues after due notice has been served shall be deemed a separate offense.

113.4 Delete section 113.4 in its entirety and replace with the following:

113.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished by fine as set forth Section 1-5 of the *Municipal Code of the City of Vestavia Hills, Alabama*.

SECTION 202 additions:

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or *standby personnel* when required by the *fire code official*, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

STANDBY PERSONNEL. Qualified fire service personnel, approved by the Fire Code Official. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

308.1.4 Open-flame Cooking Devices. ~~Charcoal burners and other~~ Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be operated located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

901.6.4 False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

901.7 Systems Out of Service. Where a required *fire protection system* is out of service or in the event of an excessive number of activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved fire watch* shall be provided for all occupants left unprotected by the shut down until the *fire protection system* has been returned to service. ... {Remaining text unchanged}

903.3.1.2.2 Corridors and balconies ~~in the means of egress.~~
Sprinkler protection shall be provided in all corridors and for all
balconies. ~~in the means of egress where any of the following~~
~~conditions apply:~~
{Delete the rest of this section.}

903.3.1.3 NFPA 13D Sprinkler Systems. *Automatic sprinkler systems* installed in one- and two-family *dwellings*; Group R-3; Group R-4, Condition 1; and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

903.3.1.3.4 NFPA13D Sprinkler Systems shall provide coverage to attached exterior areas covered by roof.

912.2.3 Hydrant Distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

The geographic limits referred to in certain sections of the 2021 International Fire Code are hereby established as follows:

5704.2.9.6.1 Limits in which the storage of class I and class II flammable liquids in above ground tanks outside of buildings is prohibited is as specified in the Fire Code and its referenced documents and is limited to the first fire district if all related requirements of the Fire Code and its referenced documents are met and meet approval of the Fire Marshal.

5706.2.4.4 Limits in which the storage of class I and class II flammable liquids in above ground tanks is prohibited is as specified in the Fire Code and its referenced documents and is limited to the first fire district if all related requirements of the Fire Code and its referenced documents are met and meet approval of the Fire Marshal.

5806.2 Limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited as specified in the Fire Code and its referenced documents and is limited to the first district if all related requirements of the Fire Code and its referenced documents are met and meet the approval of the Fire Marshal.

6104.2. Limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas is as specified in the Fire Code and its referenced documents and meet the approval of the Fire Marshal.

RESOLUTION NUMBER 5359

A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated August 13, 2021, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 20th day of December, 2021; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

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

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 22nd day of December, 2021.

2. That on the 28th day of March, 2022, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5359 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2433 Dolly Ridge Road
Lot 35, Rocky Ridge Estates
Megan Rudolph, Owner(s)

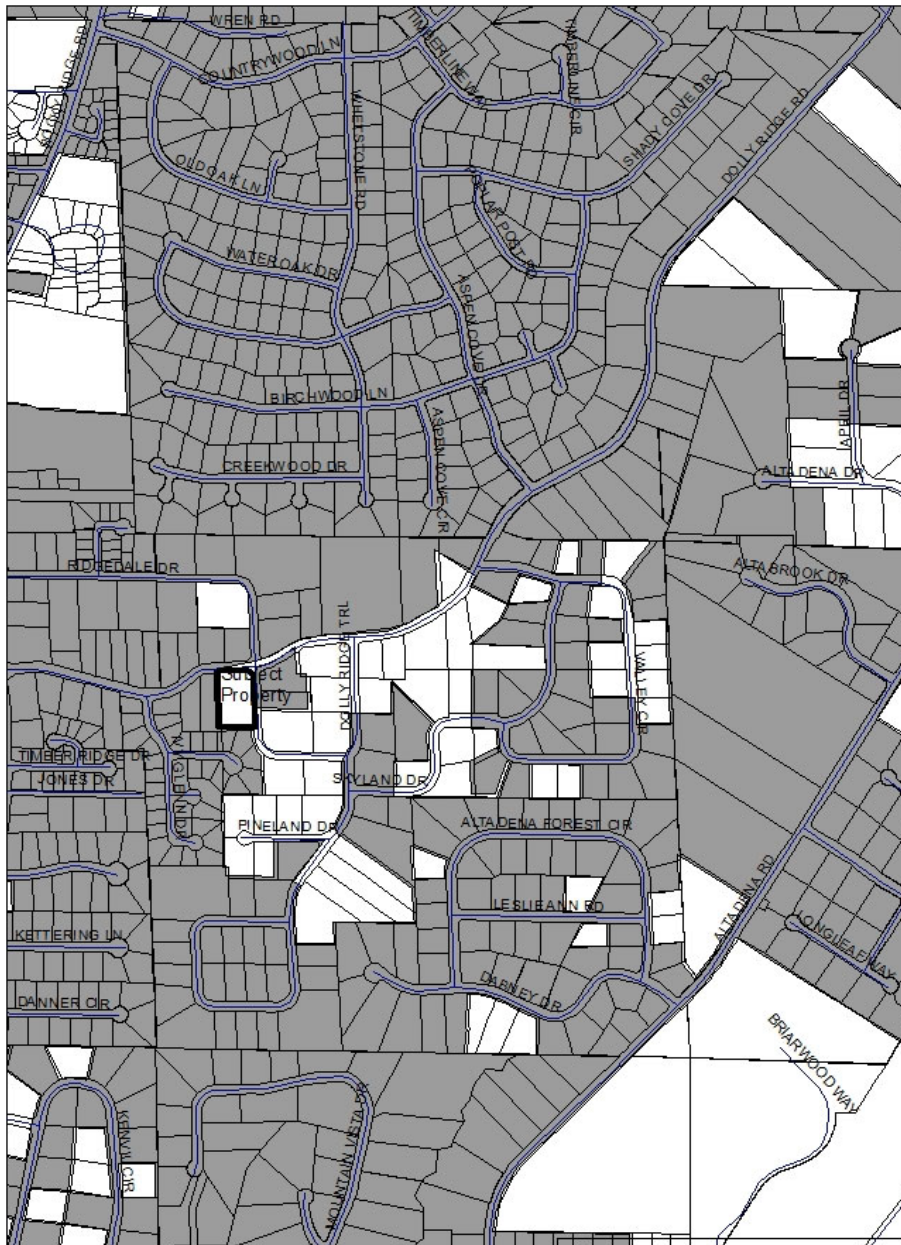
APPROVED and ADOPTED this the 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

2433 Dolly Ridge Road



Legend

 Vestavia_Hills_City_Limits

PARCEL #: 28 00 32 4 001 051.000	2433 Dolly Ridge Road Annexation
OWNER: RUDOLPH MEGAN WICKS	[111-A0] Baths: 5.5 H/C Sqft: 4,841
ADDRESS: 2433 DOLLY RIDGE RD VESTAVIA AL 35243-4637	18-034.0 Bed Rooms: 6 Land Sch: G1
LOCATION: 2433 DOLLY RIDGE RD BHAM AL 35243	Land: 154,000 Imp: 644,100 Total: 798,100
	Acres: 0.000 Sales Info: 11/01/2010 \$544,000

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2021 ▾

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE:	LAND VALUE 10%	\$154,000
EXEMPT CODE: 2-2	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 02 COUNTY	HS YEAR: 0	CURRENT USE VALUE	[DEACTIVATED] \$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	CLASS 2	
OVR ASD VALUE: \$0.00	TOTAL MILLAGE: 50.1	CLASS 3	
CLASS USE:		BLDG 001	111 \$644,100
FOREST ACRES: 0	TAX SALE:	TOTAL MARKET VALUE [APPR. VALUE: \$798,100]: \$798,100	
PREV YEAR VALUE: \$700,200.00	BOE VALUE: 0	Assesment Override: _____	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO							
	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$79,820	\$518.83	\$4,000	\$26.00	\$492.83
COUNTY	3	2	\$79,820	\$1,077.57	\$2,000	\$27.00	\$1,050.57
SCHOOL	3	2	\$79,820	\$654.52	\$0	\$0.00	\$654.52
DIST SCHOOL	3	2	\$79,820	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$79,820	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$79,820	\$407.08	\$0	\$0.00	\$407.08
SPC SCHOOL2	3	2	\$79,820	\$1,340.98	\$0	\$0.00	\$1,340.98
TOTAL FEE & INTEREST: (Detail)							\$5.00
ASSD. VALUE: \$79,820.00			\$3,998.98		GRAND TOTAL: \$3,950.98		
<input type="button" value="Payoff Quote"/>							

DEEDS		PAYMENT INFO			
INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
201064-11671	11/30/2010		2021		\$0.00
200911-2535	11/05/2009	2/23/2021	2020	-	\$3,460.00
200763-16422	06/27/2007	1/7/2020	2019	RUDOLPH MEGAN WICKS	\$3,305.69
575-404	11/10/1969	1/7/2019	2018	BRIAN RUDOLPH	\$3,230.54
		1/9/2018	2017	BRIAN A RUDOLPH	\$3,089.26
		1/11/2017	2016	RUDOLPH BRIAN A	\$2,805.70
		1/4/2016	2015	BRIAN A RUDOLPH	\$2,805.70
		12/23/2014	2014	BRIAN A RUDOLPH	\$2,761.61
		12/23/2013	2013	BRIAN A RUDOLPH	\$2,761.61

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Exhibit - Resolution No. 5359
2433 Dolly Ridge Road Annexation

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2433 Dolly Ridge Road	Property Address	
====>	\$ 798,100	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$79,810.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$1,640.10	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$2,294.54	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$3,934.63	Total County remits to City for split with BOE	CITY	
\$1,205.13	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$654.44	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$1,640.10	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$4,154.11	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$5,794.21	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2736 Ossa Wintha Drive

Engineering; Public Services Date: 10/29/2021 Initials: CB

2736 Ossa Wintha Drive -- no significant concerns noted; existing roadway, valley gutter, and storm inlet in fair condition; the City currently maintains this roadway; property backs to creek, but home is significantly higher to not pose a flooding concern.

Police Department: Date: 10/14/2021 Initials: J Gaston

Comments: No Problem

Fire Department: Date: 10/14/2021 Initials: RF

Comments: NIP

Board of Education: Date: 11/08/2021 Initials: SB

Comments: NIP

STATE OF ALABAMA

Jefferson COUNTY

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: 8/13/21

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Phone (205) 276-4361

rudolphmw@gmail.com

EXHIBIT "A"

LOT: 35

BLOCK: Rocky Bidge Estates

SURVEY: _____

RECORDED IN MAP BOOK 28, PAGE 78 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
<u>Megan W. Rudolph</u>	Lot <u>35</u> Block <u>Rocky Ridge Estates</u> Survey _____
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA
Jefferson COUNTY

Megan W. Rudolph being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Megan W. Rudolph
Signature of Certifier

Subscribed and sworn before me this the 13 day of August, 2021.

[Signature]
Notary Public

My commission expires: 10/30/23

My Commission Expires
October 30, 2023

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
 Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
 Deny _____
 Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Megan Rudolph
 Address: 2433 Dolly Ridge Rd.
 City: Vestavia Hills State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
 Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Alexis Rudolph	13	8 th	✓	
2.	Austin Rudolph	11	6 th	✓	
3.	Zachary Rudolph	9	3 rd	✓	
4.	Maxwell Rudolph	6	1 st	✓	
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". _____

* Children already enrolled.

ORDINANCE NUMBER 3047

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Megan Rudolph dated August 13, 2021, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

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

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2433 Dolly Ridge Road
Lot 35, Rocky Ridge Estates
Megan Rudolph

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 20th day of December, 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 # 3047 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 20th day of December, 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 _____, 2021.

Rebecca Leavings
City Clerk

2433 Dolly Ridge Road



Legend

 Vestavia_Hills_City_Limits

RESOLUTION NUMBER 5360

A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated September 7, 2021, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 20th day of December, 2021; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

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

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 22nd day of December, 2021.

2. That on the 28th day of March, 2022, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5360 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2736 Ossa Wintha Drive
Lot 9, Block 4, 1st Add to Altadena Valley, 5th Sector
James and Gail Freeman, Owner(s)

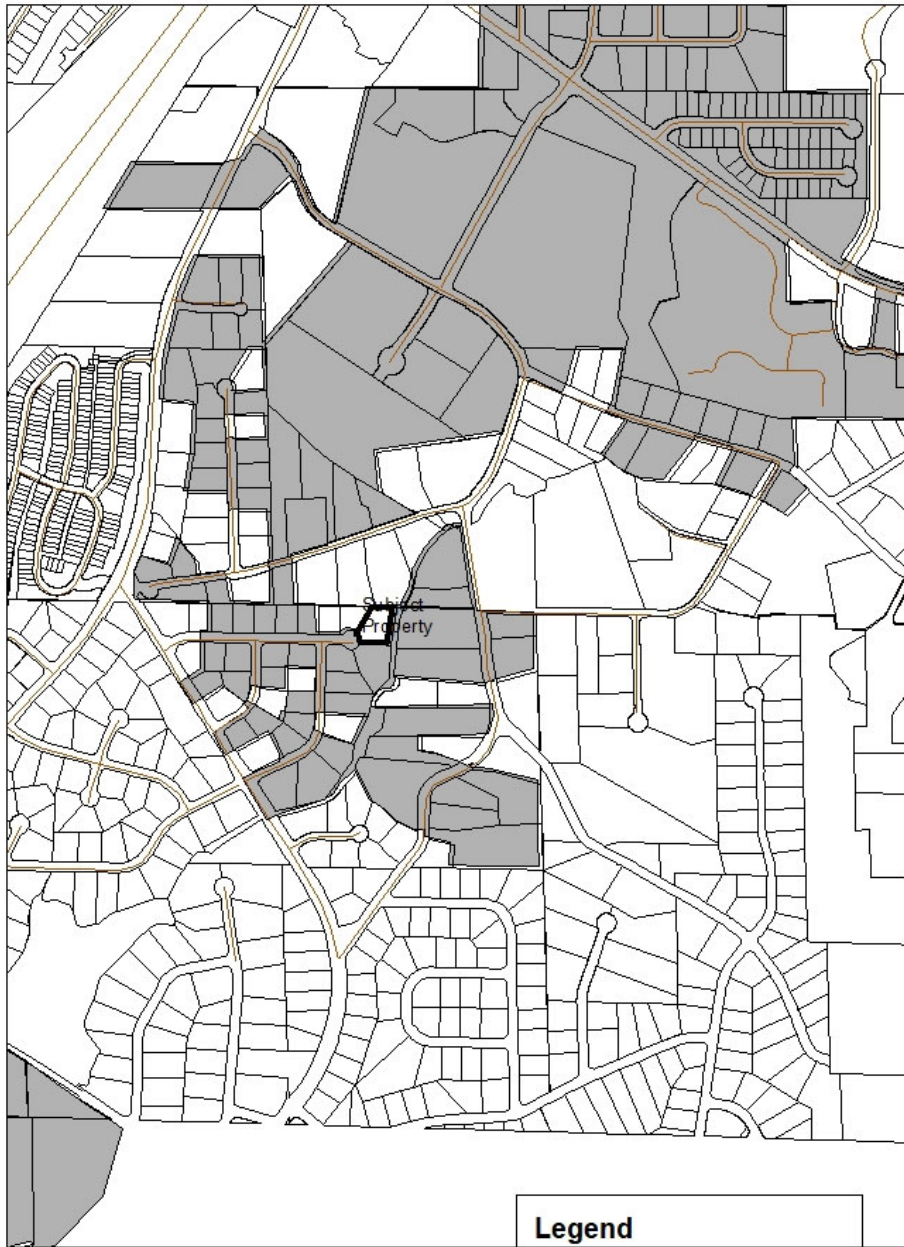
APPROVED and ADOPTED this the 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

2736 Ossa Wintha Drive



Legend

 Vestavia_Hills_City_Limits

PARCEL #: 28 00 34 3 002 010.000 OWNER: FREEMAN JAMES A & GAIL B ADDRESS: 2736 OSSA WINTHA DR VESTAVIA AL 35243-2512 LOCATION: 2736 OSSA WINTHA DR BHAM AL 35243	[111-B-] 2736 Ossa Wintha Drive Annexation Baths: 2.5 H/C Sqft: 2,089 18-036.0 Bed Rooms: 3 Land Sch: G1 Land: 93,000 Imp: 174,600 Total: 267,600 Acres: 0.000 Sales Info: 07/01/1987 \$105,000
---	--

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT PROPERTY CLASS: 3 OVER 65 CODE: EXEMPT CODE: 3-2 DISABILITY CODE: MUN CODE: 02 COUNTY HS YEAR: 0 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1 CLASS USE: FOREST ACRES: 0 TAX SALE: PREV YEAR VALUE: \$244,900.00 BOE VALUE: 0	VALUE LAND VALUE 10% \$93,000 LAND VALUE 20% \$0 CURRENT USE VALUE [DEACTIVATED] \$0 <u>CLASS 2</u> <u>CLASS 3</u> BLDG 001 111 \$165,500 TOTAL MARKET VALUE [APPR. VALUE: \$258,500]: \$258,500 Assesment Override: <input type="text"/> MARKET VALUE: CU VALUE: PENALTY: ASSESSED VALUE:
--	---

TAX INFO							
	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$25,860	\$168.09	\$25,860	\$168.09	\$0.00
COUNTY	3	2	\$25,860	\$349.11	\$2,000	\$27.00	\$322.11
SCHOOL	3	2	\$25,860	\$212.05	\$0	\$0.00	\$212.05
DIST SCHOOL	3	2	\$25,860	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$25,860	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$25,860	\$131.89	\$0	\$0.00	\$131.89
SPC SCHOOL2	3	2	\$25,860	\$434.45	\$0	\$0.00	\$434.45
ASSD. VALUE: \$25,860.00			\$1,295.59		GRAND TOTAL: \$1,100.50		
This amount may not reflect the actual payoff amount. Please contact the Tax Collector's office.							

DEEDS		PAYMENT INFO			
INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
3209-15	07/24/1987		2021		\$0.00
		11/5/2020	2020	-	\$1,100.50
		10/17/2019	2019	GAIL FREEMAN	\$1,041.20
		10/23/2018	2018	FREEMAN JAMES	\$1,055.15
		10/25/2017	2017	-	\$1,066.22
		10/21/2016	2016	-	\$1,066.22
		10/14/2015	2015	GAIL B. FREEMAN	\$1,066.22
		12/2/2014	2014	CORELOGIC INC	\$986.06
		11/19/2013	2013	CORELOGIC INC	\$1,041.17
		11/21/2012	2012	CORELOGIC INC	\$1,040.68

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Exhibit - Resolution No. 5360
2736 Ossa Wintha Drive Annexation

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2736 Ossa Wintha Drive	Property Address	
====>	\$ 267,600	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$26,760.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$549.92	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$769.35	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,319.27	Total County remits to City for split with BOE	CITY	
\$404.08	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$219.43	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$549.92	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,392.86	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$1,942.78	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2736 Ossa Wintha Drive

Engineering; Public Services

Date: 10/29/2021 Initials: CB

2736 Ossa Wintha Drive -- no significant concerns noted; existing roadway, valley gutter, and storm inlet in fair condition; the City currently maintains this roadway; property backs to creek, but home is significantly higher to not pose a flooding concern.

Police Department:

Date: 10/14/2021 Initials: J Gaston

Comments: No Problem

Fire Department:

Date: 10/14/2021 Initials: RF

Comments: NIP

Board of Education:

Date: 11/08/2021 Initials: SB

Comments: NIP

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 9/7/21

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in _____ County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Jim Freeman
205 999-5466
NWXL58@gmail.com

Realtor
Jessica Gilmore
205 886-9221
jjp7@comcast.net

EXHIBIT "A"

LOT: 010.000 9

BLOCK: 7045 4

SURVEY: Altadena Valley ~~STH 28-34-3 BK 79-PG~~
~~8 BLK 4 LOT 9~~ 4 1st Addition 5th Sector

RECORDED IN MAP BOOK 79, PAGE 8 IN THE

PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: R1

COMPATIBLE CITY ZONING: ~~Tax District Vestavia 20~~ UNR-2

LEGAL DESCRIPTION (METES AND BOUNDS):

See above survey

PID# 28-00-34-3-002-012.000

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

• Neil B. Freeman Lot 9 Block 4 Survey Altafena Valley 1st Addl
• Jim A. Freeman Lot 9 Block 4 Survey " 5th Sector

Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Jim A. Freeman being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Jim A. Freeman
Signature of Certifier

Subscribed and sworn before me this the 14th day of Sept, 2021.

[Signature]
Notary Public

My commission expires: 7/03/2023

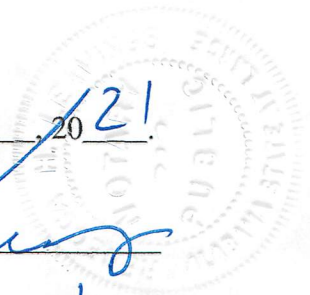


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
 Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
 Deny _____
 Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Jim + Gail Freeman
 Address: 2736 Ossa Wintha Drive
 City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
 Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Daren Freeman				
2.	Brooke Estook				
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

ORDINANCE NUMBER 3048

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by James and Gail Freeman dated September 7, 2021, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

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

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2736 Ossa Wintha Drive
Lot 9, Block 4, 1st Add to Altadena Valley, 5th Sector
James and Gail Freeman

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

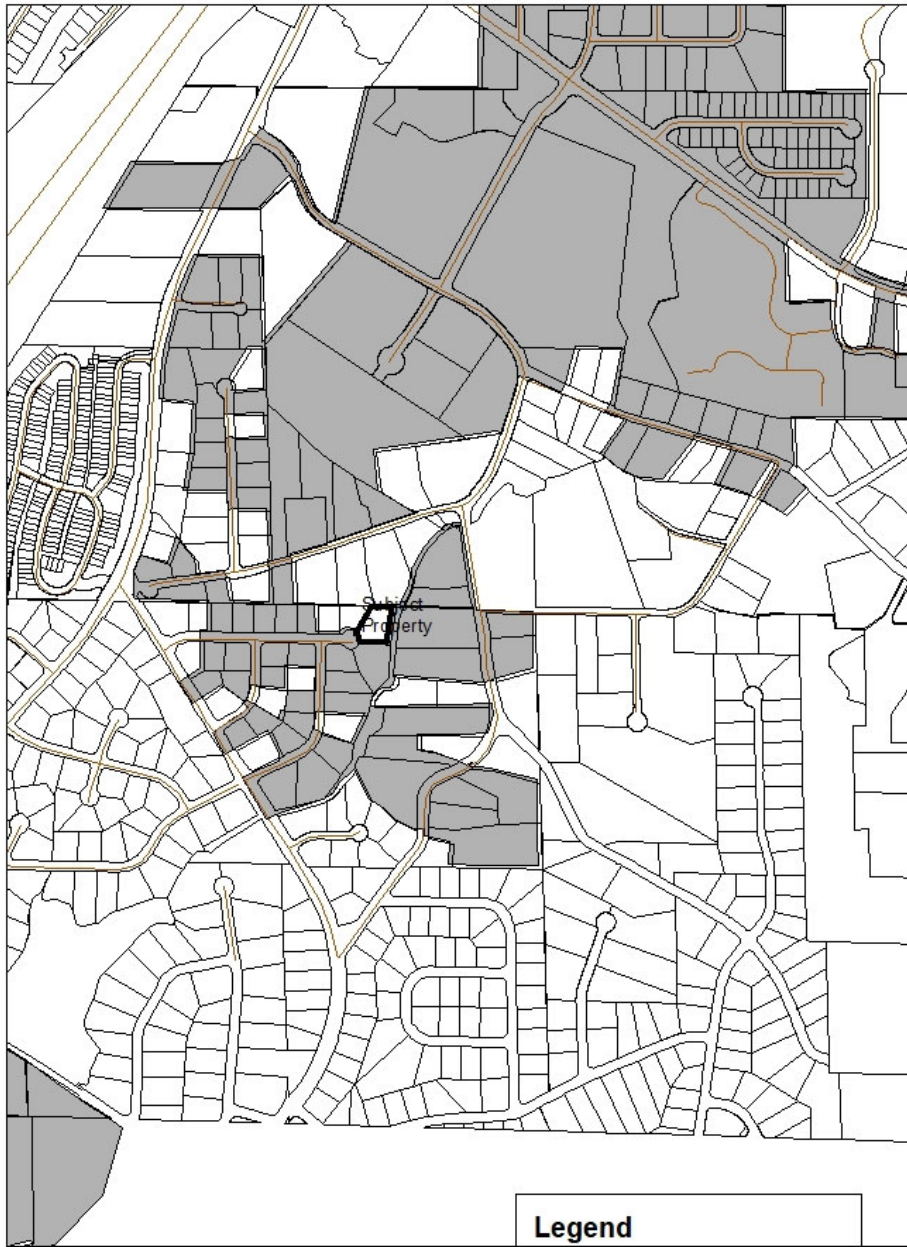
CERTIFICATION:

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 # 3048 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 20th day of December, 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 _____, 2021.

Rebecca Leavings
City Clerk

2736 Ossa Wintha Drive



Legend

■ Vestavia_Hills_City_Limits

RESOLUTION NUMBER 5361

A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated October 4, 2021, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 20th day of December, 2021; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

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

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 22nd day of December, 2021.

2. That on the 28th day of March, 2021, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5361 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

3408 Watertown Place
Lot 12, Coventry, 1st and 2nd Sectors
Mildred Gallant Estate, Owner(s)

APPROVED and ADOPTED this the 20th day of December, 2021.

Ashley C. Curry
Mayor


ATTESTED BY:

Rebecca Leavings
City Clerk

3408 Watertown Place



Legend

 Vestavia_Hills_City_Limits

PARCEL #: 28 00 29 4 008 004.000	[111-B-]	Baths: 2.5	H/C Sqft: 2,310
OWNER: GALLANT JACK A & MILDRED H	18-011.0	Bed Rooms: 4	Land Sch: G2
ADDRESS: 3408 WATERTOWN PL VESTAVIA AL 35243-2158	Land: 243,000	Imp: 156,300	Total: 399,300
LOCATION: 3408 WATERTOWN PL VESTAVIA HILLS AL 35243	Acres: 0.000	Sales Info: \$0	

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE:	LAND VALUE 10%	\$243,000
EXEMPT CODE: 2-2	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 02 COUNTY	HS YEAR: 0	CURRENT USE VALUE	[DEACTIVATED] \$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>	
OVR ASD VALUE: \$0.00	TOTAL MILLAGE: 50.1	<u>CLASS 3</u>	
CLASS USE:		BLDG 001	111 \$156,300
FOREST ACRES: 0	TAX SALE:	TOTAL MARKET VALUE [APPR. VALUE: \$399,300]: \$399,300	
PREV YEAR VALUE: \$405,100.00	BOE VALUE: 0	Assesment Override: _____	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO							
	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$39,940	\$259.61	\$4,000	\$26.00	\$233.61
COUNTY	3	2	\$39,940	\$539.19	\$2,000	\$27.00	\$512.19
SCHOOL	3	2	\$39,940	\$327.51	\$0	\$0.00	\$327.51
DIST SCHOOL	3	2	\$39,940	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$39,940	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$39,940	\$203.69	\$0	\$0.00	\$203.69
SPC SCHOOL2	3	2	\$39,940	\$670.99	\$0	\$0.00	\$670.99
TOTAL FEE & INTEREST: (Detail)							\$5.00
ASSD. VALUE: \$39,940.00			\$2,000.99		GRAND TOTAL: \$1,952.99		
Payoff Quote							

DEEDS		PAYMENT INFO			
INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
431-149	05/30/1968		2021		\$0.00
		1/5/2021	2020	HOLT JILL	\$1,990.31
		1/29/2020	2019	JILL HOLT	\$1,925.04
		1/5/2019	2018	JACK A GALLANTMILDRED S GALLANT	\$1,524.14
		12/29/2017	2017	JILL HOLT	\$1,492.07
		1/14/2017	2016	JUL HOLT	\$1,393.88
		1/11/2016	2015	MILDRED GALLANT	\$1,393.88
		1/13/2015	2014	JACK A GALLANT MILDRED S GALLANT	\$1,381.85

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	3408 Watertown Place	Property Address	
====>	\$ 399,300	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$39,930.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$820.56	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$1,147.99	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,968.55	Total County remits to City for split with BOE	CITY	
\$602.94	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$327.43	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$820.56	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$2,078.36	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$2,898.92	TOTAL ANNEXATION REVENUE BENEFIT		

Legend	
City Revenue	
BOE Revenue	

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 3408 Watertown Place

Engineering; Public Services

Date: 10/29/2021 Initials: GB

Comments: _____

3408 Watertown Place-- no concerns noted; roadway and valley gutter in fair condition; the City currently maintains this section of roadway. _____

Police Department:

Date: 10/14/2021 Initials: J Gaston

Comments: No Problem

Fire Department:

Date: 10/14/2021 Initials: RF

Comments: N/P

Board of Education:

Date: 11/08/2021 Initials: SB

Comments: _____
N/P

October 1, 2021

To: Vestavia Hills City Council
Vestavia Hills City Clerk

Re: Annexation Petition
3408 Watertown Place 35243

My sister and I are submitting a petition for annexation of our parents home into the city of Vestavia Hills.

Our parents were one of the first or second homes built in the subdivision of Coventry in Vestavia around 1968. My older sister and I started school at Cahaba Heights Elementary, then Gresham Middle and finally Shades Valley High School.

As the subdivision grew, we had the option to continue on our initial track and because we had already started on this track, we finished out at Shades Valley High School. Our guess is that our parents didn't opt in to Vestavia at that time because we were finishing at a Jefferson County school (Shades Valley) with many of our friends while Vestavia High was being built and opening.

My father passed away years ago and my mother remained in the house until she died in August of this year. She was 91. They were the only owners of their house since it was built in 1968.

The estate is in probate but I have attached the Letter of Testamentary from our probate attorney giving us the authority to make decisions in the interim. We plan to put the house on the market and are petitioning for the home to be in Vestavia. Please contact myself or my sister with any concerns and questions.

Thank you for your consideration of this matter.

Jill Gallant Holt
205-601-8596

Jackie Gallant Ritchie
205-907-5463

**IN THE MATTER OF:
THE ESTATE OF:
MILDRED H GALLANT A/K/A
MILDRED HELEN GALLANT
DECEASED**

**IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA
CASE NUMBER: 21BES000904**

LETTERS TESTAMENTARY

TO ALL WHOM IT MAY CONCERN:

The Will of the above-named deceased having been duly admitted to record in said county, Letters Testamentary are hereby granted to JILL LYNN GALLANT (HOLT) AND JACQUELINE ANN RITCHIE the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. Subject to the priorities stated in §43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under §43-2-843, Code of Alabama (1975, as amended).

WITNESS my hand this date, September 28, 2021.



JUDGE OF PROBATE

I, ELIZABETH NORTH, Judge of the Court of Probate of Jefferson County, Alabama, hereby certify that the foregoing is a true, correct and full copy of the Letters Testamentary issued in the above-styled cause as appears of record in said Court. I further certify that said Letters are still in full force and effect.

WITNESS my hand and seal of said Court this date, September 28, 2021.



JUDGE OF PROBATE

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: OCTOBER 4, 2021

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

EXHIBIT "A"

LOT: 004.000 / LOT 12

BLOCK: 008 Blk 2

SURVEY: do not have

RECORDED IN MAP BOOK 81, PAGE 31 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

Coventry 1st & 2nd Sect N BK 81
PG 31 BLK 2 LOT 12

Plat Book 81 / Plat page 31
Census tract 012911 / Block 4030
Lat: 33.436589 Lon: -86.768305

* Address:
3408 Watertown Place
Vestavia AL 35243

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>Jill Holt</u>	Lot <u>12</u> Block <u>2</u> Survey _____
<u>Jacqueline Ann Ritchie</u>	Lot <u>12</u> Block <u>2</u> Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Jill Gallant Holt being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Jill Gallant Holt
Signature of Certifier

Subscribed and sworn before me this the 4th day of October, 2021.

Janet Cork Friday
Notary Public

My commission expires: _____

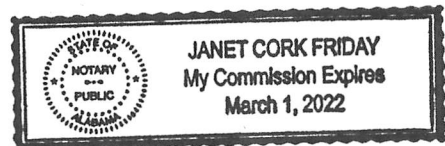
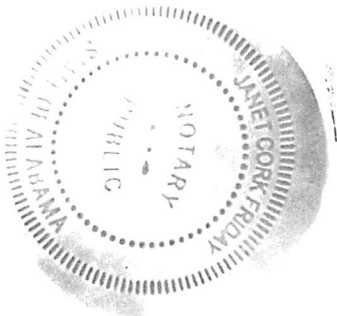


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

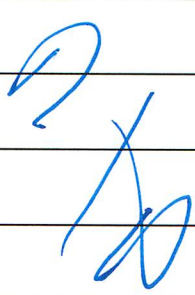
Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): _____
Address: _____
City: _____ State: _____ Zip: _____

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". _____

ORDINANCE NUMBER 3049

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Mildred Gallant Estate dated October 4, 2021, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

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

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

3408 Watertown Place
Lot 12, Coventry, 1st and 2nd Sectors
Mildred Gallant Estate

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 20th day of December, 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 # 3049 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 20th day of December, 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 _____, 2021.

Rebecca Leavings
City Clerk

3408 Watertown Place



Legend

 Vestavia_Hills_City_Limits