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**Vestavia Hills
City Council Agenda
July 11, 2022
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Butch Williams, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
7. City Manager’s Report
8. Councilors’ Reports
9. Approval Of Minutes – June 27, 2022 (Regular Meeting)

Old Business

10. Public Hearing – Resolution Number 5398 – A Resolution Granting A One-Time Bonus To Retirees And Beneficiaries Of Deceased Retirees Pursuant To Alabama Act 2022-229
11. Public Hearing – Ordinance Number 3104 – Rezoning – 3276 Greendale Road; Rezone From Vestavia Hills R-2 (Medium Density Residential District) To Vestavia Hills R-9 (Planned Residential District) For Construction Of 11 Single-Family Homes In A Planned Subdivision; Braxton Homes, Owners
12. Public Hearing – Ordinance Number 2802-A – An Ordinance Amending Ordinance Number 2802 To Re-Establish The Cahaba Heights Entertainment District

New Business

13. Public Hearing - Resolution Number 5399 – Alcohol License –Local Roots LLC D/B/A Local Roots; 3134 Cahaba Heights Road For The On-Premise Sale Of A Restaurant Retail Liquor License; Dustin W. Spruill And Katheryn A. Spruill, Executives
14. Ordinance Number 3108 - An Ordinance Accepting A Bid For Wald Park Improvements, Phase III And Authorizing The Execution And Delivery Of The Construction Contract

Documents By And Between The City Of Vestavia Hills, Alabama, As “Owner,” And
Duncan & Thompson Construction, As “Contractor”

New Business (Requesting Unanimous Consent)

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

15. Public Hearing – Resolution Number 5400 – A Resolution To Appropriate Funding For
The Completion Of The Sicard Hollow Pedestrian Tunnel
16. Citizens Comments
17. Time Of Adjournment

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

JUNE 27, 2022

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 members of the general public 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 Boone, City Attorney**
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Jason Hardin, Police Captain
Marvin Green, Fire Chief
Brian Davis, Public Services Director
Lori Beth Kearley, Asst. City Engineer
Zach Clifton, Chief Accountant
Jamie Lee, Director of Parks and Leisure Services
Umang Patel, Court Director*

**present virtually via Zoom or telephone*

***arrived at 6:40 PM*

The Mayor asked for a moment of silence in honor of the victims of the recent shooting at St. Stephens Church. Jim Cartledge, a Vestavia Hills Chaplain, led the moment of silence and then the invocation, 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 Mrs. Cook seconded by Mr. Pierce. Roll call vote was, as follows:

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes
Mayor Curry – yes

Mr. Weaver – yes
motion carried.

ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION

- Mayor Curry stated that the Community is broken-hearted over the recent tragic events at St. Stephens Episcopal Church. He stated that the City’s deep sympathies go out to the victims, their families, friends, fellow church members and the community at large. He also thanked the first responders for protecting our safety. The Mayor thanked the medical personnel who worked tirelessly in an effort to save the victims. He stated that, as the City copes with this tragedy, it is comforting to see the outpouring of love from Vestavia residents, residents of neighboring communities, and others across the state.
- Mr. Pierce stated that he purchased a green bow, today, in support of the St. Stephens community, with the proceeds going to the church in support of their ministry. He also commended the City’s first responders for their quick actions to prevent further tragedy. They represented this City well.

PROCLAMATION

The Mayor presented a Proclamation designating July 2022, as “Alzheimer’s and Brain Health Awareness Month.” Mr. Downes read the proclamation aloud and the Mayor presented it to Jessica Miller, Executive Director of the Alzheimer’s Association, Alabama Chapter.

Ms. Miller thanked the residents of the City and the Council for the recognition of this month.

CITY MANAGER’S REPORT

- Mr. Downes stated that, at the next Council meeting, he will present information for Wald Park Phase III bid award and financial approvals. This will allow the project to move forward.
- Mr. Downes stated that TCU reports that the Vestavia Hills Civic Center should be completed by mid-August 2022. The building is making great progress with finishing touches inside and the pedestrian bridge finishing on the outside. He stated that the City will move into the building fairly soon after gaining occupancy, but getting the IT up and running might take a little longer.
- Mr. Downes recognized Melanie Perry for her recognition as one of the 2022 “Top 50 Over 50 Individuals” by Positive Maturity. He stated that she is every important to the people in our city because of her work at the New Merkel House and dedication to serving seniors.
 - Mrs. Cook stated that Melanie is dearly loved at the New Merkel house. One outstanding service was that, during the pandemic, Melanie ensured that Meals on

Wheels were delivered to those who needed it even though there was a shortage of delivery drivers. She personally thanked Melanie for her outstanding service.

COUNCILOR REPORTS

- Mrs. Cook stated that she attended the Board of Education meeting this afternoon. She reported that the Superintendent and the CFO received their evaluations. She stated that Dr. Freeman received a 4.7 out of 5 possible points which is an outstanding score.
- Mrs. Cook stated that the Board introduced the updated school safety plan and she heard the assessment by the VHPD PIO, Captain Shane Ware. She stated the Dr. Martin was not able to go into a lot of details of the plan, for security reasons, but both he and Capt. Ware emphasized they study every school shooting to find ways to continually increase safety on our campuses.
- Mr. Pierce stated that he met with the Chamber's new President, Michelle Hawkins. He stated he is excited to work with her and indicated that her background is impressive, especially her experience in supporting small business.
- Mr. Pierce welcomed Christina Babineaux who was attending the meeting virtually representing the Chamber of Commerce.
- Mr. Pierce stated that the weather, this weekend, cooperated for the I Love America event, and he commended the Chamber for, once again, hosting another successful event.
- Mayor announced that the World Games start this weekend. He stated that the Red White and Blue team, a group of veterans, had started a trek from Washington DC carrying an American Flag. On July 6, the flag will come from Tuscaloosa to Hoover and then proceed through Vestavia Hills and Homewood, where it will be received by the City of Birmingham, host city of the World Games. While in Vestavia Hills, veterans from here will be carrying and relaying the flag, including Mrs. Cook's husband, Greg Cook, Republican nominee for the State Supreme Court and Air Force veteran.
 - Brian Davis, Public Services Director, stated that they have a list of veterans who have volunteered to carry the flags by relay. He stated he is still looking for a Marine in order to represent all divisions of our Armed Forces.

FINANCIAL REPORTS

Melvin Turner, III, Finance Director, presented the financial reports for month ending May, 2022. He read and explained the balances.

APPROVAL OF MINUTES

The Mayor stated that the approval of the minutes from the June 13, 2022 (Regular Meeting) was needed and opened the floor for a motion.

MOTION Motion to approve the minutes of the June 13, 2022 (Regular Meeting) was made by Mrs. Cook and second was by Mr. Pierce. Roll call vote as follows:
Mrs. Cook – yes Mr. Head – yes

Mr. Pierce – yes
Mayor Curry – yes

Mr. Weaver – yes
motion carried.

OLD BUSINESS

RESOLUTION NUMBER 5392

**Public Hearing – Resolution Number 5392 – Annexation – 90 Day – 2644 Yorkmont Drive;
Lot 16, Chimney Hills; Daniel And Faye Cambron, Owners**

MOTION Motion to approve Resolution Number 5392 was by Mrs. Cook and seconded by Mr. Pierce.

The Mayor stated that this is the beginning of a 90-day annexation process for this property and the item following this item is for the overnight annexation of the same property. He explained that the public hearing would be for both items.

Mr. Pierce gave the report from the Standing Annexation Committee which contained no adverse information from City staff.

Mr. Cambron was present in regard to this request.

The Mayor stated that this is the overnight annexation of the same property and that the public hearing occurred with the previous agenda item. There being no one further 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
Mayor Curry – yes

Mr. Head – yes
Mr. Weaver – yes
motion carried.

ORDINANCE NUMBER 3100

Public Hearing – Ordinance Number 3100 – Annexation – Overnight – 2644 Yorkmont Drive; Lot 16, Chimney Hills; Daniel And Faye Cambron, Owners

MOTION Motion to approve Ordinance Number 3100 was by Mrs. Cook and seconded by Mr. Pierce.

The Mayor stated that this is the overnight annexation of the same property and that the public hearing had already occurred. There being no one further 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
Mayor Curry – yes

Mr. Head – yes
Mr. Weaver – yes
motion carried.

RESOLUTION NUMBER 5393

**Public Hearing – Resolution Number 5393 – Annexation – 90 Day – 2632 Rillwood Road;
Lot 15, Altadena Park; Jason Womack, Owners**

MOTION Motion to approve Resolution Number 5393 was by Mr. Pierce and seconded by Mrs. Cook.

The Mayor stated that this is the beginning of a 90-day annexation process for this property and the item following this item is for the overnight annexation of the same property. He explained that the public hearing would be for both items.

Mr. Pierce gave the report from the Standing Annexation Committee which contained no adverse information from City staff.

Mr. Womack was present in regard to this request.

The Mayor opened the floor for a public hearing. There being no one further 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. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

ORDINANCE NUMBER 3101

**Public Hearing – Ordinance Number 3101 – Annexation – Overnight – 2632 Rillwood Road;
Lot 15, Altadena Park; Jason Womack, Owners**

MOTION Motion to approve Ordinance Number 3101 was by Mrs. Cook and seconded by Mr. Pierce.

The Mayor stated that this is the overnight annexation of the same property and that the public hearing occurred with the previous agenda item. There being no one further 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. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

RESOLUTION NUMBER 5394

**Public Hearing – Resolution Number 5394 – Annexation – 90 Day – 3524 Ridgedale Drive;
Lot 27, Rocky Ridge Estates; John and Helen White, Owners**

MOTION Motion to approve Resolution Number 5394 was by Mrs. Cook and seconded by Mr. Pierce.

The Mayor stated that this is the beginning of a 90-day annexation process for this property and the item following this item is for the overnight annexation of the same property. He explained that the public hearing would be for both items.

Mr. Pierce gave the report from the Standing Annexation Committee which adverse information.

Mr. White was present in regard to this request.

Mrs. Cook asked about the notation in the report that the subdivision containing this property was not “up to city standards” for subdivisions. She asked if the city, at any point, requires subdivisions that want to come into the city to update what is not according to standard.

Ms. Kearley stated that the City tries to “fix what they can” when pre-existing subdivisions come into the City, but, most of the time, the infrastructure was built according to a lower standard and will not change.

The Mayor opened the floor for a public hearing. There being no one further 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. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

ORDINANCE NUMBER 3102

Public Hearing – Ordinance Number 3102 – Annexation – Overnight – 3524 Ridgedale Drive; Lot 27, Rocky Ridge Estates; John and Helen White, Owners

MOTION Motion to approve Ordinance Number 3102 was by Mrs. Cook and seconded by Mr. Pierce.

The Mayor stated that this is the overnight annexation of the same property and that the public hearing occurred with the previous agenda item. There being no one further 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
Mayor Curry – yes

Mr. Head – yes
Mr. Weaver – yes
motion carried.

RESOLUTION NUMBER 5395

**Public Hearing – Resolution Number 5395 – Annexation – 90 Day – 3516 Ridgedale Drive;
Lot 33, Rocky Ridge Estates; Patricia Lucas, Owner**

MOTION Motion to approve Resolution Number 5395 was by Mr. Pierce and seconded by Mrs. Cook.

The Mayor stated that this is the beginning of a 90-day annexation process for this property and the item following this item is for the overnight annexation of the same property. He explained that the public hearing would be for both items.

Mr. Pierce gave the report from the Standing Annexation Committee which contained no adverse information from City staff. He explained the function of the Standing Annexation Committee and when they meet. He stated that the City only acts on requests for annexation by citizens.

Mrs. Lucas was present virtually and Mr. Lucas was present in the Chamber in regard to this request.

The Mayor opened the floor for a public hearing. There being no one further 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
Mayor Curry – yes

Mr. Head – yes
Mr. Weaver – yes
motion carried.

ORDINANCE NUMBER 3102

Public Hearing – Ordinance Number 3103 – Annexation – Overnight – 3516 Ridgedale Drive; Lot 33, Rocky Ridge Estates; Patricia Lucas, Owner

MOTION Motion to approve Ordinance Number 3103 was by Mrs. Cook and seconded by Mr. Pierce.

The Mayor stated that this is the overnight annexation of the same property and that the public hearing occurred with the previous agenda item. There being no one further 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. Head – yes

Mr. Pierce – yes
Mayor Curry – yes

Mr. Weaver – yes
motion carried.

RESOLUTION NUMBER 5381-A

Public Hearing – Resolution Number 5381-A – Annexation – 90 Day – 2245 And 2249 Blue Ridge Blvd; Taylor Burton, Alicia And Donald Huey, Townes Development Group, LLC; Annexation And Development For 25 Townhomes

MOTION Motion to approve Resolution Number 5381-A was by Mr. Pierce and seconded by Mr. Head.

The Mayor stated that this is the beginning of a 90-day annexation process for this property.

Ms. Leavings stated that, at the Planning and Zoning Commission meeting, it was discovered that a zoning classification for the County property had been omitted from the applications and the City’s legal counsel advised that the applicant needed to restart both the annexation and the rezoning of the property, which is a request to annex and construct 25 townhomes. She stated that this is the restart of the Annexation with a new public hearing scheduled for September so the request can be vetted in the pre-zoning process.

Mr. Pierce asked if the City had received updated drainage reports, and Mrs. Kearley confirmed these were received.

Taylor Burton, developer, was present in regard to this request.

The Mayor opened the floor for a public hearing. There being no one further 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
Mayor Curry – yes

Mr. Head – yes
Mr. Weaver – yes
motion carried.

ORDINANCE NUMBER 3099

Public Hearing – Ordinance Number 3099 – An Ordinance Repealing Ordinance Number 2331, 2331-A, And 2331-B And Establishing A New Vestavia Hills Zoning Code (*public hearing delayed until June 27, 2022*)

Mr. Downes and Ms. Leavings highlighted the revisions of the new zoning code and explained that this was recommended by both the Zoning Staff and the Planning and Zoning Commission to update the code, to clarify and add some needed definitions. A redlined version of the Ordinance has been provided on the website for several months which showed the revisions

and was updated as the Ordinance went through the process of consideration and adoption. She explained that this hearing has been posted and advertised pursuant to Alabama law and is ready for consideration of the Council.

Mrs. Cook asked about changes to the B-1.2 zoning classification. Mr. Downes explained this classification has always required and been constrained by Planning and Zoning Commission approval of a development plan, and that the addition of formal Council approval of any B-1.2 development plan was already being done, in practice, but now the practice will be codified through the Zoning Code.

MOTION Motion to approve Ordinance Number 3099 was by Mr. Pierce and seconded by Mrs. Cook.

The Mayor opened the floor for a public hearing. There being no one further 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. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

NEW BUSINESS

RESOLUTION NUMBER 5397

Resolution Number 5397 – A Resolution Authorizing A Conditional Permissive Use Of A Portion Of The Public Right-Of-Way Of Sunset Drive

MOTION Motion to approve Resolution Number 5397 was by Mr. Pierce and seconded by Mr. Head.

Mrs. Kearley, Assistant City Engineer, summarized information about the history of the request that is also provided in the agenda packet. The City advised the property owner that Council approval would be required for the wall to remain in place; otherwise, it would have to be removed by the property owner. She stated the City has an interest in maintaining access to the public sidewalk, for repairs and maintenance, and to ensure there are no adverse impacts to adjacent or downstream property owners due to changes in storm water drainage as a result of the structure. She added that this area of the city is the subject of a lot of storm water complaints. In fact, the City has hired Schoel Engineering to study this area to identify public storm water infrastructure, and the study is ongoing. To address these concerns, the City requested the property owner provide a statement of no adverse impact to storm water drainage, and a survey to show the exact location of the structure. The applicant has not provided a survey but, since the wall is only a few feet off of the sidewalk, the property owner coneded it is in the City's right-of-way. She stated that the property owner provided a letter stamped by an engineer stating there would be no adverse impact to storm water drainage, and this letter is provided in the agenda packet.

Mrs. Cook asked if the City received any other documentation about the study that was done to determine “no adverse impact” to storm water drainage. Mrs. Kearley stated that the engineer provided the letter that is in the agenda packet and that other communications with Engineering were verbal.

Mrs. Cook asked if, other than the sidewalk, whether there was any other public infrastructure in that portion of City right-of-way. Mrs. Kearley said that, other than gutter and sidewalk, there was none.

Mr. Pierce asked if a permit was issued for the building of the wall. Mrs. Kearley stated it was not a part of the permit.

Mr. Pierce asked what was the property owner’s purpose for building the wall.

Rod Dempsey, 304 Sunset Drive, stated that he called the City after a recent downpour in May had washed the topsoil away before any sod could be placed. At that time, the City informed him he needed a land disturbance permit for the work, so his contractor provided the City a diagram of the landscape plan. A week later, another hard rain came and washed away the topsoil, a second time, before the sod could be installed. He stated he engaged a contractor to build the wall to stop the water from flowing across his property. He contracted with EDG to provide the “no adverse impact” analysis.

Mrs. Kearley clarified that Mr. Dempsey did not get permission from and did not advise the City that he was building the wall. Mr. Dempsey agreed.

Mrs. Cook asked for clarification as to whether the purpose of the wall was to divert water. Mr. Dempsey stated that the purpose was to divert the water around the house. Mr. Dempsey introduced his contractor and the engineer to answer specific questions.

The Mayor opened the floor for a public hearing.

Mrs. Cook stated that she understands Mr. Weaver received a video from someone showing a recent storm event that shows how the water flows around the wall; she deferred to Mr. Weaver to introduce the video and requested that it be shown as part of the public hearing.

Mr. Weaver stated he would like to see the video and hear from the engineer too before the Mayor opens the public hearing.

The Mayor stated he would like to open the floor to residents and then hear from the engineer to answer any questions.

Mrs. Cook requested that the video be shown before the public hearing.

Mr. Downes introduced the video, explaining it shows the location of the wall and how the water flows around the wall and into the neighboring driveway. Mr. Downes showed the video.

The Mayor invited the engineer to come to the podium. Donnie Stovall, EDG, stated that he and Mr. Dempsey met to review the wall. He stated that they met with the owner and the neighbor and said what the video shows is what they “were expecting to see” given an extreme amount of rainfall. He stated that this is an extreme example of the flow pattern that has occurred for “quite a while” because the water flows to the back of Mr. Dempsey’s property and is collected in a ditch and then into a pipe that “goes away.” He stated that the water ultimately gets to the “same place it was before.” They talked to the neighbor about what has happened in the past and understand water has been flowing across his yard for some time now. The wall is not creating any new problems at the neighbor’s house.

Discussion ensued as to whether or not this has resulted in an increase on this neighbor’s drive.

Mrs. Cook asked, if the wall were not there, would some of the water flowing onto the paved driveway go into the ground instead of flowing down the neighbor’s driveway.

Mr. Stovall replied that of course some water would go into the ground when it flowed across Mr. Dempsey’s property before meeting the driveway and continuing on its course.

Mr. Weaver asked if the wall was diverting water flow onto the neighbor’s property.

Mr. Stovall replied yes, the wall is diverting water onto the adjoining property.

Discussion ensued as to the water flow post and pre-construction of the wall.

Mr. Stovall stated that this is diverting water onto the neighbor’s property but with or without the wall, the water will eventually end up there anyway.

Mr. Weaver asked the length of the wall. Mr. Stovall estimated the wall is 75’ in length. He asked if the water, before the wall was built, was washing into the yard instead of directly into the driveway.

Mr. Stovall said, yes.

Mr. Pierce asked questions relative to the flow of water and concluded the water coming from the other side of the street, at a higher elevation, now flows into the neighbor’s driveway directly instead of going into Mr. Dempsey’s yard, for some distance, before flowing back onto Mr. Dempsey’s property.

Mrs. Cook asked if construction of the wall has caused increased velocity of waterflow. Mr. Stovall stated that the velocity has increased, but there is a stone swale at the back of Mr. Dempsey’s house that captures the water on Mr. Dempsey’s property and slows it down, before it flows into a ditch. From an engineering perspective, higher velocities are usually concerned

with erosion potential. While, in this case, the velocity is higher, there are no issues of erosion that he can determine.

Mr. Pierce stated that Mr. Dempsey's wall eliminates an absorption area and will increase the flow down the concrete and there might be an adverse effect on the neighbor's house and increase the flow down his driveway.

Mr. Weaver pointed out that some of the water going down the driveway flows into the neighbor's front yard. Mrs. Cook agreed you can see that from the video.

The Mayor said the only difference in water flow is that some of the water is not going into Mr. Dempsey's yard, but is now going down the neighbor's driveway before going back onto Mr. Dempsey's lot.

Mr. Pierce asked what can be done to lessen the effect on the neighbor.

Mr. Dempsey discussed a possible solution that would shorten the wall and lower the endpoint to catch some of the water.

Mr. Dempsey stated that he did meet with the neighbor and that he is willing to discuss shortening the wall. He said he is willing to work with the neighbor.

Mr. Weaver suggested that Mr. Dempsey should come up with a design that works for everyone and then resubmit that for approval prior to any construction.

Mr. Pierce suggested tabling the item.

Mrs. Cook stated that storm water flow and velocity is studied by Engineering for each and every land disturbance permit and she is concerned about the velocity of this water and that the Council needs a good answer to this question.

The Mayor invited Mr. Boone to speak about precedence for building structures in City right-of-way.

Mr. Boone addressed 2 things: First, if you read surface water drainage cases in Alabama, that water without a wall, falls on all the lands in a sheet. If you build an obstruction is, the sheet hits the obstructions, and the water is channeled onto a neighbor's property, which is what you do not want to do. Second, rules are that all public streets offered and accepted for dedication are owned by the City and most are 50' right-of-way with some areas on either side unimproved which amount to about 10' on each side. Alabama law specifically requires cities to maintain public streets and keep them free from obstructions so that we will have safe passageway on public streets. Cities can be held negligent when an employee or service agents does something in the line and scope of their authority that is negligent, or when there is a public right-of-way with an obstruction and the city allows it to remain. He stated the city may allow a resident to erect an obstruction on City right-of-way, but if the City makes the property owner jointly liable, the resident may be liable instead. Last, if the City allows this wall to channel water onto the

neighbor, it could expose the City and Mr. Dempsey to liability. He suggested if there is a way to fix the wall to where it won't channel water, then he recommends tabling the item until such a plan can be developed. If the City knows there is an obstruction, and we are aware and allow it, we are liable.

Mrs. Cook made a motion to postpone the agenda item for no more than 30 days so the engineer can work on a suitable proposal. Mr. Pierce seconded the motion.

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

MOTION Motion to postpone this request until a new plan not exceed 30 days can be presented to the Council was by Mrs. Cook and seconded by Mr. Pierce.

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

ORDINANCE NUMBER 3106

Ordinance Number 3106 – An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver Agreements For A Public Sidewalk/Construction Easements With Various Owners In Cahaba Heights

MOTION Motion to approve Ordinance Number 3106 was by Mr. Pierce and seconded by Mr. Head.

Mr. Downes explained that they are reaching a conclusion for a pedestrian walkway connecting The Heights Village shopping center to the rear of the Fig Tree restaurant. This Ordinance will secure the final easements needed to being to work toward construction.

Mr. Downes showed a detailed drawing to indicate the location of the easements for the sidewalk.

Discussion ensued as to the connection, water drainage in the area and the legality of the easements.

The Mayor opened the floor for a public hearing. There being no one further 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)

- Public Hearing – Resolution Number 5398 – A Resolution Granting A One-Time Bonus To Retirees And Beneficiaries Of Deceased Retirees Pursuant To Alabama Act 2022-229
- Public Hearing – Ordinance Number 3104 – Rezoning – 3276 Greendale Road; Rezone From Vestavia Hills R-2 (Medium Density Residential District) To Vestavia Hills R-9 (Planned Residential District) For Construction Of 11 Single-Family Homes In A Planned Subdivision; Braxton Homes, Owners
- Public Hearing – Ordinance Number 2802-A – An Ordinance Amending Ordinance Number 2802 To Re-Establish The Cahaba Heights Entertainment District

CITIZEN COMMENTS

None.

At 7:28 PM, Mrs. Cook made a motion to adjourn. The meeting adjourned at 7:29 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

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.

RESOLUTION NUMBER 5398

**A RESOLUTION AUTHORIZING A ONE-TIME BONUS FOR RETIREES
AND BENEFICIARIES OF DECEASED RETIREES TO BE EXPENSED IN
FY23**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
VESTAVIA HILLS, ALABAMA**, as follows:

1. The City of Vestavia Hills through its governing authority, elects to come under the provisions of Section 2, of Act 299 of the Regular Session of the 2022 Alabama Legislature; and
2. The Retirement Systems of Alabama has informed the City by letter dated May 11, 2022, that the total cost of said bonus is \$102,718.00. A copy of said letter is marked as Exhibit A, attached to and incorporated into this Resolution Number 5398 as though written fully therein; and
3. The City of Vestavia Hills agrees to provide all funds necessary to the Employees' Retirement System to cover the cost of the one-time lump sum payment as provided for by this Act for those eligible retirees and beneficiaries of deceased retirees of the City of Vestavia Hills with the aforementioned lump sum payment being paid in October 2022; and
4. This Resolution Number 5398 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 11th day of July, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Teachers
Luther P. Hallmark, Chair
John R. Whaley, Vice Chair



Employees
Exhibit A - Resolution No. 5398
State State Police Public Judicial
Kay Ivey, Chair
James E. Fibbe, Vice Chair

THE RETIREMENT SYSTEMS OF ALABAMA

David G. Bronner, CEO

Jo Moore, Deputy Director for Administration

R. Marc Green, Deputy Director for Investments

May 11, 2022

VESTAVIA HILLS
MAIN OFFICE
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, AL 35216

Unit Code: EVES

Act 2022-229 of the Regular Session of the Alabama Legislature provides your agency with the opportunity to grant a one-time lump sum payment to retired members and beneficiaries of deceased retirees who retired prior to March 1, 2022 and are entitled to receive a monthly retirement benefit from the Employees' Retirement System (ERS) on September 30, 2022.

The Act provides for the retiree to receive a one-time lump sum payment of \$2.00 for each month of service credited to the retiree's account or a beneficiary of a deceased retiree. Payment will be made in October 2022 separate from the monthly retirement direct deposit.

If your agency elects to grant the 2022 one-time lump sum payment, your estimated cost is **\$102,718.00** which will require **0.53%** to be added to your agency's employer contribution rate effective for the one year period from October 1, 2023 – September 30, 2024, or you may submit a one-time lump sum payment remitted with the resolution to cover the cost.

To grant the provisions of Act 2022-229 for retirees and beneficiaries of your agency, the governing authority of your agency must adopt and submit a Resolution. A fillable form Resolution can be found on the RSA website at https://www.rsa-al.gov/uploads/files/2022_Lump_Sum_Resolution_Retiree_fillable.pdf. **Resolution to adopt the provisions of Act 2022-229 must be received by the ERS no later than August 31, 2022.** Please note that there is no provision that will allow the one-time lump sum payment to be granted retroactively.

Any retiree or beneficiary whose eligibility for Medicaid benefits is impaired by this payment shall not be entitled to receive payment and should notify this office to request that the increase not be granted.

If you have any questions regarding the implementation of the provisions of Act 2022-229, please contact my office at (334) 517-7000 or 1-877-517-0020.

Sincerely,
William F. Kelley, Jr.
Director
Employees' Retirement System

ORDINANCE NUMBER 3104

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS R-2 TO VESTAVIA HILLS R-9

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills R-2 (medium density residential district) to Vestavia Hills R-9 (planned residential district):

3276 Greendale Road
Braxton Cove Properties, LLC, Owner

More Particularly Described as Follows:

Part of Lots 12 and 13, according to Jonas Schwab Co. survey, as recorded in Map Book 5, Page 35, in the Office of the Judge of Probate of Jefferson County, Alabama, more particularly described as follows:

Begin at the northwest corner of Lot 12, run thence eastwardly along the North line of said Lot 12, for a distance of 244.40 feet; thence turn an angle to the right of 83° 27' and run southwardly for a distance of 475.25 feet; thence turn an angle to the right of 130° 23' and run northwestwardly for a distance of 161.00 feet to point of curve having a radius of 361.66 feet, a tangent distance of 107.50 feet and an intersection angle of 34° 00' left; thence continue northwestwardly around said curve for a distance of 173.2 feet, to a point in the west boundary line of said Lot 12, 9.5 feet north of the southwest corner; run thence northwardly along said west boundary line for a distance of 330.50 feet, to the point of beginning.

BE IT FURTHER ORDAINED that said zoning shall not be effective until the following conditions have been met:

1. Said zoning is based upon the preliminary plat plan which was presented with zoning (see attached); and
2. Said rezoning shall not become effective prior to the required CC&R's are filed with the Jefferson County Judge of Probate and a copy is attached to and incorporated into this Ordinance Number 3104.

APPROVED and ADOPTED this the 11th day of July, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

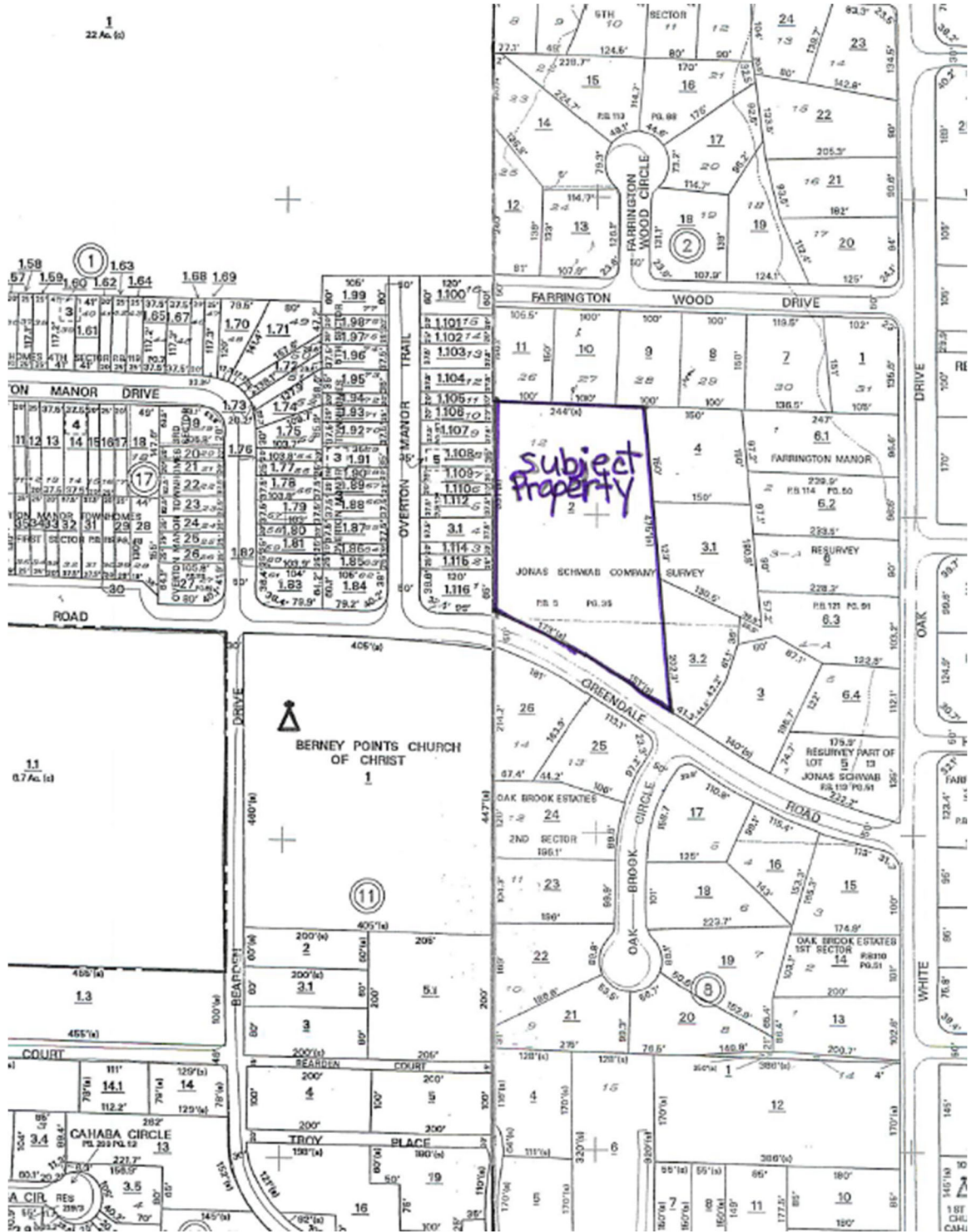
Rebecca Leavings
City Clerk

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 # 3104 is a true and correct copy of such 11th day of July, 2022, 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 _____, 2022.

Rebecca Leavings
City Clerk



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

Date: MAY 12, 2022

- **CASE:** P-0522-11
- **REQUESTED ACTION:** Rezoning From Vestavia Hills R-2 to Vestavia Hills R-9
- **ADDRESS/LOCATION:** 3276 Greendale Rd.
- **APPLICANT/OWNER:** Braxton Cove Properties, LLC
- **GENERAL DISCUSSION:** The request is for rezoning for property on Greendale Rd., adjacent to the Overton Manor townhomes and Trinity Presbyterian Church. The request is for an 11 lot subdivision. The lots will be accessed off a new private street with a sidewalk and a hammerhead terminus. Applicants are proposing to extend the sewer line from Overton Manor to serve the development.

Proposed setbacks include 7' in the front, 5' on the sides, and 20' for the rear. Site plan and proposed landscaping are attached.

- **CAHABA HEIGHTS COMMUNITY PLAN:** The proposal is consistent with the plan for medium density residential. Additionally, the project could be considered transitional due to the large townhome development adjacent to the site.
- **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: Staff recommends the following conditions: A. Approval based on site plan presented. B. Rezoning not completed until the final map has been recorded CC&R's for the subdivision are recorded,

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

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

MOTION Mr. Larson made a motion to recommend Rezoning for 3276 Greendale Rd. from Vestavia Hills R-2 to Vestavia Hills R-9 with the following conditions:

1. Approval based on site plan presented;
2. Rezoning not completed until the final map has been recorded CC&R's for the subdivision are recorded.

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

Mr. Honeycutt – yes

Ms. Sykes – yes

Mr. Romeo – yes

Mr. Weaver– yes

Motion carried.

Mr. Farrell – yes

Mr. Larson – yes

Mr. Maloof– yes

Ms. Barnes– yes

CITY OF VESTAVIA HILLS

APPLICATION

PLANNING AND ZONING COMMISSION

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 zoning/rezoning request or 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.** All information relating to Preliminary Map approvals must be submitted to the Office of the City Clerk no later than 20 days prior to the scheduled meeting at which is shall be considered. All information relating to Final Map approvals must be submitted to the Office of the City Clerk no later than 15 days prior to the scheduled meeting at which it is to be considered.
- (3) This application must be filled out in its entirety complete with 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. Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date. ***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: Braxton Cove Properties, LLC

ADDRESS: 2800 Riverview Road, Suite 1136

Birmingham, Alabama 35242

MAILING ADDRESS *(if different from above)* _____

PHONE NUMBER: Home (205) 296-5545 Office (205) 296-5545

EMAIL ADDRESS: _____

NAME OF REPRESENTING ATTORNEY/AGENT & CONTACT INFORMATION:

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: VH R-2

To: VH R-9

For the intended purpose of: Single-Family Residential Subdivision

(Example: From "VH R-1" to "VH O-1" for office building)

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

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

3276 Greendale Road, Birmingham, AL 35243

Southwest 1/4 of Section 14, Township 18S, Range 2W

Property size: _____ feet X _____ feet. Acres: 2.37

V. INFORMATION ATTACHED:

Attached Checklist complete with all required information.

Application fees submitted.

VI. I do hereby declare the above statements are true and that I am the owner and myself or my duly appointed representative will be at the scheduled hearing.

Jan Davis 4/7/2022
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 7 day of April, 2022

Donna Akers
Notary Public

My commission expires Dec
day of 10, 2022.



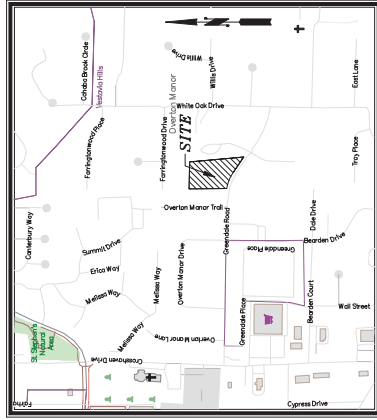
SITE PLANS FOR BRAXTON SUBDIVISION

A RESIDENTIAL SUBDIVISION
SITUATED IN THE SOUTHWEST 1/4 OF
SECTION 14, TOWNSHIP 18 SOUTH, RANGE 2 WEST
THE CITY OF VESTAVIA HILLS,
JEFFERSON COUNTY, ALABAMA

11 LOTS
CURRENT ZONING: R-2
PROPOSED ZONING: R-9
PARCEL No: 28 00 14 3 002.002.000
LOT AREA: 2.37 ACRES

OWNER:
BRAXTON COVE PROPERTIES, LLC
2800 SHELBY ROAD
SUITE #1156
Birmingham, Alabama 35242
PHONE: (205) 296-5545
CONTACT: SAM DARIANI
TAX ID No. 85-3444285

SITUATED IN THE SOUTHWEST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 14,
TOWNSHIP 18 SOUTH, RANGE 2 WEST,
ALABAMA. PART OF THE
SOUTHWEST 1/4 OF SECTION 15,
TOWNSHIP 18 SOUTH, RANGE 2 WEST,
CITY OF VESTAVIA HILLS,
JEFFERSON COUNTY, ALABAMA




ESP Associates AL, Inc.
291A Cahaba Valley Parkway North
Birmingham, AL 35244
205-965-6188 (AL)
205-965-6188 (GA)
Fort Mill, SC 29708
704-833-4949 (NC)
800-802-2440 (SC)
www.espassociates.com

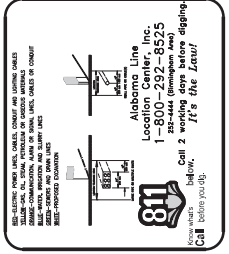
DATE OF PREPARATION
07 APRIL 2022



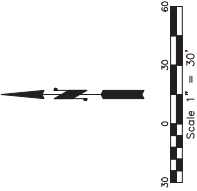
PROFESSIONAL CIVIL ENGINEER
Joseph S. Childers
JOSEPH S. CHILDERS, AL. REG. NO. 27167 DATE: 1/1/22

SHEET INDEX

SHEET NUMBER	SHEET TITLE
C-01	TITLE SHEET
C-02	BOUNDARY AND TOPOGRAPHIC SURVEY
C-03	PRELIMINARY PLAT
C-04	GRADING PLAN
C-05	DRAINAGE PLAN
C-06	UTILITY PLAN
C-07	CBMPP - PHASE I
C-08	CBMPP - PHASE II
C-09	CBMPP - PHASE III
C-10	CBMPP - DETAILS
C-11	BRAXTON COVE and ROAD #2 PLAN / PROFILE
C-12	STORM SEWER PROFILES
C-13	RETAINING WALL PLAN / PROFILE
C-14	DETAILS (SHEET 1)
C-15	DETAILS (SHEET 2)
C-16	DETAILS (SHEET 3)
C-17	TRAFFIC CONTROL PLAN
C-18	SANITARY SEWER PLAN / PROFILE
C-19	SANITARY SEWER MAIN DETAILS
C-20	SANITARY SEWER MAIN DETAILS
C-21	LOW PRESSURE SYSTEM DETAILS
C-22	LOW PRESSURE SYSTEM DETAILS
C-23	LOW PRESSURE SYSTEM DETAILS



Alabama Line
Local Number
1-800-280-8525
205-965-6188
205-965-6188 (Birmingham Area)
Call 2 working days before digging.
Call before you dig!



DESCRIPTION
 Part of Lots 12 and 13, according to Jonas Schwab Co. survey, as recorded in **Map Book 5, Page 35**, in the Office of the Judge of Probate of Jefferson County, Alabama, more particularly described as follows:
Begin at the northwest corner of Lot 12, run thence **eastwardly** along the North line of said Lot 12, for a distance of **244.40 feet**; thence turn an angle to the right of **83° 27' 13"** and run southwardly for a distance of **475.25 feet**; thence turn an angle to the right of **130° 23'** and run northwesterly for a distance of **161.00 feet** to point of curve; thence a radius of 361.66 feet, a tangent distance of 107.250 feet and an intersection angle of **90° 00' 00"** to the stationing line; thence follow the stationing line for a distance of **173.28 feet**, to a point in the West boundary line of said Lot 12, 9.5 feet North of the southwest corner; run thence **Northwardly** along said west boundary line for a distance of **330.50 feet**, to the **point of beginning**.

FARRINGTON 5TH SECTOR
 MAP BOOK 113, PAGE 88

OVERTON MANOR TOWN HOMES FIFTH SECTOR
 MAP BOOK 121, PAGE 87

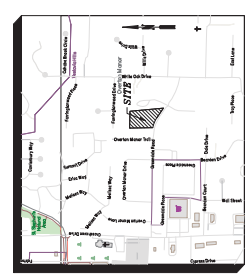


CIVIL SITE PLANS FOR
BRAXTON SUBDIVISION
 3276 GREENDALE ROAD
 CITY OF VESTAL HILLS
 JEFFERSON COUNTY, ALABAMA

NO.	DATE	BY	REVIEW
1	09/14/2022	RS	RS
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NOTE: BOUNDARY AND TOPOGRAPHIC SURVEY WAS PERFORMED BY SURVEYING SOLUTIONS AND WAS PROVIDED TO ESP ASSOCIATES AL, INC. BY THE OWNER.

3" CAPRIED PIPE FOUND





ENGINEERING RECORD SHEET
 PROJECT NO. 24-00000000
 SHEET NO. 001 OF 001
 DATE: 09/14/2022
 DRAWN BY: JES
 CHECKED BY: JES
 SCALE: AS SHOWN
 TITLE: PRELIMINARY PLAT



ESP Associates A.L. Inc.
 2914 Center Valley Parkway North
 Prichard, AL 35374
 Phone: (205) 833-1100
 Fax: (205) 833-1101
 www.ESPAL.com

CIVIL SITE PLANS FOR
BRAXTON SUBDIVISION
 3276 GREENDALE ROAD
 CITY OF VESTAL HILLS
 JEFFERSON COUNTY, ALABAMA

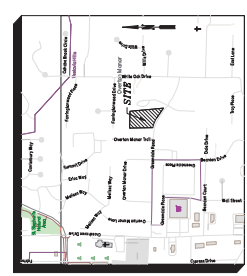
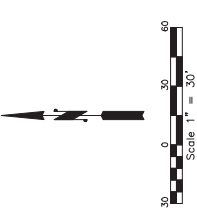
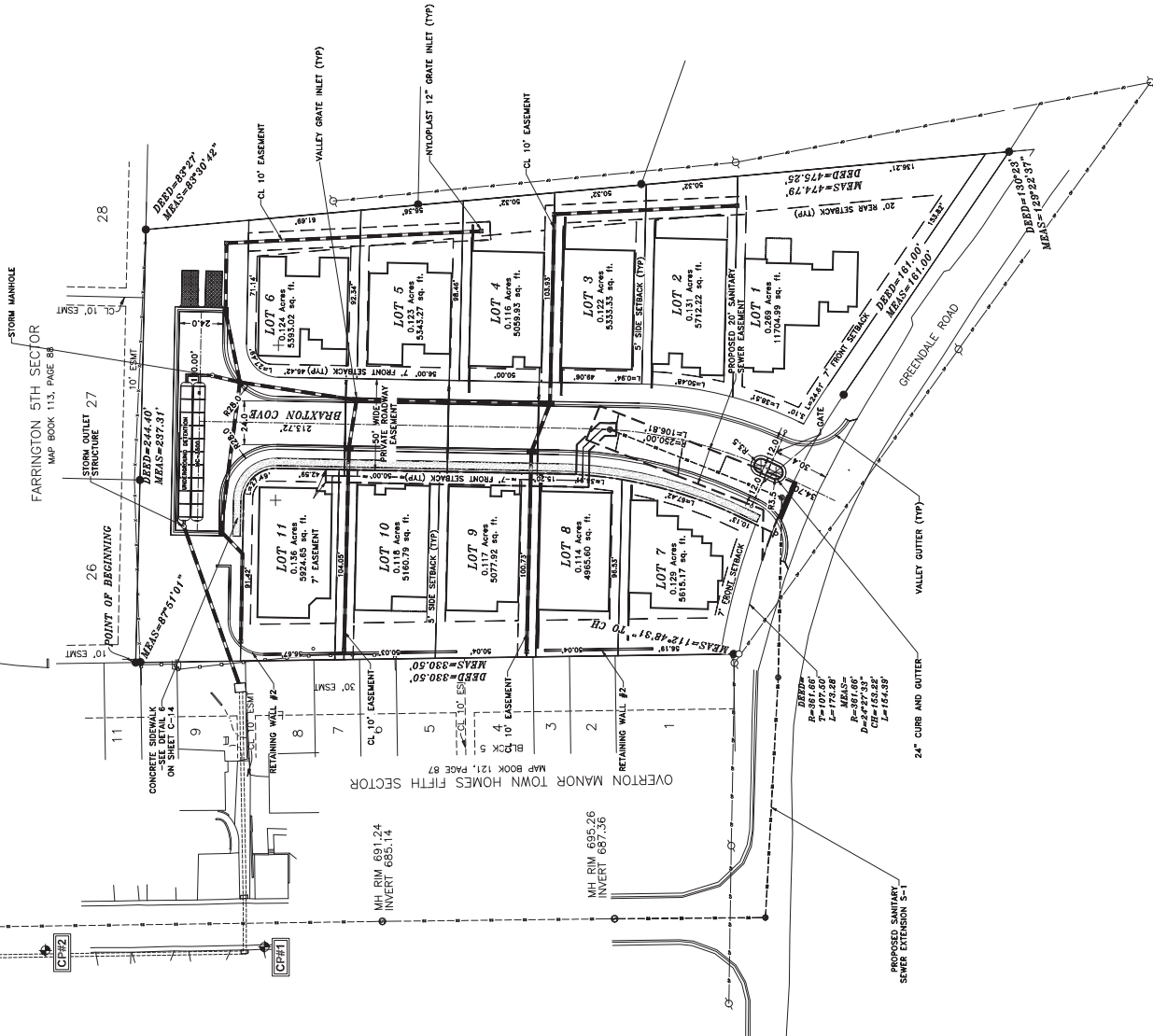
NO.	DATE	SCALE	BY	CHECKED	REVIEW
1	09/14/2022	1" = 30'	JES	JES	JES

DATE	SCALE	BY	CHECKED	REVIEW

ESP PROJECT NO. 24-00000000
 SHEET TITLE
 PRELIMINARY PLAT
 SHEET
C-03

SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF VESTAL HILLS AND SHALL COMPLY WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES.
2. ALL DIMENSIONS AND DATA ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED. DIMENSIONS SHOWN TO BUILDINGS ARE TO THE OUTSIDE FACE OF BUILDINGS UNLESS OTHERWISE NOTED.
3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVED BY THE ENGINEER AND BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS.
4. THE CONTRACTOR SHALL OBTAIN ALL PERMITS NECESSARY FOR THE WORK AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVED BY THE ENGINEER AND BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS.
5. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE COURSE OF THE WORK SHALL BE IDENTIFIED AND REPORTED TO THE OWNER, ARCHITECT AND ENGINEER IMMEDIATELY.
6. THE CONTRACTOR SHALL MATCH THE EXISTING CURB, SIDEWALKS AND PAVEMENT TO THE SIZE, TYPE AND ALUMINUM AND TYPICAL OF ALL PROPERTY CORNERS.
7. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL PROPERTY CORNERS.
8. GENERAL CONTRACTOR TO COORDINATE WITH APPROPRIATE UTILITY COMPANIES PRIOR TO THE START OF CONSTRUCTION TO LOCATE ALL EXISTING UTILITIES AS DESIGNATED ON PLANS.



3" CAPRIED PIRE FOUND



ESP Associates A.L. Inc.
2914 Center Valley Parkway North
Plymouth, AL 35724
706-938-9900
www.ESPinc.com



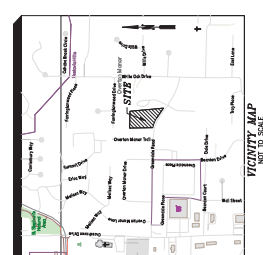
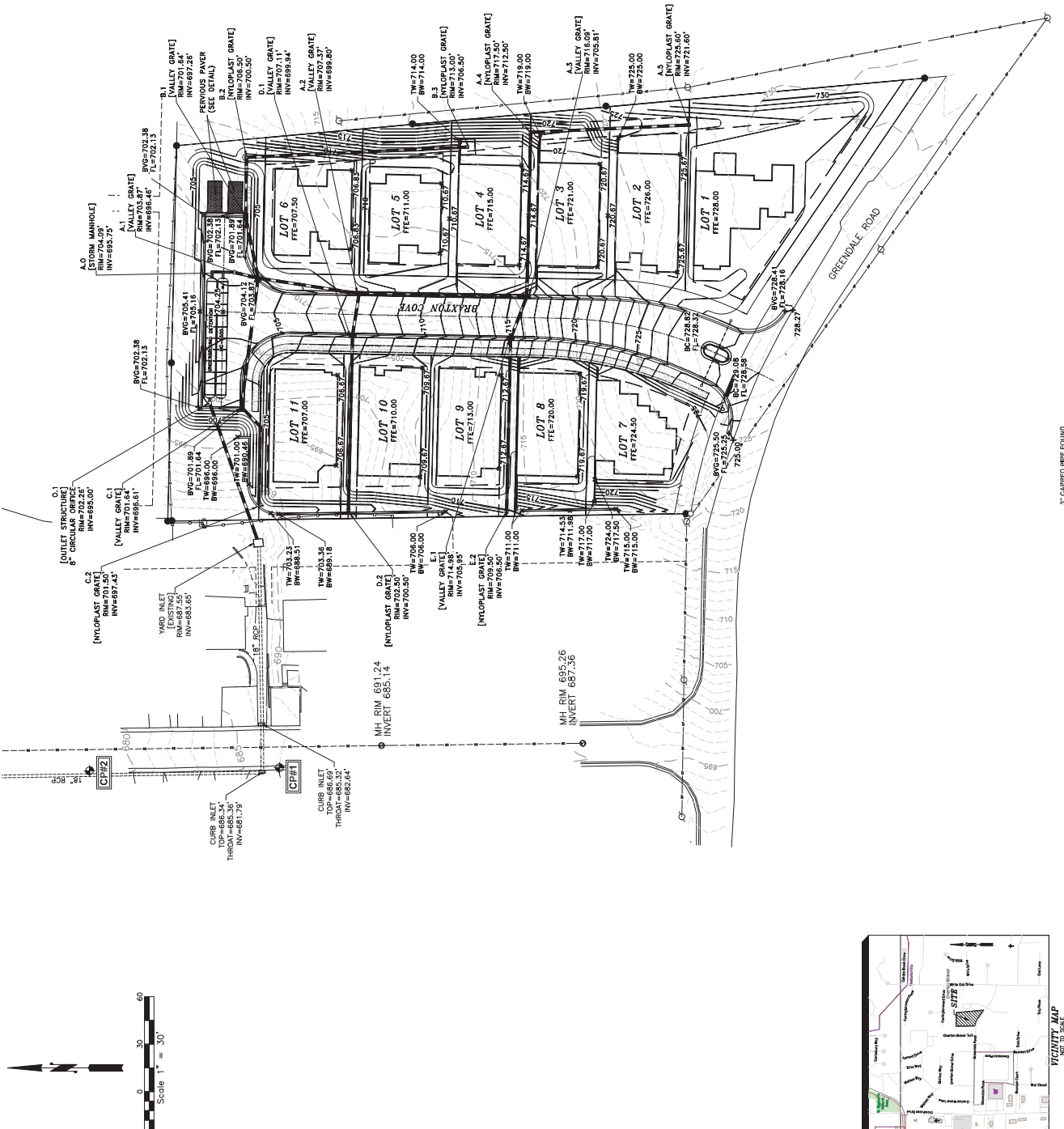
CIVIL SITE PLANS FOR
BRAXTON SUBDIVISION
3276 GREENDALE ROAD
CITY OF VESTALVA HILLS
JEFFERSON COUNTY, ALABAMA

NO.	DATE	BY	REVIEW
1	04/14/2022
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9

ES&P PROJECT NO.: 2214-003
SHEET TITLE:
GRADING PLAN
SHEET
C-04

GRADING NOTES

1. INFORMATION CONCERNING SITE SOIL CONDITIONS WILL BE PROVIDED BY THE OWNER. THE RESPONSIBLE FOR REMOVAL OF ALL DEBRIS IS ACCEPTABLE TO THE OWNER AND ENGINEER.
2. IF THE CONTRACTOR DOES NOT ACCEPT EXISTING CONDITIONS, THE CONTRACTOR SHALL MAKE, AT THEIR OWN EXPENSE, A TOPOGRAPHIC SURVEY AND SUBMIT IT TO THE OWNER FOR REVIEW.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVING ALL CONSTRUCTION ACTIVITIES AND PROVIDING ALL LOCATION OF ALL UTILITIES SHOWN OR NOT SHOWN.
4. RCP STORM PIPE SHALL BE CLASS III PER ASTM C-76, AWAY FROM THE BUILDINGS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION AND COST OF THE RELOCATION OF ALL UTILITIES AND THE CONSTRUCTION OF THIS SITE ASSOCIATED WITH THE CONSTRUCTION OF THIS SITE.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES, TRAFFIC SIGNS, UTILITY POLES, GUY WIRES, ETC.
7. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRS TO DAMAGE TO ANY EXISTING IMPROVEMENTS DURING CONSTRUCTION UNLESS OTHERWISE STIPULATED. ETC. REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS.
8. ALL SPOT ELEVATIONS ARE TOP OF PAVEMENT UNLESS OTHERWISE NOTED.



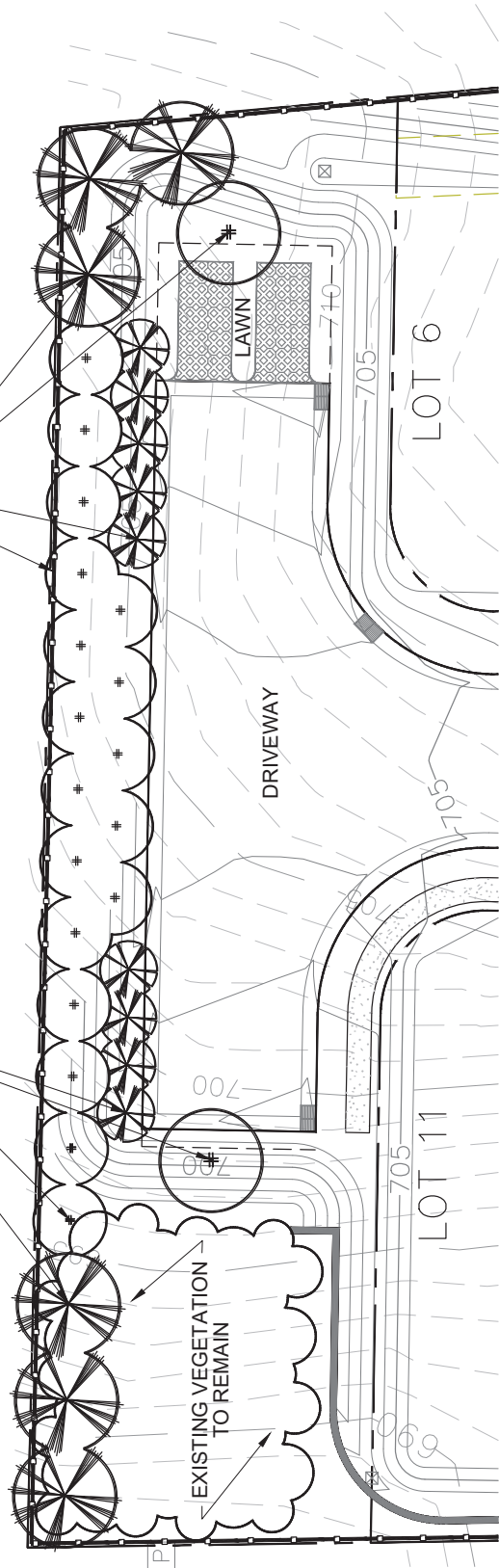
3" CARPED PIRE FOUND



BRAXTON

VESTAVIA HILLS, AL

- 3 - D.D. BLANCHARD MAGNOLIA (8'-9" HT.)
- 18 - MARY NELL HOLLY (8'-9" HT.)
- 1 - WILLOW OAK (3" CAL.)
- 4 - LOROPETALUM - TREE FORM (15 GAL.)
- WOOD FENCE - 6' HT.
- 5 - LOROPETALUM - TREE FORM (15 GAL.)
- 1 - WILLOW OAK (3" CAL.)
- 3 - D.D. BLANCHARD MAGNOLIA (8'-9" HT.)



Braxton
Landscape Buffer Plan

Scale: 1"=20'
 April 6, 2021
 Sheet 1 of 1
 NORTH
 John S. Harrison, Landscape Architect
 205-281-8389
 jshar@bellsouth.net







Jim Kelly
CUSTOM HOME
DESIGNS

205-225-6382
 e-mail: customhomedesigns@gmail.com

Braxton lot 10

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

DATE: 4/27/2022
 SCALE: 1/8"=1'-0"
 SHEET: P-1



PRELIMINARY
NOT FOR
CONSTRUCTION

REVISION TABLE		
NUMBER	DATE	DESCRIPTION

braxton 1

DATE: 3/29/2022
SCALE: 1/8"=1'-0"
SHEET:

Jim Kelly
CUSTOM HOME
DESIGNS

206-228-6882
jmkelly@customhomedesigns.com



REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

Jim Kelly
CUSTOM HOME
DESIGNS

305-223-6592
 e-mail: customhomedesigns@icloud.com

DATE: 4/27/2022
 SCALE: 1/8"=1'-0"
 SHEET:



PRELIMINARY
NOT FOR
CONSTRUCTION

braxton 1

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

Jay Kelly
CUSTOM HOME
DESIGNS
206-223-6682
or email customhomedesigns@gmail.com

DATE: 3/29/2022
SCALE: 1/8"=1'-0"
SHEET: P-1



PRELIMINARY
 NOT FOR
 CONSTRUCTION

braxton 1

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

Jim Kelly
 CUSTOM HOME
 DESIGNS

205-223-6982
 e-mail: customhomedesigns@hotmail.com

DATE: 3/29/2022
 SCALE: 1/4"=1'-0"
 SHEET:



Jim Kelly
CUSTOM HOME
DESIGNS

205-225-6592
 email: customhomedesign@icloud.com

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

DATE: _____

SCALE: _____

SHEET: _____

4/27/2022

1/4" = 1'-0"



Jim Kelly
CUSTOM HOME
DESIGNS

308-225-4592
 email: customhomedesigns@icloud.com

REVISION TABLE		
NUMBER	DATE	REVISION DESCRIPTION

DATE: _____

SCALE: _____

SHEET: _____

**PRELIMINARY
NOT FOR
CONSTRUCTION**



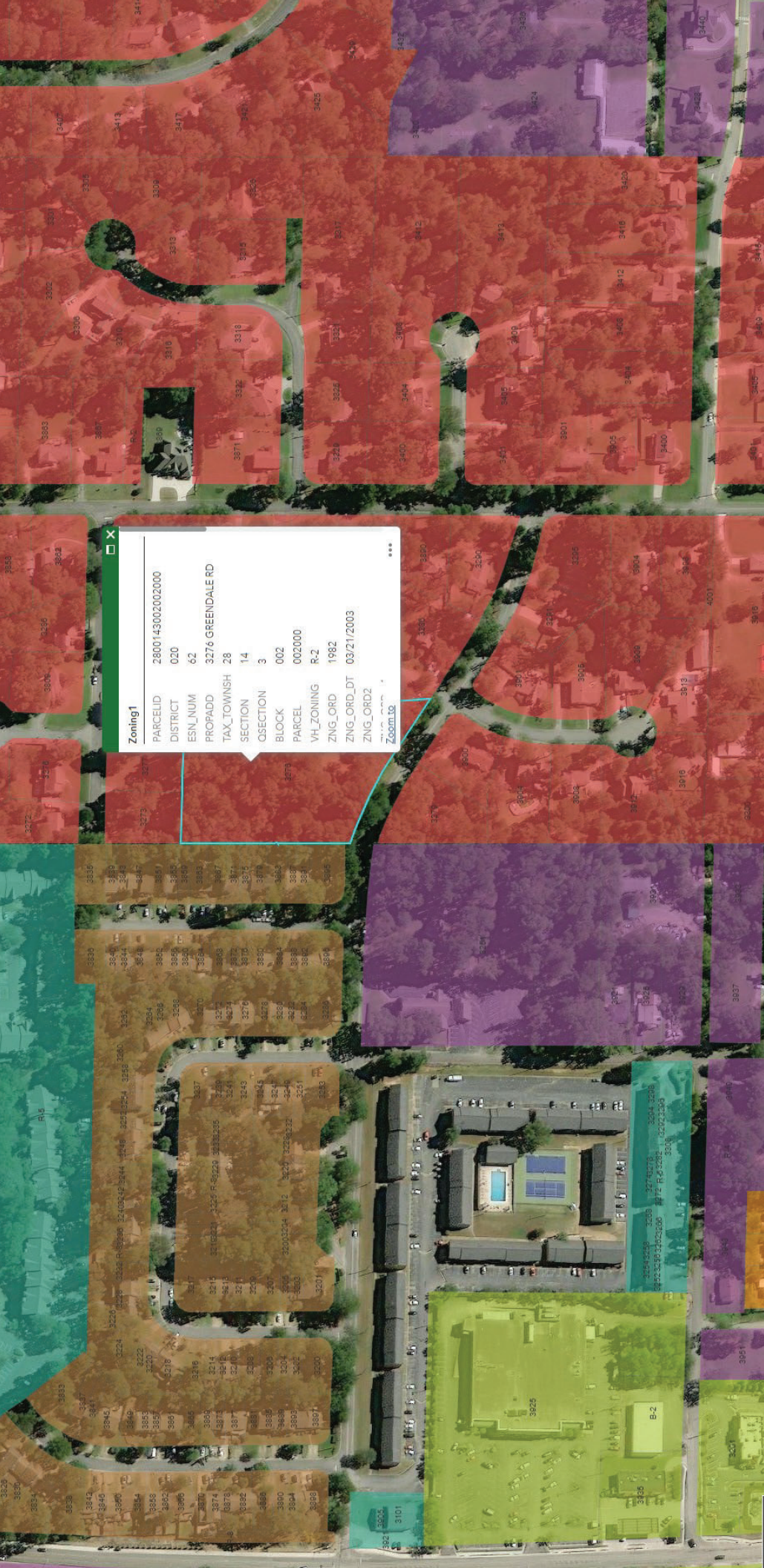
REVISION TABLE		
NUMBER	DATE	DESCRIPTION

braxton 1

Jim Keagy
CUSTOM HOME
DESIGNS

206-229-6682
jkeagy@customhomedesigns.com

DATE: 3/29/2022
SCALE: 1/4" = 1'-0"
SHEET:



Zoning1

PARCELID	2800143002002000
DISTRICT	020
ESN_NUM	62
PROPADD	3276 GREENDALE RD
TAX_TOWNSH	28
SECTION	14
OSECTION	3
BLOCK	002
PARCEL	002000
VH_ZONING	R-2
ZNG_ORD	1982
ZNG_ORD_DT	03/21/2003
ZNG_ORD2	

Zoom to

Close (X)

Parcel ID: 2800143002002000

Parcel ID: 2800143002002000

Parcel ID: 2800143002002000

Parcel ID: 2800143002002000

Future Land Use

- | | | |
|--|---|--|
|  Low-Density Residential |  Retail/Mixed Use |  Institutional |
|  Medium-Density Residential |  Limited Mixed Use |  Parks and Open Space |
|  High-Density Residential |  Planned Mixed Use | |
|  Birmingham |  Jefferson County |  Mountain Brook |

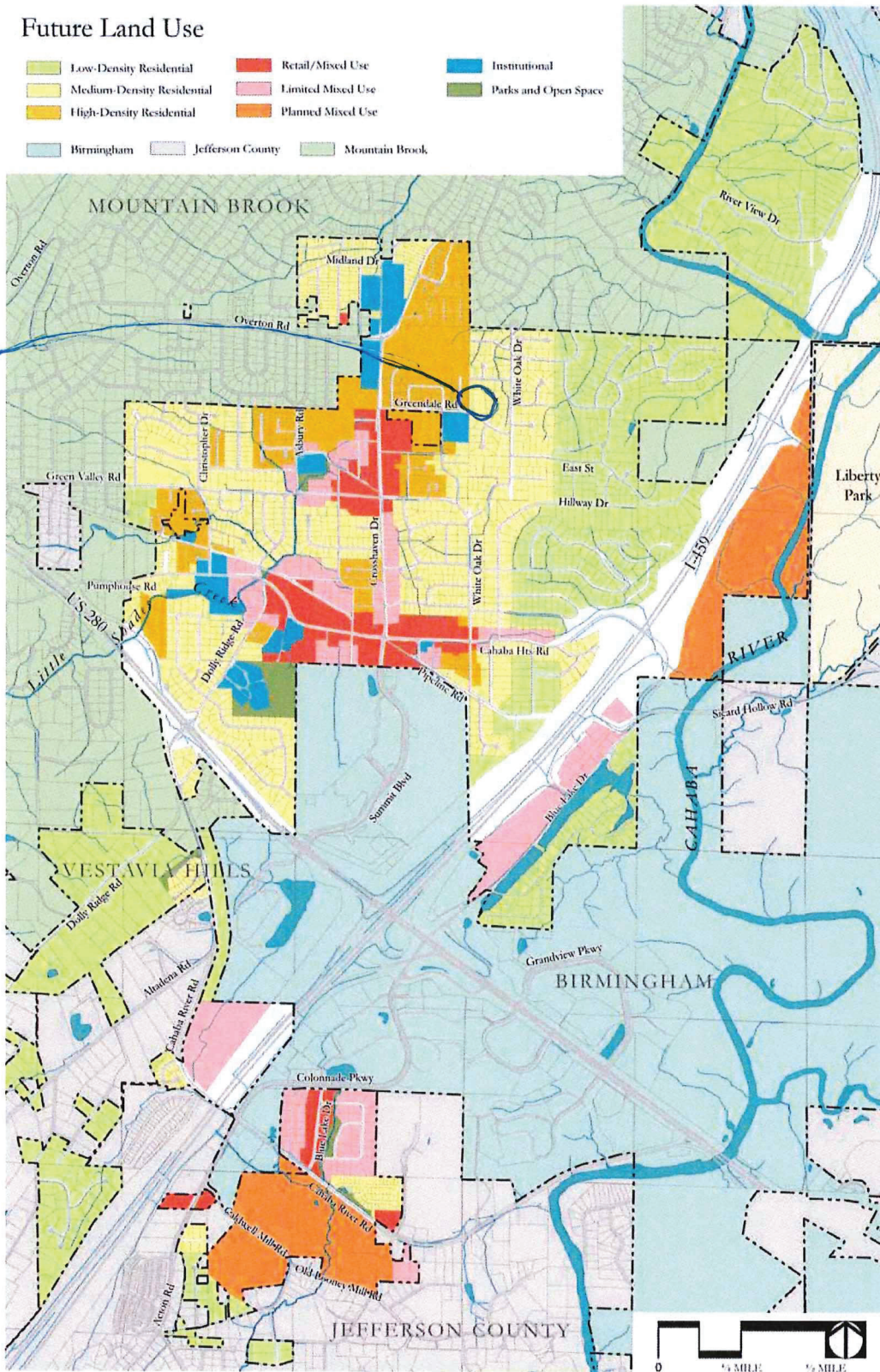


Figure 4: Future Land Use Map

ORDINANCE NUMBER 2802-A

AN ORDINANCE AMENDING ORDINANCE NUMBER 2802 TO RE-ESTABLISH THE CAHABA HEIGHTS ENTERTAINMENT DISTRICT

WITNESSETH THESE RECITALS:

WHEREAS, Act 2012-438 as amended by Act 2013-382 now appearing as Section 28-3A-17.1, *Code of Alabama, 1975*, authorized certain municipalities in the State of Alabama to establish entertainment districts within its corporate limits; and

WHEREAS, the Legislature of the State of Alabama enacted Act No. 2015-267, which became law on May 27, 2015, to authorize the City of Vestavia Hills, Alabama to establish no more than three (3) entertainment districts within the corporate City limits; and

WHEREAS, pursuant to the terms and provisions and conditions of Act No. 2015-267, the Rocky Ridge Entertainment District was established through Ordinance 2600; and

WHEREAS, on October 8, 2018, the Vestavia Hills City Council adopted and approved Ordinance Number 2802 to establish entertainment districts in the City Center area and the Cahaba Heights area; and

WHEREAS, pursuant to the terms and provisions and conditions of Act No. 2015-267, the City Council wishes to re-establish the Cahaba Heights entertainment district for the purpose of regulating the sale and consumption of alcoholic beverages in a designated area as provided herein below.

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

SECTION 1. Under the authority granted in Section 1 of Act No. 2015-267 of the Alabama Legislature, there shall be hereby re-established the Cahaba Heights Entertainment District with the areas and boundaries as set forth and designated in Exhibit A.

SECTION 2. Any licensee who receives an entertainment district designation for an on-premise retail license from the Alabama Alcoholic Beverage Control Board shall comply with all laws, rules, and regulations which govern its license type, except that the patrons, guests or members of that licensee may exit that licensed premises with open containers of alcoholic beverages and consume alcoholic beverages anywhere within the confines of the entertainment district but may not enter another licensed premises with open containers or closed containers of alcoholic beverages acquired elsewhere.

SECTION 3. No licensee who receives an entertainment district designation shall allow alcoholic beverages to be removed from the licensed premises in bottles or glass containers.

SECTION 4. Except for special events as permitted by the Alabama Alcoholic Beverage Control Board and in compliance with all laws, rules, and regulations, no alcoholic beverages purchased outside of the district shall be allowed in open containers in the Entertainment District.

SECTION 5. Alcoholic beverages may be sold at licensed premises and consumed within the entertainment district designation boundaries during the following days and hours:

Sunday through Thursday from Noon to 9:00 PM

Friday and Saturday from Noon to 11:00 PM

*The City Manager may, at his discretion issue a waiver to these posted hours.

SECTION 6. This Ordinance shall become effective upon passage, approval and publication or as otherwise required by Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this 11th day of July, 2022.

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 2802-A 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 11th day of July, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Public Library, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the ___ day of _____, 2022.

Rebecca Leavings
City Clerk

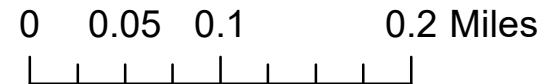
Cahaba Heights Entertainment District

Exhibit A - Ordinance No. 2802-A



City of Vestavia Hills
Department of GIS
June 14, 2022

Square Miles = .099
Perimeter = 18,384.451'



Jefferson County ITS

RESOLUTION NUMBER 5399

**A RESOLUTION APPROVING ALCOHOL LICENSE
FOR LOCAL ROOTS LLC D/B/A LOCAL ROOTS;
DUSTIN W. SPRUILL AND KATHRYN A. SPRUILL,
EXECUTIVES**

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for Local Roots LLC d/b/a Local Roots, located at 3134 Cahaba Heights Road, Vestavia Hills, Alabama, for the on-premise sale of 020-Restaurant Retail Liquor; Dustin W. Spruill and Kathryn A. Spruill, executives.

APPROVED and ADOPTED this the 11th day of July, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

INTEROFFICE MEMORANDUM

DATE: July 6, 2022

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 020-Restaurant Retail Liquor

Please find attached information submitted by Dustin W. Spruill and Kathryn A. Spruill who request an alcohol license to sell 020-Restaurant Retail Liquor at the Local Roots LLC d/b/a Local Roots, 3134 Cahaba Heights Road, Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 11th day of July, 2022 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

<input checked="" type="checkbox"/>	<i>Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>
<input type="checkbox"/>	<i>Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests</i>
<input type="checkbox"/>	<i>Does not recommend. This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>

Reviewed: _____





STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220629111541119

Type License: 020 - RESTAURANT RETAIL LIQUOR **State:** \$300.00 **County:** \$300.00
Type License: **State:** **County:**
Trade Name: LOCAL ROOTS **Filing Fee:** \$50.00
Applicant: LOCAL ROOTS LLC **Transfer Fee:**
Location Address: 3134 CAHABA HEIGHTS ROAD VESTAVIA HILLS, AL 35243
Mailing Address: PO BOX 2341 TUSCALOOSA, AL 35403
County: JEFFERSON **Tobacco sales:** NO **Tobacco Vending Machines:**
Product Type: **Type Ownership:**
Book, Page, or Document info: BOOK 2016 PAGE 375
Do you sell Draft Beer?:
Date Incorporated: 02/03/2016 **State incorporated:** AL **County Incorporated:** TUSCALOOSA
Date of Authority: 02/03/2016
Federal Tax ID: 81-1323598 **Alabama State Sales Tax ID:** R009431801

Name:	Title:	Date and Place of Birth:	Residence Address:
DUSTIN WESLEY SPRUILL 7466067 - AL	OWNER	08/23/1987 BIRMINGHAM, AL	1630 WOODRIDGE ROAD TUSCALOOSA, AL 35406
KATHRYN ANDERSON SPRUILL 8280438 - AL	OWNER	04/26/1989 CHATTANOOGA, TN	1630 WOODRIDGE ROAD TUSCALOOSA, AL 35406

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES
Does ABC have any actions pending against the current licensee? NO
Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO
Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO
Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES
Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO
Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO
Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: KACIE SPRUILL **Home Phone:** 205-331-3421
Business Phone: 205-331-3421 **Cell Phone:** 205-331-3421
Fax: **E-mail:** KACIE@EATLOCALROOTS.COM

PREVIOUS LICENSE INFORMATION: **Previous License Number(s)**
Trade Name: **License 1:**
Applicant: **License 2:**



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220629111541119

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **CAHABA HEIGHTS DQ LLC 205-790-3424**
 What is lessors primary business? **COMMERCIAL REAL ESTATE**
 Is lessor involved in any way with the alcoholic beverage business? **NO**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
 Is the business used to habitually and principally provide food to the public? **YES**
 Does the establishment have restroom facilities? **YES**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **2600** Display Square Footage:
 Building seating capacity: **62** Does Licensed premises include a patio area? **YES**
 License Structure: **SINGLE STRUCTURE** License covers: **ENTIRE STRUCTURE**
 Number of licenses in the vicinity: **0** Nearest: **0**
 Nearest school: **0 miles** Nearest church: **0 miles** Nearest residence: **0 miles**
 Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220629111541119

Initial each

Signature page

WAS

In reference to law violations, I attest to the truthfulness of the responses given within the application.

WAS

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

WAS

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

X

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

X

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

X

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

WAS

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

WAS

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

WAS

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): KATHY SPRUELL

Signature of Applicant: [Handwritten Signature]

Notary Name (print): Wendy Abbott

Notary Signature: [Handwritten Signature]

Commission expires: 10-4-22

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:

ORDINANCE NUMBER 3108

AN ORDINANCE ACCEPTING A BID FOR WALD PARK IMPROVEMENTS, PHASE III AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE CONSTRUCTION CONTRACT DOCUMENTS BY AND BETWEEN THE CITY OF VESTAVIA HILLS, ALABAMA, AS “OWNER,” AND DUNCAN & THOMPSON CONSTRUCTION, AS “CONTRACTOR.”

THIS ORDINANCE NUMBER 3108 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 June 4, 2021 at 2:00 p.m., the City of Vestavia Hills, Alabama publicly read aloud bids submitted for Wald Park Improvements, Phase III for the City of Vestavia Hills (“the Project”); and

WHEREAS, three 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 3108 by reference as though set out fully herein;

WHEREAS, the City’s consultant Project Manager, Raynor Boles, TCU submitted an email dated July 7, 2022 recommending acceptance of the bid package submitted by Duncan & Thompson Construction as value engineered pursuant to the attached contract and opinion of the City Attorney, a copy of which is marked as Exhibit B and is attached to and incorporated into this Ordinance Number 3108 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 Duncan & Thompson Construction, as value engineered and detailed in Exhibit B is attached and recommended by the City Manager and the Project Manager 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 Duncan and Thompson Construction, 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 Community Spaces 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 11th day of July, 2022.

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 #3108 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 11th day of July, 2022 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 July, 2022.

Rebecca Leavings
City Clerk

BID TABULATION

WALD PARK IMPROVEMENTS PHASE 3 - VESTAVIA HILLS

DATE: Friday, 04 June 2021 TIME: 2:00pm CDT LOCATION: Vestavia City Hall - Executive Conference Room	Argo Building Company	Duncan & Thompson Construction	Stone Building, LLC	Taylor Miree Construction
Envelope Sealed	X	X		X
GC License No. on Envelope	X	X		X
Addenda 1 through 5 Acknowledged	X	X		X
Attachment "A" Unit Price and Alternates	X	X		X
Attachment "B" Accounting of Sales Tax	X	X		X
Attachment "C" Landscape Unit Prices	X	X		X
Bid Bond / Cashiers Check	X	X		X
Surety	X	X		X
Power of Attorney for Surety	X	X		X
License No. on Bid Form	X	X		X
Bid Signed	X	X		X


BASE BID	\$3,000,000.00	\$3,215,678.00		\$3,500,000.00
<i>Base Bid Envelope Notations</i>	<i>\$455,000.00</i>	<i>\$170,140.00</i>		<i>\$326,529.00</i>
BASE BID TOTAL	\$3,455,000.00	\$3,385,818.00		\$3,826,529.00

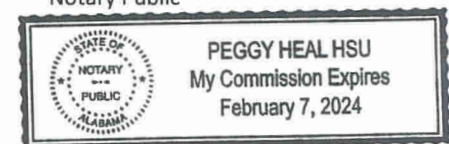
ALTERNATE 1. Maintenance Building	\$500,000.00	\$325,457.00		\$540,000.00
<i>Envelope Notations</i>	<i>\$61,000.00</i>	<i>\$145,362.00</i>		<i>\$22,161.00</i>
1. Alternate Total	\$561,000.00	\$470,819.00		\$562,161.00
ALTERNATE 2. Road Improvements	\$36,000.00	\$42,000.00		\$40,000.00
<i>Envelope Notations</i>				<i>\$6,082.00</i>
2. Alternate Total	\$36,000.00	\$42,000.00		\$46,082.00
TOTAL BASE BID W/ ALTERNATES (INCLUDING ALL ENVELOPE NOTES)	\$4,052,000.00	\$3,898,637.00		\$4,434,772.00

I certify that this is a true and accurate tabulation of the bids received on the captioned project.


Signature

Robert Callighan
Printed Name


Notary Public



Rebecca Leavings

From: Raynor Boles <raynor@tcuconsulting.com>
Sent: Thursday, July 7, 2022 4:11 PM
To: Rebecca Leavings
Subject: [External] Re: [External] FW: Wald Park Phase 3 - Y3 Fixtures
Attachments: Certificate of Compliance Signed.pdf; Duncan & Thompson W-9 Signed.pdf; New Vendor Application Form Signed.pdf; New Vendor Form Signed.pdf

Becky,

Per your direction below.

TCU recommends the approval for a construction contract with Duncan & Thompson Construction for a total of \$4,248,956.00.

We are working on finishing the AIA Pat Boone approved documents and awaiting bonds and insurance from Duncan and Thompson's providers.

A resolution authorization by council on Monday is recommended from TCU.

Thanks,

Raynor Boles
256-497-5444

On Jun 24, 2022, at 3:04 PM, Rebecca Leavings <RLeavings@vhal.org> wrote:

I didn't need the executed agrmt to put to council for approval of the bid. I needed the amount, the final scope of construction and a written recommendation.

Sent from my iPhone

On Jun 24, 2022, at 2:55 PM, Rebecca Leavings <RLeavings@vhal.org> wrote:

Too late.

Sent from my iPhone

On Jun 24, 2022, at 1:52 PM, Raynor Boles <raynor@tcuconsulting.com> wrote:

I have everything except the AIA agreement, we still working on that one.

DRAFT AIA® Document A101® - 2017

Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the «Eleventh» day of July in the year 2022
(In words, indicate day, month and year.)

BETWEEN the Owner:
(Name, legal status, address and other information)

City of Vestavia Hills
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

and the Contractor:
(Name, legal status, address and other information)

Duncan & Thompson Construction Services, L.L.C.
520 Mineral Trace, Suite D
Hoover, Alabama 35244

for the following Project:
(Name, location and detailed description)

«Wald Park Improvements – Phase 3»
1973 Merryvale Road
Vestavia Hills, Alabama 35216

The Architect:
(Name, legal status, address and other information)

Williams Blackstock Architects
2204 First Avenue South, Suite 200
Birmingham, Alabama 35233

The Owner and Contractor agree as follows.

ADDITIONS AND DELETIONS:
The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An Additions and Deletions Report that notes added information as well as revisions to the standard form text is available from the author and should be reviewed.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

The parties should complete A101®-2017, Exhibit A, Insurance and Bonds, contemporaneously with this Agreement. AIA Document A201®-2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.



ELECTRONIC COPYING of any portion of this AIA® Document to another electronic file is prohibited and constitutes a violation of copyright laws as set forth in the footer of this document.

TABLE OF ARTICLES

- 1 THE CONTRACT DOCUMENTS
- 2 THE WORK OF THIS CONTRACT
- 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
- 4 CONTRACT SUM
- 5 PAYMENTS
- 6 DISPUTE RESOLUTION
- 7 TERMINATION OR SUSPENSION
- 8 MISCELLANEOUS PROVISIONS
- 9 ENUMERATION OF CONTRACT DOCUMENTS

EXHIBIT A INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary, and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement, and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be:
(Check one of the following boxes.)

- [« »] The date of this Agreement.
- [« »] A date set forth in a notice to proceed issued by the Owner.
- [« »] Established as follows:
(Insert a date or a means to determine the date of commencement of the Work.)
- [« »]

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of this Agreement.

§ 3.2 The Contract Time shall be measured from the date of commencement of the Work.

§ 3.3 Substantial Completion

§ 3.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Contractor shall achieve Substantial Completion of the entire Work:
(Check one of the following boxes and complete the necessary information.)

[**«X»**] Not later than **One hundred eighty (180)** calendar days from the date of commencement of the Work.

[**« »**] By the following date: **« »**

§ 3.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Contractor shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date

§ 3.3.3 If the Contractor fails to achieve Substantial Completion as provided in this Section 3.3, liquidated damages, if any, shall be assessed as set forth in Section 4.5.

ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor’s performance of the Contract. The Contract Sum shall be **Four Million Two Hundred Forty-Eight Thousand Nine Hundred Fifty-Six dollars (\$4,248,956.00)**, subject to additions and deductions as provided in the Contract Documents.

§ 4.2 Alternates

§ 4.2.1 Alternates, if any, included in the Contract Sum:

Item	Price
Alternate #1 – Parking Lot	

§ 4.2.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Agreement. Upon acceptance, the Owner shall issue a Modification to this Agreement. *(Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)*

Item	Price	Conditions for Acceptance

§ 4.3 Allowances, if any, included in the Contract Sum: *(Identify each allowance.)*

Item	Price

§ 4.4 Unit prices, if any: *(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)*

Item	Units and Limitations	Price per Unit (\$0.00)

§ 4.5 Liquidated damages, if any: *(Insert terms and conditions for liquidated damages, if any.)*

\$1,000 per calendar day

§ 4.6 Other: N/A

(Insert provisions for bonus or other incentives, if any, that might result in a change to the Contract Sum.)

ARTICLE 5 PAYMENTS**§ 5.1 Progress Payments**

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the «5th» day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the «20th» day of the «same» month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than «twenty» (20) days after the Architect receives the Application for Payment.

(Federal, state or local laws may require payment within a certain period of time.)

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the Architect may require. This schedule of values shall be used as a basis for reviewing the Contractor's Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 In accordance with AIA Document A201™–2017, General Conditions of the Contract for Construction, and subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

§ 5.1.6.1 The amount of each progress payment shall first include:

- .1 That portion of the Contract Sum properly allocable to completed Work;
- .2 That portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction, or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing; and
- .3 That portion of Construction Change Directives that the Architect determines, in the Architect's professional judgment, to be reasonably justified.

§ 5.1.6.2 The amount of each progress payment shall then be reduced by:

- .1 The aggregate of any amounts previously paid by the Owner;
- .2 The amount, if any, for Work that remains uncorrected and for which the Architect has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201–2017;
- .3 Any amount for which the Contractor does not intend to pay a Subcontractor or material supplier, unless the Work has been performed by others the Contractor intends to pay;
- .4 For Work performed or defects discovered since the last payment application, any amount for which the Architect may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201–2017; and
- .5 Retainage withheld pursuant to Section 5.1.7.

§ 5.1.7 Retainage

§ 5.1.7.1 For each progress payment made prior to Substantial Completion of the Work, the Owner may withhold the following amount, as retainage, from the payment otherwise due:

(Insert a percentage or amount to be withheld as retainage from each Application for Payment. The amount of retainage may be limited by governing law.)

«Five Percent (5%) per Alabama Statute»

§ 5.1.7.1.1 The following items are not subject to retainage: **N/A**

§ 5.1.7.2 Reduction or limitation of retainage, if any, shall be as follows:

(If the retainage established in Section 5.1.7.1 is to be modified prior to Substantial Completion of the entire Work, including modifications for Substantial Completion of portions of the Work as provided in Section 3.3.2, insert provisions for such modifications.) N/A

§ 5.1.7.3 Except as set forth in this Section 5.1.7.3, upon Substantial Completion of the Work, the Contractor may submit an Application for Payment that includes the retainage withheld from prior Applications for Payment pursuant to this Section 5.1.7. The Application for Payment submitted at Substantial Completion shall not include retainage as follows: **N/A**

§ 5.1.8 If final completion of the Work is materially delayed through no fault of the Contractor, the Owner shall pay the Contractor any additional amounts in accordance with Article 9 of AIA Document A201–2017.

§ 5.1.9 Except with the Owner’s prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

§ 5.2 Final Payment

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

- .1 the Contractor has fully performed the Contract except for the Contractor’s responsibility to correct Work as provided in Article 12 of AIA Document A201–2017, and to satisfy other requirements, if any, which extend beyond final payment; and
- .2 a final Certificate for Payment has been issued by the Architect.

§ 5.2.2 The Owner’s final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect’s final Certificate for Payment.

§ 5.3 Interest

Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located. **N/A**

ARTICLE 6 DISPUTE RESOLUTION

§ 6.1 Initial Decision Maker

The Architect will serve as the Initial Decision Maker pursuant to Article 15 of AIA Document A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker. *(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.) N/A*

§ 6.2 Binding Dispute Resolution

For any Claim subject to, but not resolved by, mediation pursuant to Article 15 of AIA Document A201–2017, the method of binding dispute resolution shall be as follows:

(Check the appropriate box.)

- Arbitration pursuant to Section 15.4 of AIA Document A201–2017
- Litigation in a court of competent jurisdiction
- Other *(Specify)*

If the Owner and Contractor do not select a method of binding dispute resolution, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.

ARTICLE 7 TERMINATION OR SUSPENSION

§ 7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201–2017.

§ 7.1.1 If the Contract is terminated for the Owner's convenience in accordance with Article 14 of AIA Document A201–2017, then the Owner shall pay the Contractor a termination fee as follows:
(Insert the amount of, or method for determining, the fee, if any, payable to the Contractor following a termination for the Owner's convenience.) **N/A**

§ 7.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201–2017.

ARTICLE 8 MISCELLANEOUS PROVISIONS

§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201–2017 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

§ 8.2 **The Owner's representative:**
(Name, address, email address, and other information)

§ 8.3 The Contractor's representative:
(Name, address, email address, and other information)

Curt Thompson, Project Manager
 520 Mineral Trace, Suite D
 Hoover, Alabama 35244
 (205) 403-9151
cytjr@duncanandthompson.com

§ 8.4 Neither the Owner's nor the Contractor's representative shall be changed without ten days' prior notice to the other party.

§ 8.5 Insurance and Bonds

§ 8.5.1 The Owner and the Contractor shall purchase and maintain insurance as set forth in AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, Exhibit A, Insurance and Bonds, and elsewhere in the Contract Documents.

§ 8.5.2 The Contractor shall provide bonds as set forth in AIA Document A101™–2017 Exhibit A, and elsewhere in the Contract Documents.

§ 8.6 Notice in electronic format, pursuant to Article 1 of AIA Document A201–2017, may be given in accordance with AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, if completed, or as otherwise set forth below: **N/A**

(If other than in accordance with AIA Document E203–2013, insert requirements for delivering notice in electronic format such as name, title, and email address of the recipient and whether and how the system will be required to generate a read receipt for the transmission.)

§ 8.7 Other provisions: **N/A**

ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS

§ 9.1 This Agreement is comprised of the following documents:

- .1 AIA Document A101™–2017, Standard Form of Agreement Between Owner and Contractor
- .2 AIA Document A101™–2017, Exhibit A, Insurance and Bonds
- .3 AIA Document A201™–2017, General Conditions of the Contract for Construction
- .4 AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, dated as indicated below: **N/A**
- .5 Drawings

Number	Title	Date

.6 Specifications

Section	Title	Date	Pages

.7 Addenda, if any:

Number	Date	Pages

Portions of Addenda relating to bidding or proposal requirements are not part of the Contract Documents unless the bidding or proposal requirements are also enumerated in this Article 9.

.8 Other Exhibits:

(Check all boxes that apply and include appropriate information identifying the exhibit where required.) **N/A**

[] AIA Document E204™–2017, Sustainable Projects Exhibit, dated as indicated below: (Insert the date of the E204-2017 incorporated into this Agreement.)

[] The Sustainability Plan:

Title	Date	Pages

[] Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages

.9 Other documents, if any, listed below:

(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201™–2017 provides that the advertisement or invitation to bid, Instructions to Bidders, sample forms, the Contractor’s bid or proposal, portions of Addenda relating to bidding or proposal requirements, and other information furnished by the Owner in anticipation of receiving bids or proposals, are not part of the Contract Documents unless enumerated in this Agreement. Any such documents should be listed here only if intended to be part of the Contract Documents.)

[]

This Agreement entered into as of the day and year first written above.

City of Vestavia Hills

Duncan & Thompson Construction Services, L.L.C.

OWNER (Signature)

CONTRACTOR (Signature)

« »« »

Curt Thompson, Project Manager

(Printed name and title)

(Printed name and title)

RESOLUTION NUMBER 5400

A RESOLUTION TO APPROPRIATE ADDITIONAL FUNDING FOR THE COMPLETION OF THE SICARD HOLLOW PEDESTRIAN TUNNEL

WHEREAS, on May 18, 2019, the Vestavia Hills City Council adopted and approved Resolution Number 5158 accepting a bid for construction of a pedestrian tunnel within the right-of-way of Sicard Hollow Road; and

WHEREAS, an Inter-Department Memorandum was received from the Assistant City Engineer to the City Manager detailing additional funding needed for the completion of said tunnel due to unforeseen factors including, but not limited to, extreme rain events, an edge of roadway collapse, challenging traffic controls which included building temporary lanes; and

WHEREAS, the Engineer indicated that the Birmingham MPO has approved a net total of \$264,000 in additional project funds to be reimbursed after expenditure by the City with the City's net match for the cost increases totaling \$66,000. A copy of the memorandum is marked as Exhibit A, attached to and incorporated into this Resolution Number 5400 as if written fully therein; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to accept the Asst Engineer's recommendation and the grant from the MPO as detailed in the attached Exhibit A.

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

1. That the City Manager is hereby authorized to expend the monies needed for the completion of the Sicard Hollow Pedestrian Tunnel as detailed in the attached Exhibit A with the MPO grant to be reimbursed following the City's expenditure; and
2. That said funding shall be expensed to the City's Capital Projects Fund; and
3. This Resolution Number 5400 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 25th day of July, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

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

June 28, 2022

To: Jeff Downes, City Manager

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

From: Lori Beth Kearley, Assistant City Engineer

RE: Sicard Hollow Road Pedestrian Tunnel - TAPAA-TA14(931)
Final Project Funding and Reconciliation Approval

The Sicard Hollow Pedestrian tunnel project is complete, and the City is currently working with Gillespie Construction, Volkert, and ALDOT to close out the project.

Several factors and delays throughout this project led to cost increases. Some contributing factors included: extreme rain events, an edge of roadway collapse that necessitated emergency repairs, challenging traffic control that included building temporary lanes to minimize traffic impacts, and material delivery delays.

These cost increases, which have been reviewed and approved by ALDOT and our design team, total \$330,000. The Birmingham MPO has granted a net total of \$264,000 in additional project funds that are to be reimbursed after expenditure by the City. The City's net match for the cost increases total \$66,000. We are requesting Council approval and concurrence with ALDOT to make the additional payments as described above to Gillespie Construction.



May 11, 2022

MEMORANDUM

To: Mr. Bradley B. Lindsey, P.E., State Local Transportation Engineer

From: Mike Kaczorowski, Principal Planner for Transportation Planning

Subject: Transportation Improvement Program Amendments

On May 11, 2022, the Birmingham Metropolitan Planning Organization resolved to modify the FY 2020 – FY 2023 Transportation Improvement Program to include and/or modify the projects shown on the enclosed information sheets allowing the projects to be included in the State Transportation Improvement Program.

If you have any questions or require additional information, please contact me at mkaczorowski@rpcgb.org or (205) 213-6889.

TIP Amendments - Birmingham MPO

Project Sponsor	Action Requested	Project Reference Number	Federal Aid Number	Funding Source	Scope	Description	Fiscal Year	Conformity Status	Federal Estimated Cost	State/Local Estimated Cost	Total Estimated Cost	MPO Approval Date
Birmingham	Delete	100064216	STPBH-3716(253)	Surface Transportation Program Birmingham Attributable	CN	UPGRADE AND REPLACE INTERSTATE LIGHTING ALONG I-20/59 FROM 3700 EAST OF THE EB STEPHENS EXPRESSWAY INTERCHANGE TO 2000 EAST OF THE I-20/59 SPLIT	-	Exempt	\$1,106,162	\$276,541	\$1,382,703	5/11/2022
ALDOT	Add \$1,156,897 to STPBH funding	100071977	NH-CMAQ 0003 (630)	NHS, CMAQ, and STPBH	FM	RESURFACING AUXILIARY LANES RAMP IMPROVEMENTS MEDIAN BARRIER RAIL AND BRIDGE RAIL RETROFITS ON SR-3 (US-31) FROM BONITA DRIVE TO 2ND AVE SOUTH	2021	Exempt	\$8,713,415	\$968,157	\$9,681,572	5/11/2022
ALDOT	Add \$1,156,897 to cover overruns	100068066	IM-1020(356)	Interstate Maintenance	CN	PAVEMENT REHABILITATION ON I-20 FROM EXIT 140 TO THE ST. CLAIR COUNTY LINE	2020	Exempt	\$8,000,000	\$0	\$8,000,000	5/11/2022
ALDOT	Add new project	100074990	BR-0007(I)	Bridge Funds	PE	BRIDGE REPLACEMENT ON SR-7 (US-11) OVER THE LITTLE CAHABA RIVER (BIN 000486)	2022	Exempt	\$155,200	\$38,800	\$194,000	5/11/2022
St. Clair County	Add new project	100074499	ATRP2-58-2022-058	ATRP2	PE	ADDING TURN LANES ON SR-25 (US-411) AT KERR ROAD; ALSO ADDING RIGHT TURN LANE ON KERR ROAD	2022	Exempt	\$0	\$20,000	\$20,000	5/11/2022
St. Clair County	Add new project	100075092	ATRP2-58-2022-058	ATRP2	CN	ADDING TURN LANES ON SR-25 (US-411) AT KERR ROAD; ALSO ADDING RIGHT TURN LANE ON KERR ROAD	2023	Exempt	\$0	\$1,649,158	\$1,649,158	5/11/2022
ALDOT	Add new project	100074775	RHCH-RR22(I)	Rail Road Safety Funds	CN	RR RING HAZARD ELIMINATION IMPROVEMENTS FOR THE INSTALLATION OF SIGNALS, GATES, BELLS, SIGNS, LEGEND AND MARKINGS AT CR-26 (FULTON SPRINGS ROAD) AND CSX RAILROAD DOT NO 352277T	2022	Exempt	\$301,372	\$33,486	\$334,858	5/11/2022
ALDOT	Move outside TIP	100071723	IM-1459(I)	Interstate Maintenance	CN	PLANNING, OVERLAY AND STRIPING ON I-459 FROM THE NORTH END OF THE BRIDGE OVER SR-150 TO THE SOUTH END OF THE BRIDGE OVER US-31	2025	Exempt	\$2,348,747	\$260,972	\$2,609,719	5/11/2022
ALDOT	Move outside TIP	100049957	BR-0004(I)	Bridge Funds	CN	REPLACE BRIDGE, BIN 000884, SR-4 (US-78) OVER LITTLE CAHABA RIVER (SUFF=58.4, STATUS=FO)	2024	Exempt	\$2,691,994	\$672,999	\$3,364,993	5/11/2022
ALDOT	Delete	100003818	BR-7044(600)	Bridge Funds	PE	BR REPL AND APP ON SR-3 (US-31) BIN# 002243 OVER SOUTHERN RD #3-37-15-88	-	Exempt	\$125,606	\$31,401	\$157,007	5/11/2022
RPCGB	Add new project	100075339	TBD	American Rescue Plan (ARP)	TR	Operational Expenses for 5310 projects	2022	Exempt	\$125,367	\$0	\$125,367	5/11/2022
Clastran	Add New Project	100075291	TBD	Carbon Reduction Program	TR	FLEXIBLE FUNDS TRANSFER TO FTA FOR PARATRANSIT CONSORTIUM - PURCHASED TRANSPORTATION	2023	Exempt	\$1,000,000	\$250,000	\$1,250,000	5/11/2022
Hoover	Delete	100056540	CMAQ-7282(I)	Congestion Mitigation Air Quality	UT	SIDEWALK ALONG CR-1142 (CHAPEL ROAD) FROM PARK AVE TO STONE BROOK PKWY (CITY OF HOOVER)	2022	Exempt	\$90,041	\$22,510	\$112,551	5/11/2022
Hoover	Add \$401,061 of CMAQ funding	100056541	CMAQ-7282(600)	Congestion Mitigation Air Quality	CN	SIDEWALK ALONG CR-1142 (CHAPEL ROAD) FROM PARK AVE TO STONE BROOK PKWY (CITY OF HOOVER)	2022	Exempt	\$1,888,902	\$472,226	\$2,361,128	5/11/2022
Vestavia Hills	Add \$240,000 of MPO TAP funding	100062997	TAPAA-TA14(931)	MPO and ALDOT Transportation Alternative Program	CN	SICARD HOLLOW ROAD TUNNEL SAFE ROUTE FOR NON-DRIVERS. THIS PROJECT IS LOCATED AT A TUNNEL TO BE CONSTRUCTED UNDER SICARD HOLLOW ROAD IN LIBERTY PARK	2017	Exempt	\$978,966	\$244,742	\$1,223,708	5/11/2022

The Birmingham Metropolitan Planning Organization Policy Committee resolves that these TIP Amendments are in accord with the Alabama Performance Measures Agreement between the State of Alabama and the Birmingham Metropolitan Planning Organization as per 23 CFR 450.314(h).

The Birmingham Metropolitan Planning Organization Policy Committee agreed to include and/or modify the projects in the FY2020-2023 Transportation Improvement Program as stated above:

Fred Hawkins
 Digitally signed by Fred Hawkins
 Date: 2022.05.11 15:03:39 -05'00'

May 11, 2022

MPO Chair, Vice-chair, or Secretary

Date