

## ORDINANCE NUMBER 3181

### **AN ORDINANCE CANVASSING AND DECLARING THE RESULTS OF A SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF VESTAVIA HILLS, ALABAMA, ON TUESDAY, MAY 9, 2023, REGARDING A PROPOSED INCREASE IN THE RATE OF A PROPERTY TAX FOR PUBLIC SCHOOL PURPOSES**

**WHEREAS**, at a meeting of the City Council ("the Council") of the City of Vestavia Hills ("the City") in the State of Alabama held on February 27, 2023, Ordinance No. 3150 was duly adopted by the Council in which a special municipal election was called to be held in the City on May 9, 2023 (being the second Tuesday in the month of May), for the purpose of submitting to the qualified electors of the City to determine their will with respect to the following proposition:

Whether the City shall be authorized to levy and collect, in addition to all other taxes now or hereafter authorized, the special annual ad valorem tax at the per annum rate of 35.4 mills on each dollar of the assessed valuation of the taxable property in the City referred to in the notice of election set out in Section 3 of this ordinance.

**WHEREAS**, notice of the said election was posted in five public places in the City (viz., (i) the Vestavia Hills City Hall, 1032 Montgomery Highway, (ii) the Vestavia Hills Civic Center, 1090 Montgomery Highway, (iii) the Vestavia Hills City Board of Education, 1204 Montgomery Highway, (iv) the Vestavia Hills Library in the Forest, 1221 Montgomery Highway, and (v) the New Merkel House, 4405 Dolly Ridge Road); there being no newspaper published and having general circulation in the City, in the form provided in the said ordinance, said posting having been more than thirty days before the date of the said election, and having also been on or before the second Tuesday of the second month next preceding the month in which the said election was held;

**WHEREAS**, the said election was held in the City on May 9, 2023, in all respects as provided in the said notice between the hours of 7:00 o'clock, a.m., and 7:00 o'clock, p.m., being the legal hours provided by law for holding the said election, and the ballot used in the said election was in all respects in the form therefor set out in the said ordinance, and the officials who conducted the said election have duly made and duly filed with the Council their respective reports, returns, and certificates; and

**WHEREAS**, the Council is required by law to canvass the returns of the said election on the first Tuesday next after the said election, and declare the results thereof, and at a meeting of the Council held on May 16, 2023, the Council, acting as a board of canvassers, has duly canvassed the said returns and ascertained the results of the said election with respect to the said proposition;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Vestavia Hills, acting as a board of canvassers for the purpose of canvassing the results of the said election, as follows:

(1) the recitations contained in the foregoing preambles are hereby found and declared to be true and are hereby adopted as a part of this ordinance;

(2) the said election was duly called, notice thereof was duly given, and the said election was duly held and the ballots used thereat were in all respects as provided by law;

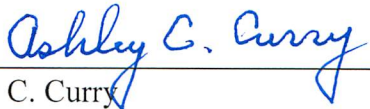
(3) at the said election on the said proposition, the canvass of the returns indicated the following:

Polling District	Location of Voting Place	For Increase in Rate of School Tax	Against Increase in Rate of School Tax
1	Shades Mountain Baptist Church 2017 Columbiana Road Provisional Ballots:	411	498 ↑
2	Vestavia Hills United Methodist Church 2061 Kentucky Avenue Provisional Ballots:	792	766
3	Mountaintop Community Church 225 Centerview Drive Provisional Ballots:	372	452
4	Vestavia Hills Civic Center 1090 Montgomery Highway Provisional Ballots:	913	978
5	Cahaba Heights Baptist Church 3800 Crosshaven Drive Provisional Ballots:	238	632 ↓
6	The Church at Liberty Park 12001 Liberty Parkway Provisional Ballots:	377 ↓	677
Absentee Balloting	Vestavia Hills City Hall 1032 Montgomery Highway Vestavia Hills, Alabama 35216 Provisional Ballots:	97	96 2
TOTALS		<u>3,201</u>	<u>4,103</u>

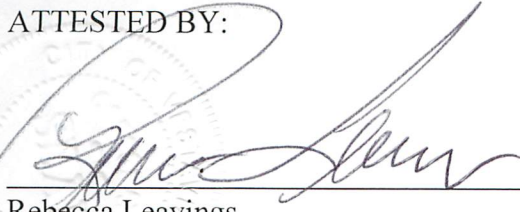
(4) at the said election on the said proposition a total of 7,304 votes were received and cast (including counted provisional ballots); of the said votes so received and cast 3,201 votes were received and cast **for** the increase in the said special tax and 4,103 votes were received and cast **against** the increase in the said special tax; that the number of votes received and cast in the said election in favor of the increase in the said special tax **were less than** the number of votes received and cast in the said election against the increase in the said special tax; and that at the said election a majority of the qualified electors of the said City who voted thereat voted **against** of the increase in the said special tax.

**BE IT FURTHER ORDAINED**, that this ordinance shall comprise the canvass and declaration by the Council of the results of the aforesaid election and shall be recorded in the minutes of the proceedings of the City.

**ADOPTED AND APPROVED** this 16<sup>th</sup> day of May, 2023.

  
\_\_\_\_\_  
Ashley C. Curry  
Mayor

ATTESTED BY:

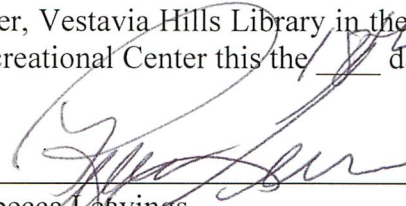
  
\_\_\_\_\_  
Rebecca Leavings  
City Clerk

[S E A L]

**CERTIFICATION:**

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 16<sup>th</sup> day of May, 2023, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the 17<sup>th</sup> day of May, 2023.



---

Rebecca Leavings  
City Clerk