



**Vestavia Hills
City Council Agenda
July 28, 2025
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation - Don Richards, 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. Finance Reports - Zachary Clifton, Deputy Finance Director
10. Approval Of Minutes - July 14, 2025, regular meeting minutes

Old Business (Public Hearing)

11. Public Hearing - Resolution Number 5576 - A Resolution requesting the Vacation of a lot-line easement traversing the lot line of Lot 49, Old Overton Ridge and located at 7612 Gunston Place; Lot 49, Old Overton Ridge; Richard Mullen, Owner
12. Public Hearing - Ordinance Number 3273- Rezoning - 3279 Cahaba Heights Road; An Ordinance to Rezone from Vestavia Hills R-5 (multifamily) and Vestavia Hills O-1 (office) to Vestavia Hills R-9 (planned residential) for construction of eleven townhomes; KADCO and David Bruno, owners; Jason Kessler, KADCO, representing

New Business

New Business Requesting Unanimous Consent (Public Hearing)

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

13. Public Hearing - Ordinance 3281 - An ordinance authorizing the Vestavia Hills Police Department to offer a police officer their badge and service weapon upon their retirement.
14. Citizens Comments

15. Time Of Adjournment

PUBLIC HEARING PROCEDURES

The following procedures shall be followed for every public hearing of the City Council:

- All comments shall be limited to **3 minutes**. A countdown clock will be provided on the video screens.
- Do not duplicate comments made by previous speakers. For example, if traffic is mentioned as an issue, do not readdress that issue.
- All comments shall be directed to the Mayor and/or presiding officer. Do not address the audience or the applicant.
- Each speaker shall identify himself, including full name and address.

SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS

If you prefer not to attend a City Council meeting or work session in person, you may participate remotely:

- **Videoconference:** To participate by videoconference, you may access the meeting via Zoom at <https://us02web.zoom.us/j/5539517181>. When the Zoom.us window opens in your browser, click "Allow" to be placed in a virtual "waiting room." The host will open the meeting and allow all participants to join the meeting 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 "video" 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. Some useful Zoom functions include: microphone Mute/Unmute; Start/Stop Video; and View Participants – opens a pop-out screen that includes the "Raise Hand" icon that you may use to raise a virtual hand.
- **Teleconference:** To participate by telephone, dial 312.626.6799 and enter the meeting ID: 5539517181. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, unmute yourself by pressing *6 on your keypad. 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.

Meetings may be recorded. By participating in the meeting, you are consenting to be recorded.

"Zoom-bombing." Zoom-bombing is a cyber-crime and is punishable by law. In the event of an attendee intruding into any City of Vestavia Hills Zoom meeting, the online broadcast will be terminated immediately. Council and/or board members may be readmitted but online attendees will not. Although Zoom-bombing is not a frequent occurrence, those wishing to make public comment should attend the meeting in person.

1.) Reconciled Cash Balance

The overall reconciled cash balance for the month of June was \$53,684,747 which is comprised of the following funds:

General Funds	\$44,440,203
Restricted Funds	\$9,241,364
Petty Cash	<u>\$3,180</u>
Total	<u>\$53,684,747</u>

2.) The "Financial Overview" for the month and YTD through June is as follows:

Monthly Revenues	\$4,758,810	YTD Revenues	\$61,109,792
Monthly Expenses	<u>\$4,984,500</u>	YTD Expenses	<u>\$54,642,157</u>
Monthly Fund Balance	<u>(\$225,691)</u>	YTD Fund Balance	<u>\$6,467,635</u>

3.) Comparative Fund Balances:

	<u>YTD</u>	<u>Variance</u>
Actual - 2024-2025	\$6,467,635	
Budget - 2024-2025	\$2,932,153	\$3,535,481
Last Year - 2023-2024	\$8,533,347	(\$2,065,712)

Note:

The "Actual Fund Balance" is \$3,535,481 greater than the "Budgeted Fund Balance" and (\$2,065,712) less than "Last Year Fund Balance".

Summary
Financial Report
June 2024-2025

MTD						YTD					Variance	
		Actual		Budget	Last Year	Actual	Budget	Last Year	Act vs. Bdgt	Act vs LY		
REVENUES		4,758,810		4,392,757	3,521,225	61,109,792	59,023,914	60,588,096	2,085,878	521,696		
EXPENSES		4,984,500		6,730,542	5,278,715	54,642,157	56,091,761	52,054,749	1,449,604	(2,587,408)		
FUND BALANCE		(225,691)		(2,337,785)	(1,757,490)	6,467,635	2,932,153	8,533,347	3,535,481	(2,065,712)		
Advalorem - Real		81,898		32,302	18,832	21,411,605	21,235,446	20,950,523	176,159	461,082		
Sales Tax		2,454,895		3,170,384	2,497,143	22,477,470	21,589,474	20,949,820	887,996	1,527,650		
Utility Franchise Fees		0		0	0	2,692,464	2,613,475	2,613,640	78,989	78,824		
Business License		43,928		25,316	68,265	4,237,860	4,167,687	4,366,960	70,173	(129,100)		
Advalorem - Personal		215,981		226,948	204,119	1,834,300	1,703,845	1,769,050	130,455	65,250		
October thru June 2025 (9 months)						2024-2025						
		Actual		Budget Total	Outstanding Bal	% Received	% Outstanding	Verification				
Advalorem - Real		21,411,605		21,245,666	165,939	100.78%	-0.78%	100.00%				
Sales Taxes		22,477,470		28,094,201	(5,616,731)	80.01%	19.99%	100.00%				
Utility Franchise Fees		2,692,464		2,613,571	78,893	103.02%	-3.02%	100.00%				
Business License		4,237,860		4,374,434	(136,574)	96.88%	3.12%	100.00%				
Advalorem - Personal		1,834,300		2,319,009	(484,709)	79.10%	20.90%	100.00%				
JUNE		MTD				MTD						
					Variance	Last Year	Act vs LY					
Advalorem - Real		81,898		32,302	49,596	18,832	63,066					
Sales Taxes		2,454,895		3,170,384	(715,489)	2,497,143	(42,248)					
Utility Franchise Fees		0		0	0	0	0					
Business License		43,928		25,316	18,612	68,265	(24,337)					
Advalorem - Personal		215,981		226,948	(10,967)	204,119	11,862					

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**CITY OF VESTAVIA HILLS
MONTHLY CASH REPORT
"RECONCILED BALANCES"**

General Funds	Banking Institutions	APR	Jun 2024	Jul 2024	Aug 2024	Sep 2024	Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	Mar 2025	Apr 2025	May 2025	Jun 2025
General / Operational Funds	Region Bank	4.03%	12,801,155.18	9,516,369.01	4,077,735.30	2,844,714.72	1,979,485.71	4,380,644.42	4,836,106.35	24,990,834.56	22,171,177.13	13,955,675.26	16,263,402.43	14,503,397.35	13,930,215.42
Enhanced Cash Strategy	Region Bank	4.31%	10,270,541.52	10,351,509.61	10,418,980.96	10,489,627.78	8,367,221.84	8,499,882.97	8,529,641.86	8,563,732.21	8,607,005.14	8,640,328.91	8,686,461.32	8,687,530.80	8,727,654.93
Payroll Fund	Region Bank	0.25%	0.00	0.00	0.00	0.00	0.00	24,133.01	24,133.01	24,133.01	24,133.01	24,133.01	24,133.01	0.00	0.00
Emergency Reserve Fund	PNC Bank	4.25%	20,661,720.70	20,855,623.62	20,947,224.55	21,071,036.31	21,070,949.87	21,107,572.98	21,230,188.91	21,316,814.11	21,379,333.55	21,445,489.03	21,519,598.66	21,491,244.88	21,625,812.26
Court & Corrections Fund	Region Bank	0.25%	113,043.20	132,868.20	114,716.50	112,200.50	137,869.94	98,792.61	91,015.93	143,258.43	101,119.49	134,947.74	128,335.55	117,301.55	156,520.55
American Rescue Plan (COVID-19)	SouthPoint	4.40%	2,814,127.93	2,824,663.25	1,773,884.08	1,779,878.81	1,785,177.23	1,790,165.28	1,710,094.74	1,714,675.61	1,718,823.73	1,723,428.05	1,043.47	0.99	0.00
Total - Balance			\$46,660,588.53	\$43,681,033.69	\$37,332,541.39	\$36,297,458.12	\$33,340,704.59	\$35,901,191.27	\$36,421,180.80	\$56,753,447.93	\$54,001,592.05	\$45,924,002.00	\$46,598,841.43	\$44,799,475.57	\$44,440,203.16
Restricted Funds															
Court Cash Bonds	Regions Bank	0.25%	113,621.00	111,646.00	104,646.00	101,421.00	99,551.00	94,182.00	89,272.00	91,082.00	91,652.00	93,552.00	76,156.00	79,856.00	86,776.00
Contractors' Bonds & CDs on Hand	City Clerk's Office	n/a	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42	4,187,938.42
Contractors' Cash Bonds	SouthPoint	0.25%	601,364.94	609,197.10	585,375.54	594,199.62	593,428.25	573,252.03	578,678.21	582,010.47	575,674.35	580,499.93	599,122.39	559,199.24	564,318.97
Confiscated Funds	SouthPoint	1.25%	59,245.54	59,308.27	59,371.06	59,431.89	59,494.81	59,555.77	61,848.74	69,629.47	69,696.24	69,770.23	78,332.20	78,415.36	17,186.77
2013 GOW - QEBIC Sinking Fund	Bank of New York	2.35%	1,911,964.89	1,911,964.89	1,911,964.89	2,127,191.68	2,127,191.68	2,127,191.68	2,127,191.68	2,127,191.68	2,127,191.68	2,127,191.68	2,321,641.45	2,321,641.45	2,321,641.45
Lease Escrow Funds	Truist & Robertson		655,560.15	656,660.45	657,763.60	3,967,756.36	3,968,666.45	3,151,303.96	3,152,045.67	2,490,839.60	2,193,074.50	2,193,074.50	2,063,502.61	2,063,502.61	2,063,502.61
Total Balance			\$7,529,694.94	\$7,536,715.13	\$7,507,059.51	\$11,037,938.97	\$11,036,270.61	\$10,193,423.86	\$10,196,974.72	\$9,548,691.64	\$9,245,227.19	\$9,252,026.76	\$9,326,693.07	\$9,290,553.08	\$9,241,364.22
Cash on Hand															
Petty Cash - City Depts.			880.00	880.00	880.00	880.00	880.00	880.00	880.00	880.00	880.00	880.00	880.00	880.00	880.00
Petty Cash - Courts/Jail			600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00	700.00	700.00	700.00
Petty Cash - Library			600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00	600.00
Petty Cash - Vehicle Tags			1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Total - Petty Cash			\$3,080.00	\$3,080.00	\$3,080.00	\$3,080.00	\$3,080.00	\$3,080.00	\$3,080.00	\$3,080.00	\$3,080.00	\$3,080.00	\$3,180.00	\$3,180.00	\$3,180.00
Grand Total - All Funds			\$54,193,363.47	\$51,220,828.82	\$44,842,680.90	\$47,338,477.09	\$44,380,055.20	\$46,097,695.13	\$46,621,235.52	\$66,305,219.57	\$63,249,899.24	\$55,179,108.76	\$55,928,714.50	\$54,093,208.65	\$53,684,747.38
Petty Cash Itemization															
City Clerk Dept.	none														
Court Dept.	\$700.00														
Finance Dept. & Vehicle Tags	\$1,050.00 Tags & City Depts														
Fire Dept.	\$100.00 City Depts														
Inspection Dept.	\$30.00 City Depts														
Library	\$600.00														
Mayor's Office	\$200.00 City Depts														
Parks & Leisure Services	\$300.00 City Depts														
Police Dept.	\$200.00 City Depts														
Public Services	none														
Total	\$3,180.00														

FINANCIAL SUMMARY REPORT
"JUNE 2024-2025"

1	MONTH OF JUNE 2025							YEAR-TO- DATE THROUGH JUNE 2025						
	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	2024-2025	2024-2025	2023-2024	Actual to Budget	Actual to Last Year		Actual to Last Year		2024-2025	2024-2025	2023-2024	Actual to Budget	Actual to Last Year	
	Actual	Budget	Actual	Amount	Percentage	Amount	Percentage	Actual	Budget	Actual	Amount	Percentage	Amount	Percentage
REVENUE SUMMARY														
STATE REVENUE	7,231	10,245	7,865	(3,014)	-29.42%	(633)	-8.05%	199,213	127,124	142,058	72,089	56.71%	57,155	40.23%
COUNTY REVENUE	315,710	279,283	242,678	36,427	13.04%	73,032	30.09%	23,442,136	23,141,957	22,924,577	300,179	1.30%	517,559	2.26%
CITY REVENUE	4,270,600	3,847,109	3,056,856	423,491	11.01%	1,213,744	39.71%	36,089,535	34,481,640	36,230,033	1,607,895	4.66%	(140,498)	-0.39%
PARK & RECREATION	165,269	256,120	213,827	(90,851)	-35.47%	(48,558)	-22.71%	1,378,907	1,273,193	1,291,427	105,714	8.30%	87,479	6.77%
TOTAL REVENUES	4,758,810	4,392,757	3,521,225	366,053		1,237,584		61,109,792	59,023,914	60,588,096	2,085,878		521,696	
EXPENDITURE SUMMARY														
NON DEPARTMENTAL	843,219	2,146,094	1,376,270	1,302,875	60.71%	533,051	38.73%	18,468,168	18,743,259	18,518,705	275,091	1.47%	50,538	0.27%
CITY COUNCIL	12,078	6,154	4,323	(5,924)	-96.26%	(7,755)	-179.41%	65,244	74,604	64,808	9,360	12.55%	(436)	-0.67%
MAYOR & ADMINISTRATION	218,827	233,546	166,158	14,719	6.30%	(52,669)	-31.70%	1,923,065	2,094,965	1,554,208	171,900	8.21%	(368,857)	-23.73%
CITY CLERK	45,905	56,403	53,748	10,498	18.61%	7,843	14.59%	445,134	463,948	412,963	18,814	4.06%	(32,171)	-7.79%
MUNICIPAL COMPLEX	29,298	42,717	27,469	13,419	31.41%	(1,829)	-6.66%	332,031	352,203	308,624	20,172	5.73%	(23,407)	-7.58%
INFORMATION SERVICES	77,486	81,520	67,109	4,034	4.95%	(10,377)	-15.46%	560,545	646,185	570,204	85,640	13.25%	9,660	1.69%
POLICE	1,273,718	1,471,319	1,164,934	197,601	13.43%	(108,784)	-9.34%	11,181,047	11,881,719	10,254,288	700,672	5.90%	(926,758)	-9.04%
FIRE	1,106,423	1,316,994	1,165,769	210,571	15.99%	59,346	5.09%	10,475,982	10,852,881	9,938,788	376,899	3.47%	(537,194)	-5.41%
INSPECTION	77,158	85,218	68,528	8,060	9.46%	(8,630)	-12.59%	693,588	721,436	625,065	27,848	3.86%	(68,523)	-10.96%
PUBLIC SERVICES	491,384	472,989	454,297	(18,395)	-3.89%	(37,087)	-8.16%	4,249,493	4,195,794	4,077,428	(53,699)	-1.28%	(172,065)	-4.22%
PUBLIC LIBRARY	268,501	297,462	237,529	28,961	9.74%	(30,972)	-13.04%	2,258,289	2,518,359	2,168,648	260,070	10.33%	(89,641)	-4.13%
PARKS & LEISURE SERVICES	540,503	520,126	492,582	(20,377)	-3.92%	(47,921)	-9.73%	3,989,572	3,546,408	3,561,020	(443,164)	-12.50%	(428,553)	-12.03%
TOTAL EXPENDITURES	4,984,500	6,730,542	5,278,715	1,746,042		294,215		54,642,157	56,091,761	52,054,749	1,449,604		(2,587,408)	
SURPLUS / (DEFICIT)	(225,691)	(2,337,785)	(1,757,490)	2,112,095		1,531,799		6,467,635	2,932,153	8,533,347	3,535,481		(2,065,712)	



**Vestavia Hills
City Council Minutes
July 14, 2025
6:00 PM**

1. Call to Order

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 and the City Clerk called the roll with the following:

2. Roll Call

Roll call was as follows:

MEMBERS PRESENT: Mayor Ashley Curry, Mayor Pro-Tem Rusty Weaver, City Councilors Kimberly Cook, Paul Head, and George Pierce

MEMBERS ABSENT: None.

OTHER OFFICIALS PRESENT: Jeff Downes, City Manager; Patrick H. Boone, City Attorney; Cinnamon McCulley, Asst. City Manager; Rebecca Leavings, City Clerk; Shane Ware, Police Chief; Melvin Turner, Finance Director; Lori Beth Kearley, Public Works Director; Ryan Farrell, Deputy Fire Chief; Umang Patel, Court Director; Michael Swann, Fleet/Facility Supervisor; Zachary Clifton, Asst. Finance Director*; James Randall, Human Resources Director*

3. Invocation - Tom Bryson, Vestavia Hills Chaplain

4. Pledge Of Allegiance

5. Approval Of The Agenda

The Mayor opened the floor for a motion to approve the agenda as presented.

MOTION: Approve the agenda as presented. Motion By: Rusty Weaver. Seconded By: George Pierce.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

6. Announcements, Candidates and Guest Recognition

- Mr. Pierce welcomed Chamber of Commerce Board member Christina Babineaux to the meeting. She's attending virtually via Zoom.
- Mr. Pierce recognized various members of his family who were visiting. He introduced them as his wife Kacy; daughter Ali Pilcher with her husband, Chad; and the Pierces' grandchildren: Avery, Macey, Ford, Mary Helen, Ann Parrish and Thomas.
- The following city council candidates introduced themselves:
 - Ali Pilcher, Place 4
 - Karl Julian, Place 2
 - Brian DeMarco, Place 3
 - Kimberly Cook, Place 2
- Mayor Curry, candidate for Mayor, stated that he is running again and asked for support. He stated that it is very important for people to vote. Do not take this right for granted.

7. Presentation - JBS Mental Health Authority - James Crego, Director

Jim Crego, JBS Mental Health Authority, introduced himself and thanked the Council for continued support. He also expressed gratitude for the services of two of the Board of Directors that serve for Vestavia Hills. Mr. Crego detailed the number of Vestavia Hills residents that utilize their services. He thanked the City for its continued financial support.

Mrs. Cook asked when they opened for business. Mr. Crego stated that they opened in 2023 and by mid-November 2023 were at full capacity. He indicated that they consistently visit the various Police Departments to describe their services to them and make them aware that the services are available.

Mrs. Cook stated that she was able to visit this facility, with other members of the Jefferson County Councilors Coalition, when they were just opening and found it to be a very useful service. The Mayor agreed they serve a vital role.

8. City Manager's Report

- Mr. Downes shared the 2025 National Employee Survey. He explained this is an internal survey of the City employees which was completed just recently. He shared the summary results of the survey to show that the results were very positive. The highest performing items show that employees have friends at work, plan to stay for years to come and feel positive about working for the City. He noted areas to work on included confusion over IT Services, and the city already has strategies to address some of these needs. Also, departmental communication appears to need a bit of attention.
 - Mrs. Cook pointed out that the council funded a new Human Resources Director, as a dedicated resource for employees. She asked what difference that has made. Mr. Downes explained that James Randall, the department head, has concentrated on the Service Stars program and has led the effort in finalizing the employee handbook. He stated that consistent onboarding of new employees as well as exit interviews for outgoing employees are being developed by Mr. Randall.
- Mr. Downes reminded everyone of the work session that will be next Monday, 3 PM, to interview prospective construction managers. there will be five companies

represented and a site plan for the planned development at SHAC to discuss. He stated that he will be sending out the results of the evaluation of the prospective construction managers and, ultimately, the Council will make this decision about which firm to hire even though it is within his authority to make that decision independently.

- Final electrical work on the bridge is completed. The elevator shaft will be worked on with anticipated full completion of the bridge in October.
- Mr. Pierce indicated that he had observed that paving has begun on Dolly Ridge Road. Mr. Downes stated that paving also includes Cahaba Heights Road, and it is important that this work be done in the warmer months, when school is not in session. He stated that they anticipate complaints from both residential and commercial properties, but paving is important and unavoidable. The paving company will get it done as quickly as possible, while minimizing traffic concerns and not working on the Sales Tax-Free weekend of July 18-20.
 - Public Services Director Kearley stated that they started milling today and will move toward other areas for paving the first of next week. Mrs. Cook asked if information was distributed ahead of time to merchants. Mrs. Kearley stated they put up digital signs in the work area, and informed the commercial property owners.
 - Mrs. Kearley stated that the work on the waterline on the Massey Road project has begun, and the project is progressing and will again be moving forward. Hopefully, an end date will be released soon.

9. Councilors' Reports

- Mrs. Cook stated the construction of the roundabout at Sicard Hollow/Cahaba Heights Road/Blue Lake Road intersection has been something that has been needed for a long time to improve safety for drivers, especially young drivers commuting from Liberty Park to the high school. She stated that it appears they are starting the final paving and asked a date of completion.
 - Mrs. Kearley stated they are tracking toward late summer completion.
- Mr. Weaver announced that the Planning and Zoning Commission met in regular session with a conditional use approval and a request for compatible zoning that will be presented to the Council soon.

10. Approval Of Minutes - June 23, 2025 regular meeting minutes and June 26, 2025 emergency special called meeting minutes

The Mayor announced that the minutes of the June 23, 2025, regular meeting and the June 26, 2025, emergency special called meeting are being presented for approval. He opened the floor for a motion.

MOTION: Approve the minutes of June 23 and June 26 as presented. Motion By: Rusty Weaver. Seconded By: Kimberly Cook.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

Old Business (Public Hearing)

11. Public Hearing - Resolution Number 5572 - A Request for Budget Appropriation for the Vestavia Hills Municipal Court FY25

MOTION: Approve Resolution Number 5572 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

Mr. Patel, Court Director, explained the current online driving program. He explained that this program was established the previous year and has been very successful. Because the program is so successful, additional funding is needed to purchase additional access codes for the class.

Mrs. Cook commented that the program is very helpful and convenient for residents.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

12. Public Hearing - Resolution Number 5573 - Annexation - 90 day - 2560 Rocky Ridge Road; Hartford Development LLC

MOTION: Approve Resolution Number 5573 as presented. Motion by: Rusty Weaver. Seconded by: Kimberly Cook.

Mr. Pierce stated this is a request for a 90-day annexation of this property. The request is to construct eight single-family homes. He asked the City Clerk to explain the approval process for what is being considered tonight.

Ms. Leavings explained that the Resolution, if approved, opens the door for the developer to present a case to pre-zone the property for a planned residential development. The process will begin with a public hearing before the Planning and Zoning Commission and then proceed to Council. This process concludes in about 90 days. At Council, the pre-zoning request will be presented. If the pre-zoning request is approved, the property will then be annexed. If the request is denied, the annexation will not take place.

The Mayor opened the floor for a public hearing.

Brandon Hays, developer, introduced himself and indicated that he is the owner of the property applying for pre-zoning and annexation.

There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

New Business

13. Resolution Number 5574 - A Resolution declaring Council Place No. 1 to be unopposed; declaring Rusty Weaver to be elected and authorizing the Mayor to issue a Certificate of Election to Rusty Weaver

MOTION: Approve Resolution Number 5574 as presented. Motion by: George Pierce. Seconded by: Kimberly Cook.

The Mayor stated that this Resolution declares that City Council Place One had only one individual to qualify and, pursuant to Alabama law, Rusty Weaver is deemed to be elected.

There being no further discussion, the Mayor called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: Rusty Weaver. Motion passed.

Mayor Curry presented Mr. Weaver with his Certificate of Election.

14. Resolution Number 5575 - A Resolution declaring Council Place No. 4 to be unopposed; declaring Ali Pilcher to be elected and authorizing the Mayor to issue a Certificate of Election to Ali Pilcher

MOTION: Approve Resolution Number 5575 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

The Mayor stated that this Resolution declares that City Council Place Four had only one individual to qualify and, pursuant to Alabama law, Ali Pilcher is deemed as elected.

There being no further discussion, the Mayor called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head.

No: None. Abstain: George Pierce. Motion passed.

Councilman George Pierce, Ali Pilcher's father, presented Mrs. Pilcher with her Certificate of Election.

15. Ordinance Number 3277 - An Ordinance accepting a bid for the Emergency Generator Project at City Hall and authorizing the Mayor and the City Manager to take all actions necessary to secure said construction.

MOTION: Approve Ordinance Number 3277 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

Mr. Downes explained that this was presented to the Council during strategic planning and the Council decided that it was in the interest of the public to have a generator to keep all services in the City going in case of an emergency and electrical outage. This is particularly important during states of emergency, which is when outages typically occur. This is nearly a \$1 million expenditure. Once completed, the City Hall complex will be able to continue operations during times of emergencies as well as power outages.

Mrs. Kearley stated that it will take 40 weeks to bring this project to completion because of the long time to fulfill the order for the parts.

Mr. Downes stated that staff are excited about this finally coming forward for approval.

The Mayor stated that there had been power outages when the City Hall complex was inoperable. This can present some serious risks for emergency departments that need this operating power.

Mrs. Cook reminded everyone that the Council was very tough in questioning this large expenditure and did not actually approve it the first year it was requested. She feels that it is a necessity to continue providing essential services to the public in the event of a large emergency.

There being no further discussion, the Mayor called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

16. Resolution Number 5577- A Resolution Authorizing The City Manager To Execute A MB-05 Alabama Department Of Transportation Agreement For Grading And/Or Landscaping On Right-Of-Way And A MB-07 Special Agreement For Installation Of Drainage Structures Alabama Department Of Transportation Highway Right-Of-Way

MOTION: Approve Resolution Number 5577 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

Mr. Downes explained that these are standard ALDOT contracts to provide the city permission to landscape, build a new southern gateway, and make drainage improvements in the ALDOT right-of-way near the intersection of Highway 31 and Interstate 65. These agreements must also be approved by ALDOT in order to accommodate the improvements the Council has planned for this important business district. The existing temple structure will be painted and updated with this project.

There being no further discussion, the Mayor called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

New Business Requesting Unanimous Consent (Public Hearing)

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

- 17. Public Hearing - Resolution Number 5576 - A Resolution for Vacation of a lot-line easement at 7612 Gunston Place; Lot 49, Old Overton Ridge; Richard Mullen, Owner**
- 18. Public Hearing - Ordinance Number 3273- Rezoning - 3279 Cahaba Heights Road; Rezone from Vestavia Hills R-5 (multifamily) and Vestavia Hills O-1 (office) to Vestavia Hills R-9 (planned residential) for construction of eleven townhomes; KADCO and David Bruno, owners; Jason Kessler, KADCO, representing**
- 19. Citizens Comments**
 - None.

20. Time Of Adjournment

There being no further business, Mr. Pierce made a motion to adjourn. The Mayor adjourned the meeting at 6:46 PM.

Ashley C. Curry, Mayor

ATTESTED BY:

Rebecca Leavings, City Clerk



**CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO**

July 28, 2025

To: Jeff Downes, City Manager

From: Rebecca Leavings, City Clerk

Cc:

RE: Public Hearing - Resolution Number 5576 - A Resolution requesting the Vacation of a lot-line easement traversing the lot line of Lot 49, Old Overton Ridge and located at 7612 Gunston Place; Lot 49, Old Overton Ridge; Richard Mullen, Owner

Background:

A new home is proposed for 7612 Gunston Place; Lot 49, Old Overton Ridge. However, the topography of the lot is difficult so the home needs to be adjusted toward the side of the lot. In order to do this and stay within building setbacks, a resurvey was proposed to incorporate acreage adjacent to make the lot larger and allow better topography for the home. This would also mean the vacation of a lot line easement which is built into all lots to utilize for utilities. Letters from all applicable utilities have been received to release this lot line easement.

Recommendation:

This request was approved by the Engineering Department with written confirmation from Liberty Park that the acreage to the rear doesn't need a

wide access path for accessibility. This has been provided to the City with the resurvey request.

Fiscal Impact:

na

Attachments:

1. Resolution 5576

RESOLUTION NUMBER 5576

**A RESOLUTION APPROVING AND ASSENTING TO A
DECLARATION OF VACATION**

WITNESSETH THESE RECITALS

WHEREAS, a Declaration signed by the owners of all the lands abutting the following described lot-line easement situated in the City of Vestavia Hills, Jefferson County, Alabama, vacating said lot-line easement, has been duly presented to the City Council of the City of Vestavia Hills, Alabama, for assent and approval of said governing body; and

WHEREAS, a copy of said Declaration with map attached is marked as “Exhibit A”, attached hereto and incorporated into this Resolution by reference as though set out fully herein; and

WHEREAS, the above-referenced lot-line easement is commonly referred to as “lot-line easement” and is more particularly described as follows:

Description: 12.5' easement to be vacated lying on the east line of lot 49, according to the Survey of Old Overton Ridge, as recorded in map book 175, page 85, in the Probate office of Jefferson County, Alabama being more particularly described as follows:

Begin at the most easterly corner of lot 49 and the east line of a 12.5' easement; thence run northwest along the east line of said lot 49 and said 12.5' easement a distance of 377.77 feet to the northeast corner of said lot 49; thence turn a deflection to the left of 84°41'50" and run southwesterly along the north line of said lot 49 a distance of 12.55 feet to a point; thence leaving the north line of said lot turn a deflection angle to the left of 95°18'10" and run southeasterly along the west line of a 12.5' easement a distance of 384.09 feet to a point on the southeast line of said lot 49 and the northerly right-of-way of Gunston Place, said point being on a non-tangent curve to the right with a radius of 50.00 feet, with a delta angle of 15°32'39", and a chord length of 13.52 feet and a deflection angle to the left of 112°25'56" to chord; thence run along said curve and said road right-of-way a distance of 13.56 feet to the point of beginning. Said tract of land containing 0.11 acres or 4757 sq.ft., more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, that the vacation of the hereinabove described lot-line easement is assented to and approved and the same is hereby vacated pursuant to the provision of Section 23-4-20 of the Code of Alabama, 1975.

RESOLVED, DONE AND ORDERED, on this the 28th day of July, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION

I, the undersigned qualified Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true copy of a Resolution lawfully passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 28th day of July, 2025, and that such Resolution is of record in the Minute Book of the City at page _____ thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the _____ day of _____, 2025.

Rebecca Leavings
City Clerk



City of Vestavia Hills

CITY CLERK/PLANNING AND ZONING DEPARTMENT

1032 Montgomery Highway
Vestavia Hills, AL 35216



DECLARATION OF VACATION OF EASEMENT

STATE OF ALABAMA JEFFERSON COUNTY

We, the undersigned, constituting all of the owners of all property abutting Entire general easement that runs through the Lot. as same appears on the Plat of Old Overton Ridge, which Plat is recorded in Plat Book 175, at Page 85, in the Probate Office of Jefferson County, Alabama, do hereby declare that each of said Plats embraced within the boundaries of said Entire general easement that runs through the Lot. as the same appears of record on the Plat to be vacated, and said Entire general easement that runs through the Lot. is hereby declared vacated. The undersigned do hereby respectfully represent and warrant as follows:

1. This Declaration of Vacation of Entire general easement that runs through the Lot. is prepared, executed, delivered and recorded to and in accordance with the provisions of Section 23-4-20 and Section 35-2-54, Code of Alabama, 1975.
2. It is in the best public interest that Entire general easement that runs through the Lot. be closed and vacated.
3. Such vacation will not deprive other property owners of a convenient and reasonable means of ingress and egress to their property.
4. Said Entire general easement that runs through the Lot. is situated in the City of Vestavia Hills, Jefferson County, Alabama, and appears at 7612 Gunston Pl. A copy of the map reflecting the location of Entire general easement that runs through the Lot. is attached hereto and incorporated into this Declaration of Vacation as a part hereof.
5. The street address and legal descriptions of all property abutting Entire general easement that runs through the Lot. and the names and addresses of the owner of said abutting properties are as follows:

A. Owner's Name: Richard Mullen

Street Address/Legal Description: 3817 Alston Crest;

B. Owner's Name: Richard Mullen

Street Address/Legal Description: 3817 Alston Crest;

C. Owner's Name:

Street Address/Legal Description: ;

C. Owner's Name:

Street Address/Legal Description: ;

6. All of the undersigned do hereby declare Entire general easement that runs through the Lot. to be vacated and respectfully request the assent of the City Council of the City of Vestavia Hills, Alabama, to said vacation of Entire general easement that runs through the Lot..

SIGNATURES ATTACHED.

**OWNER'S SIGNATURE AFFIDAVIT
VACATION OF EASEMENT PETITION**

IN WITNESS THEREOF, the undersigned have hereunto set my hand and seal on this the 20th day of June, 2025.

SIGNATURE OF ABUTTING PROPERTY OWNER:

Signed: Richard Mullen (notary below)

Printed name of signer: Richard Mullen

**STATE OF ALABAMA
JEFFERSON COUNTY**

GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Richard Mullen and _____, whose names are signed to the foregoing Declaration of Vacation, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 20th day of June, 2025.

Barbara Perrin
Notary Public Exp 6/30/25

VEAS Number: 25-3 (administrative use only).



EASEMENT EXHIBIT

OLD OVERTON RIDGE
MAP BOOK 175, PAGE 85
JEFFERSON COUNTY, ALABAMA

27 00 07 2 000 053.000
LIBERTY PARK JOINT VENTURE
INST# 2024117093

CAHABA RIVER

LOT 49

SCALE: 1"=60'



LOT 48
OLD OVERTON RIDGE
MB. 175, PG. 85

12.5' EASEMENT TO BE VACATED

R=50.00'
 $\Delta=15^{\circ}32'39''$
CD=13.52'
L=13.56'

5' SANITARY
SEWER EASEMENT
MB. 175, PG. 85

POB
FOUND IRON
(CAPPED "WSE")
 $112^{\circ}25'56''$
TO CHORD
GUNSTON PLACE
COMMON AREA
50' PRIVATE
R.O.W.

DESCRIPTION: 12.5' EASEMENT TO BE VACATED LYING ON THE EAST LINE OF LOT 49, ACCORDING TO THE SURVEY OF OLD OVERTON RIDGE, AS RECORDED IN MAP BOOK 175, PAGE 85, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST EASTERLY CORNER OF LOT 49 AND THE EAST LINE OF A 12.5' EASEMENT; THENCE RUN NORTHWEST ALONG THE EAST LINE OF SAID LOT 49 AND SAID 12.5' EASEMENT A DISTANCE OF 377.77 FEET TO THE NORTHEAST CORNER OF SAID LOT 49; THENCE TURN A DEFLECTION TO THE LEFT OF $84^{\circ}41'50''$ AND RUN SOUTHWESTERLY ALONG THE NORTH LINE OF SAID LOT 49 A DISTANCE OF 12.55 FEET TO A POINT; THENCE LEAVING THE NORTH LINE OF SAID LOT TURN A DEFLECTION ANGLE TO THE LEFT OF $95^{\circ}18'10''$ AND RUN SOUTHEASTERLY ALONG THE WEST LINE OF A 12.5' EASEMENT A DISTANCE OF 384.09 FEET TO A POINT ON THE SOUTHEAST LINE OF SAID LOT 49 AND THE NORTHERLY RIGHT-OF-WAY OF GUNSTON PLACE, SAID POINT BEING ON A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET, WITH A DELTA ANGLE OF $15^{\circ}32'39''$, AND A CHORD LENGTH OF 13.52 FEET AND A DEFLECTION ANGLE TO THE LEFT OF $112^{\circ}25'56''$ TO CHORD; THENCE RUN ALONG SAID CURVE AND SAID ROAD RIGHT-OF-WAY A DISTANCE OF 13.56 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 0.11 ACRES OR 4757 SQ.FT. MORE OR LESS.

120 BISHOP CIRCLE, SUITE 300
PELHAM, AL 35124





Spire Alabama Inc.
605 Richard Arrington Jr. Blvd. North
Birmingham, AL 35203

6/3/2025

Kris Reek
1000 Urban Center Dr., Suite 235
Vestavia Hills, AL 35242

Re: Proposed Release of Platted Easement(s)

Dear Kris,

Spire Alabama Inc. has no objection to the release of easement(s) being platted on the survey of Lot 49 of Old Overton Ridge and as recorded in Map Volume 125 Page 85 as shown on the attached drawing(s). Spire Alabama Inc. does not have facilities on such hachured property at this time.

If a property owner places any structures, decks (attached or free standing), fences, buildings, retaining walls or other personal property within easements that do contain installed natural gas mains or other natural gas facilities, they do so at their own risk and they must comply with applicable law, including the Alabama Underground Damage Prevention Act, set forth in the Alabama Code Title §37, Chapter 15, Sections 1-11, and contact Alabama 811.

In the event that Spire Alabama Inc. or its successors and assigns, requires the utilization of the easement referenced above for the installation or maintenance of facilities in said easement, we can make no promises that any structures, decks (attached or free standing), fences, buildings, retaining walls or other personal property will not be disturbed. Furthermore, the property owner will be responsible for all costs associated with the removal of such personal property and Spire Alabama Inc. shall have no obligation to repair or replace such personal property.

Sincerely,

Daniel Logan
Right of Way Representative
205-842-3972
daniel.logan@spireenergy.com



6/10/2025

Kris Reek
Project Manager – Liberty Park
Daniel Communities
Liberty Park Joint Venture
1000 Urban Center Drive, Suite 235
Vestavia Hills, AL 35242

RE: Vacation of Easement

Dear Ms. Reek,

We are in receipt of your request regarding the Subject Property that is located at:

Old Overton Ridge
Lot 49
Jefferson County Map Volume 175
Page 85
Gunston Pl
Vestavia Hills, AL 35242

This letter is to confirm that there is no conflict with our facilities related to the vacation of the 12.5' easement at the above referenced location.

Please let me know if anything else is needed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lee Walden", written in a cursive style.

Lee Walden
Construction Supervisor
Lee.Walden@charter.com
Office: 205-573-6815
Cell: 205-490-3098

**ENVIRO SERVICES, LLC
1000 URBAN CENTER DRIVE, SUITE 235
VESTAVIA HILLS, ALABAMA 35242
(205) 945-6462**

May 22, 2025

Office of the City Clerk
City of Vestavia Hills
1032 Montgomery Highway
Vestavia Hills, AL 35216

Re: Vacation of Easement – Lot 49, Old Overton Ridge

To Whom it May Concern:

Enviro Services, LLC has no objection to the vacation of the utility easement that crosses the above-referenced lot. Please contact us with any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'James Parsons', with a long horizontal line extending to the right.

James Parsons
President



Directors/Officers

Jeff Brumlow, *Director*

Thomas C. Hudson, *Director*

Bill Morris, *Director*

Jarvis Patton, Sr., *Director*

David Standridge, *Director*

Sheila Tyson, *Director*

Phillip Wiedmeyer, *Director*

General Manager

Mac Underwood

**Deputy General
Manager/General Counsel**

K. Mark Parnell, Esq.,

**Assistant
General Managers**

Barry Williams
*Assistant General Manager
Finance and Administration*

Derrick Murphy, MEng
*Assistant General Manager
Engineering and Maintenance*

Philip King PE, MEng, MBA
*Assistant General Manager
Operations and Technical Services*

Michael Parker,
*Assistant General Manager
Customer Care*

Mac Underwood
General Manager
3600 First Avenue North
Birmingham, AL 35222

May 21, 2025

James Parsons, PE
Liberty Park Joint Venture, LLP
1000 Urban Center Drive, Ste 235
Vestavia, AL 35242

Re: No objection to Vacation of Easement – Lot 49 Old Overton Ridge (Gunston Place)

James:

Birmingham Water Works Board (BWVB) has no objection to the vacation of the utility easement across the above referenced lot.

Please feel free to contact Jaquice Boyd, Superintendent of Environmental Land Administration at (205)244-4218 if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads 'Mac Underwood'.

Mac Underwood
General Manager



June 12, 2025

Kris Reek
1000 Urban Center Dr, Suite 235
Vestavia Hills, AL 35242
205-945-6560
kreek@libertypark.com

Re: utility easement

Bellsouth Telecommunications, LLC d/b/a AT&T Alabama has no objections to vacating the existing 12.5 ft easement located at lot 49 on Old Overton Ridge as recorded on Map THAT PT OF NW 1/4 OF SEC 7 TP 18 R 1W WHICH LIES N & W OF OLD OVERTON RIDGE 175/85 SECT 07 TWSP 18S RANGE 1W. We have no facilities located within this utility easement.

Sincerely,

Nick Cockrum

Nick Cockrum
810 Kentucky Ave Paducah KY 42003
AT&T East Wireline PMO
SR Specialist-OSP Design Engineer
270-977-1811
nc1003@att.com

attachment

cc: Scott Fetzer, AT&T East

May 19, 2025

Kris Reek
Daniel Communities
1000 Urban Center Drive, Ste 235
Vestavia Hills, AL 35242

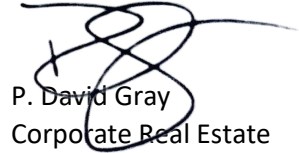
**Re: Proposed Vacation of Recorded Easement
Gunston Place, Lot 49**

Kris:

Alabama Power Company (APC) has no objection to the vacation of the utility easement across the above referenced lot.

Please feel free to contact me at (205)257-7686 if you have any questions or concerns.

Very truly yours,



P. David Gray
Corporate Real Estate
Land Acquisition-Legal



Engineering Approval

Record No. VEAS-25-3

Status Completed

Became Active June 20, 2025

Assignee Ethan Fisher

Due Date None

Primary Location

7612 GUNSTON PL
VESTAVIA HILLS, AL 35242

Owner

Richard Mullen
3817 Alston Crest Vestavia Hills, AL
35242

Applicant

 James Parsons
 205-910-5144
 jparsons@libertypark.com
 1000 Urban Center Drive
Suite 235
Vestavia Hills, AL 35242

Messages

Ethan Fisher

June 27, 2025 at 12:30 pm

Vacation approved with the understanding that access is not needed/ this does not hinder the access to the property located behind this property. No public infrastructure is located within this easement per my knowledge.

Step Activity

OpenGov system activated this step

06/20/2025 at 8:02 am

OpenGov system assigned this step to Christopher Brady

06/20/2025 at 8:02 am

Ethan Fisher reassigned this step from Christopher Brady to Ethan Fisher

06/20/2025 at 1:38 pm

Ethan Fisher approved this step

06/27/2025 at 12:30 pm



**CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO**

July 28, 2025

To: Jeff Downes, City Manager

From: Conrad Garrison, City Planner

Cc: Rebecca Leavings, City Clerk

RE: Public Hearing - Ordinance Number 3273- Rezoning - 3279 Cahaba Heights Road; An Ordinance to Rezone from Vestavia Hills R-5 (multifamily) and Vestavia Hills O-1 (office) to Vestavia Hills R-9 (planned residential) for construction of eleven townhomes; KADCO and David Bruno, owners; Jason Kessler, KADCO, representing

Background:

Request is to rezone from Vestavia Hills R-5 (multifamily) and O-1 (office) to Vestavia Hills R-9, planned residential for construction of eleven townhomes. Request was heard by P&Z Commission with a unanimous recommendation to approve as submitted.

Recommendation:

Approve as submitted with development limited to the submitted drawings.

Fiscal Impact:

na

Attachments:

1. Ordinance 3273

ORDINANCE NUMBER 3273

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS R-5 AND VESTAVIA HILLS O-1 TO VESTAVIA HILLS R-9

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills R-5 (multifamily residential district) and Vestavia Hills O-1 (office park district) to Vestavia Hills R-9 (planned residential development):

3279 Cahaba Heights Road
KADCO, Owner(s)

More particularly described as follows:

Lot 2-A, according to the map of a resurvey and subdivision of Lots 2 and 3 and of the east 200 feet of Lot 4, in Block 1, Shades Cahaba Estates, as recorded in Map Book 48, Page 55 and the north 112 feet of Lot 1, Block 1, Cahaba Estates, as recorded in Map Book 22, Page 83, in the Probate Office of Jefferson County, Alabama.

BE IT FURTHER ORDAINED, said rezoning is conditioned upon the plans submitted with a maximum number of eleven townhomes.

APPROVED and ADOPTED this the 28th day of July, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

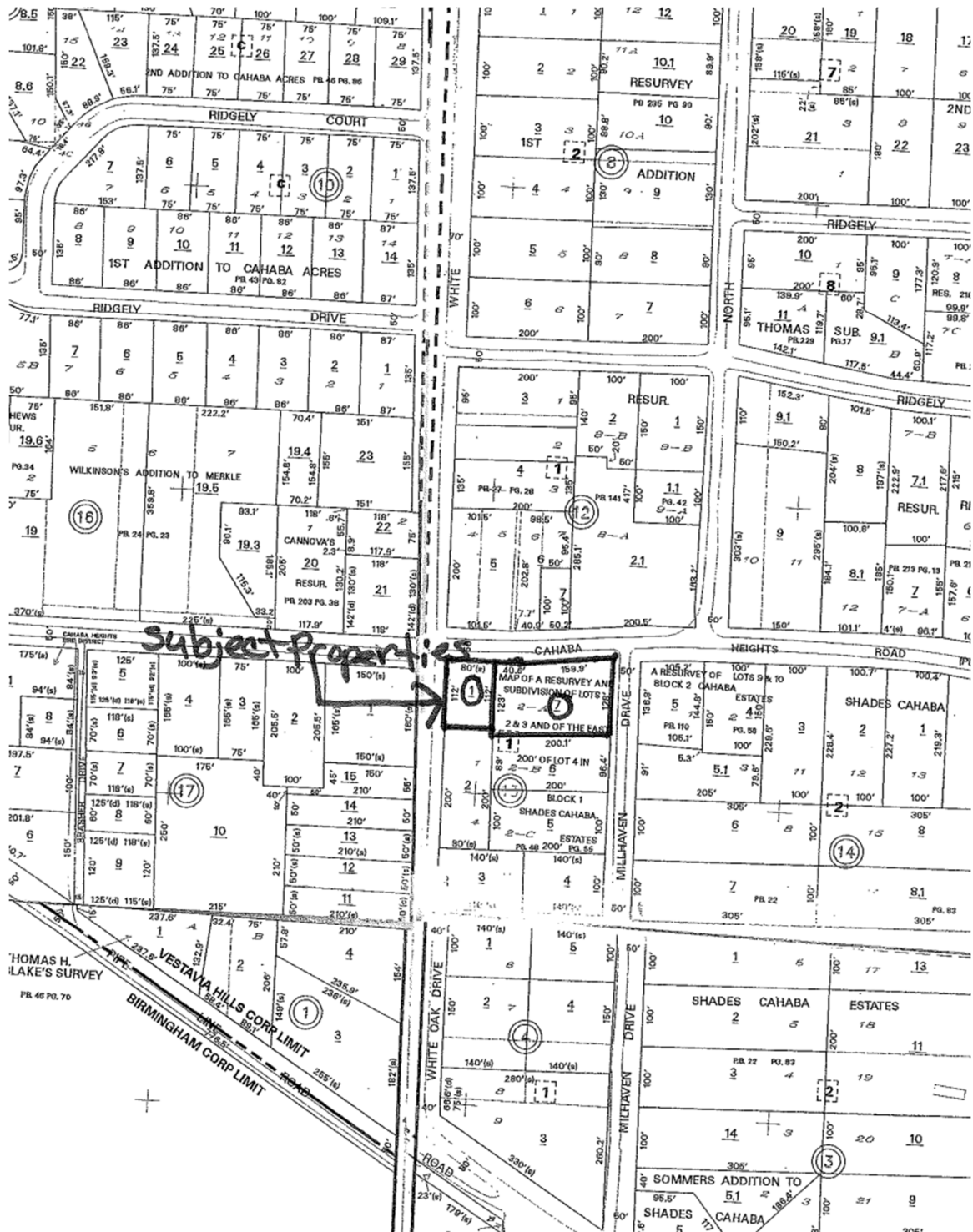
Rebecca Leavings
City Clerk

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 Number 3273 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 28th day of July, 2025 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center and Vestavia Hills New Merkel House this the _____ day of _____, 2025.

Rebecca Leavings
City Clerk





City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-25-2

Owner Name: KADCO Homes, LLC

Owner Address: 3505 Bent River Road
Birmingham, AL 35216

Representative: Joe Schifano
Rep. 120 Bishop Circle
Address: Pelham, AL 35124

Project Address: 3279 Cahaba Heights Road & 4201 White Oak Drive
Legal Description: North 112 feet of Lot 1, Block 1, MB 22, PG 83; Lot 2-A, MB 48, Pg 55
Parcel ID Number: 28 00 23 2 013 007.000
Current Zoning: R-5 & O-1
Requested Zoning: R9
Intended Purpose: Creation of a Townhome Subdivision

MOTION Mr. Weaver made a motion to recommend Rezoning for 3279 Cahaba Heights Rd. and 4201 White Oak Dr. from Vestavia Hills R-5 & O-1 to Vestavia Hills R-9 with the following conditions:

1. Zoning approval conditioned upon materials presented.

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

P&Z

Recommendation:

Mr. Farrell – yes Mr. Maloof – yes
Mr. Romeo – yes Mr. Weaver – yes
Mr. Blackenburg – yes Mr. Sykes – yes
Mr. Honeycutt – yes Ms. Cochran – yes
Motion carried.

Date of P&Z Meeting: May 8, 2025

Authorized by:

Issued by:

Vestavia Hills Planning and Zoning Commission,
Michael Vercher, Chair
Conrad Garrison, City Planner

4/17/25, 9:55 AM

about:blank

Rezoning Application

RZ-25-2

Submitted On: Apr 3, 2025

Applicant

Joe Schifano

205-531-9664

@schifano@edgalabama.com

Primary Location

3279 CAHABA HEIGHTS RD
VESTAVIA HILLS, AL 35243

Additional Locations

4201 WHITE OAK DR, VESTAVIA HILLS AL 35243

Property Information

Subject Property Address

3279 Cahaba Heights Road & 4201 White Oak Drive

Tax Parcel ID Number

28 00 23 2 013 007.000

Legal Description

North 112 feet of Lot 1, Block 1, MB 22, PG 83; Lot 2-A, MB 48, Pg 55

Existing Parking Spaces

0

Proposed Parking Spaces

22

Submission Date

04/03/2025

Type of Project

New Residential Subdivision

Action Requested:

From Existing Zoning Classification

R-5 & O-1

To Requested Zoning Classification

R9

For the Intended Purpose of:

Creation of a Townhome Subdivision

Acreage of Subject Property

0.78

Acreage of Property to be Disturbed

0.78

Setbacks

Front

15

Side

10

Lot Coverage Percentage

45

Back

45

Open Space

0

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

about:blank

Page 36 of 57

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Owner Address City State Zip

3505 Bent River Road
Birmingham, AL 35216

Owner's Phone Number

(205) 985-7171

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

Mailing Address of Responsible Party

120 Bishop Circle
Pelham, AL 35124

Phone No. of Responsible Party

(205) 403-9158

Property Owner Name

KADCO Homes, LLC

Company Name

--

Email Address of Owner

jdkessler84@gmail.com

Owner Representative/Responsible Party

Joe Schifano

Company Name

Engineering Design Group

Contact Email of Responsible Party

schifano@edgalabama.com

Email Address of Responsible Party

schifano@edgalabama.com

Project Engineer Information (if applicable)

Name

Joe Schifano

Company

Engineering Design Group

Mailing Address

120 Bishop Circle
Pelham, AL 35124

Email

schifano@edgalabama.com

Phone Number

(205) 403-9158



June 25, 2025

KADCO Homes
3505 Bent River Road
Birmingham, AL 35124

Attn: Mr. Jason Kessler

Re: Cahaba Heights Townhomes Trip Generation

Dear Jason,

As requested, Engineering Design Group, LLC (EDG) has performed a daily trip generation estimate for the proposed Cahaba Heights Townhome Project. Our evaluation provides an estimate for the existing "by right" buildout of the two existing parcels and an estimate for the proposed 11-townhome unit development. Trip generation estimates are based on the Institute of Transportation Engineers (ITE) Trip Generation Manual.

For the existing "by-right" trip estimation, we do not have a definitive site plan for either existing parcel, but we can estimate the size of a potential building for the sites based on the current zoning requirements. Parcel 1, located at 4201 White Oak Drive, is currently zoned as O-1. After taking the zoning setbacks into account, a building of 2,000 sq. ft could be constructed on the site. O-1 supports a wide variety of businesses, one of which is a drive in bank. Trip estimates for this type of establishment are 148.15 trips per day per 1,000 sq. ft. In this case, the site would generate 296 trips per day. Parcel 2, located at 3279 Cahaba Heights Road, is zoned R-5. Using the minimum lot area requirements, this parcel would support 6 apartment units and generate 6.65 trips per day per unit, equaling 40 trips per day total. The total "by right" development of these parcels would generate 336 trips per day.

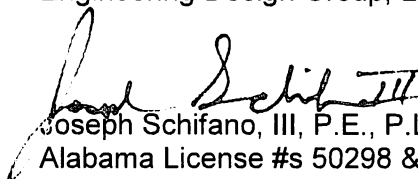
The proposed condition illustrates 11 townhouse units. Townhouse units generate 5.81 trips per day per unit. In the developed condition, the trip generation would be 64 trips per day.

In summary, the proposed condition is expected to generate 20% of the daily trips that development under the existing zoning could create.

Please feel free to contact me with any questions.

Respectfully submitted,

Engineering Design Group, LLC


Joseph Schifano, III, P.E., P.L.S.,
Alabama License #s 50298 & 23661

REZONING PACKAGE

FOR A TOWNHOME DEVELOPMENT KNOWN AS CAHABA HEIGHTS TOWNHOMES

VESTAVIA HILLS, ALABAMA

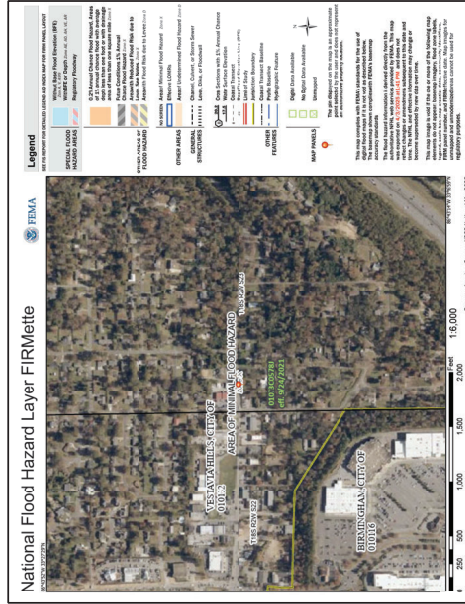
LIST OF CONTACTS

CITY OF VESTAVIA HILLS
CITY PLANNER
CONTACT: CONRAD GARRISON
PHONE: (205) 978-0179

CITY OF VESTAVIA HILLS
CITY ENGINEER
CONTACT: ETHAN FISHER
PHONE: (205) 978-0179

WATER
BIRMINGHAM WATER WORKS BOARD
CONTACT: DOUG STOCKHAM
PHONE: (205) 244-4186
DOUG.STOCKHAM@BWWB.ORG

SEWER
JEFFERSON COUNTY
ENVIRONMENTAL SERVICES
CONTACT: BEN PAITE
PHONE: (205) 521-7515
PAITEB@JCCAL.ORG



FEMA FIRMETTE FM01073C0576J
N.T.S.



VICINITY MAP
N.T.S.

SHEET INDEX

NS
1 OF 1

NOTES
SURVEY
PRELIMINARY PLAT
GRADING PLAN
STORM PLAN
EROSION & SEDIMENT
CONTROL PLAN
UTILITY PLAN
DETAILS

OWNERS

THE ENTRUST GROUP, INC.
3122 GREEN VALLEY ROAD
VESTAVIA HILLS, AL 35243
(XXX) XXX-XXXX
CONTACT: DAVID BRUNO

DEVELOPER

KADCO HOMES
3505 BENTLEY RIVER ROAD
BIRMINGHAM, AL 35216
(205) 985-7171
CONTACT: JASON KESSLER

ENGINEERING

ENGINEERING DESIGN GROUP, LLC
120 BISHOP CIRCLE, SUITE 300
PELHAM, AL 35267
(205) 403-9158
CONTACT: WADE LOWERY, P.E.

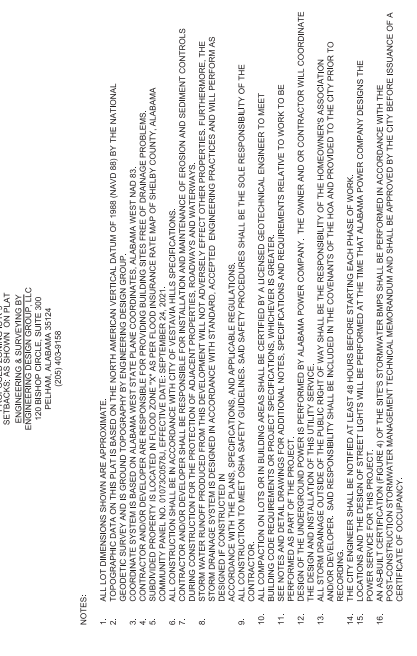
SURVEYING

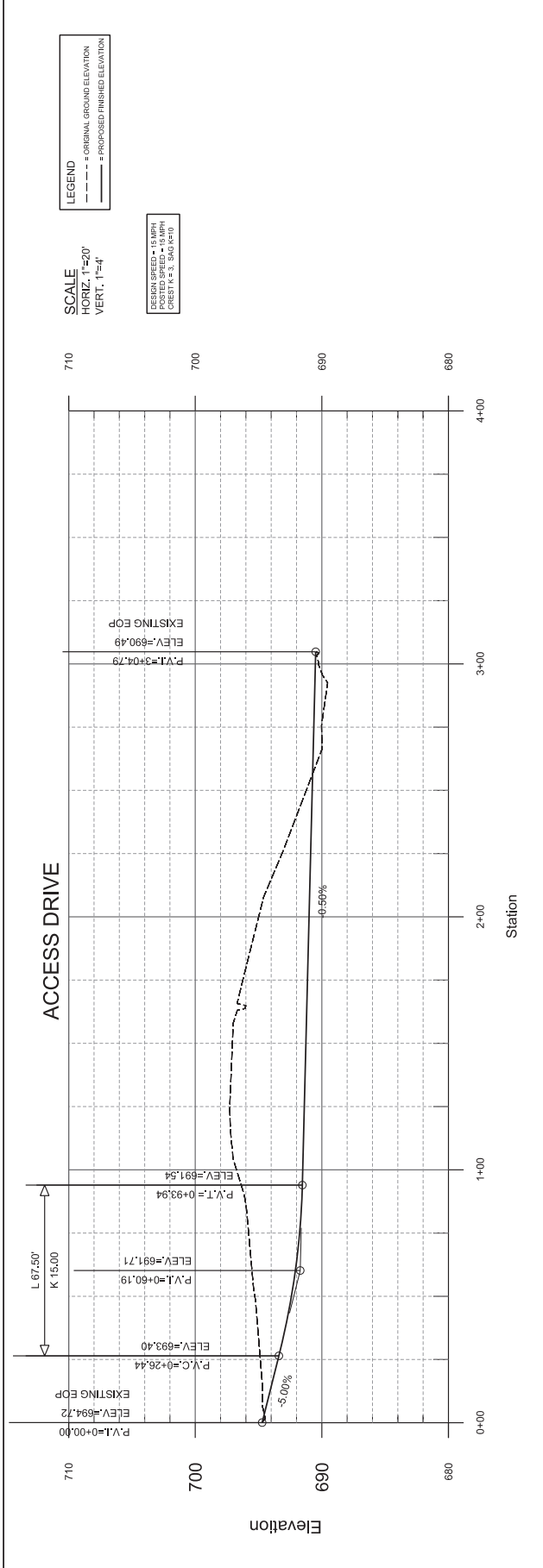
ENGINEERING DESIGN GROUP, LLC
120 BISHOP CIRCLE, SUITE 300
PELHAM, AL 35267
(205) 403-9158
CONTACT: RODNEY CUNNINGHAM, P.L.S.

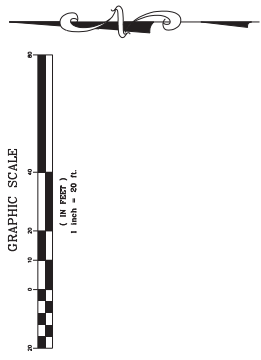
CAHABA HEIGHTS TOWNHOMES

KADCO0002 - 04/03/2025

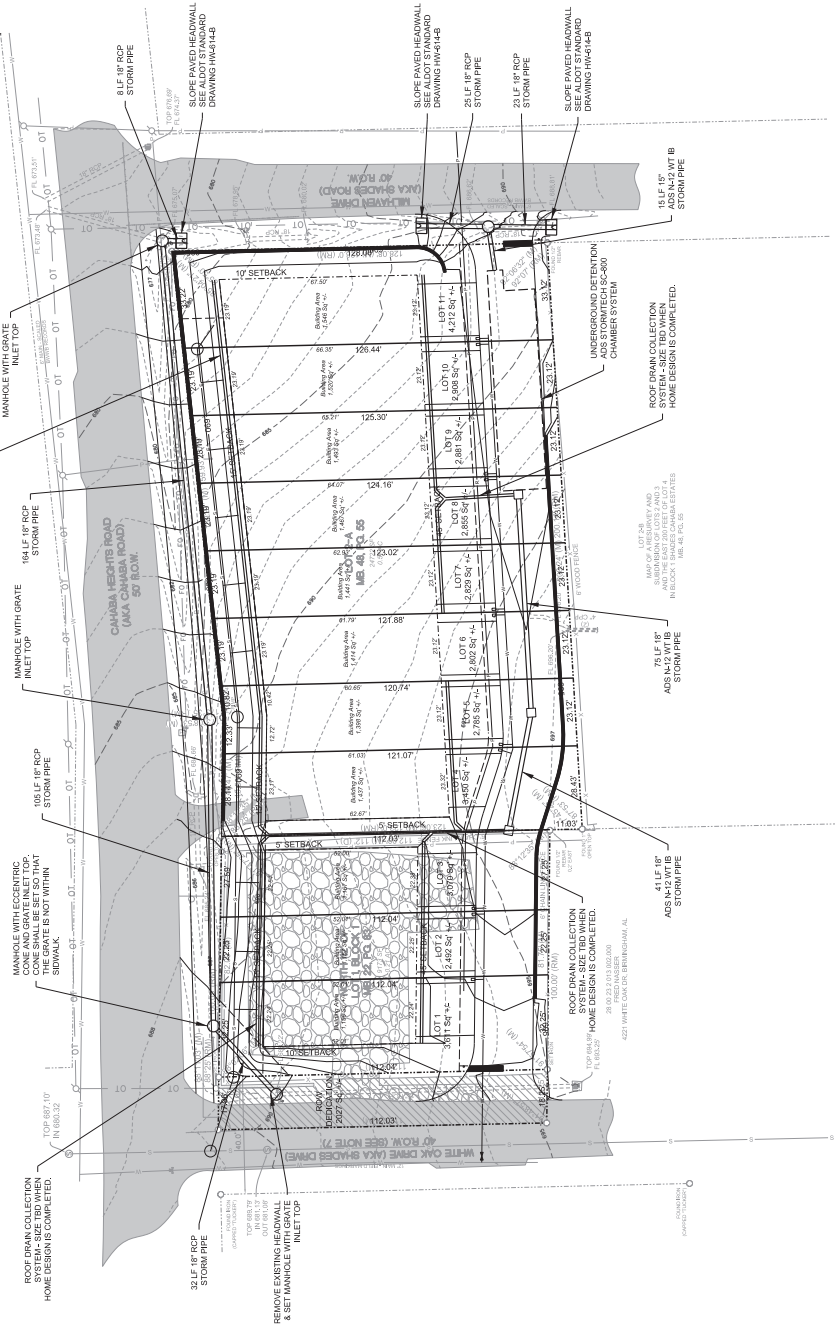


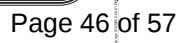






Design Storm	1 Year	2 Year	5 Year	10 Year	25 Year	100 Year
Pre Developed Flow, CFS	1.65	2.03	2.73	3.41	4.48	5.41
Post Developed Flow, CFS	1.65	1.89	2.33	3.14	4.37	5.22
Percent Change	-1%	-7%	-15%	-8%	-2%	-4%
Underground Detention Discharge, CFS	0.93	1.02	1.40	1.95	2.64	3.12
Underground Detention Pond Storage Volume, CF	986	1,170	1,463	1,648	1,950	2,177
Underground Detention Pond Stage, FT	687.42	687.65	688.03	688.28	688.66	689.04





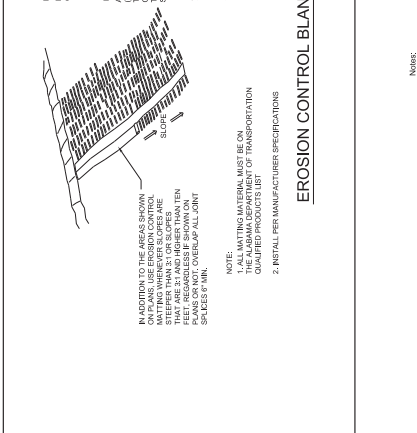
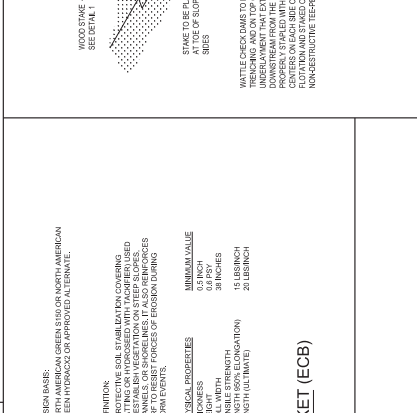
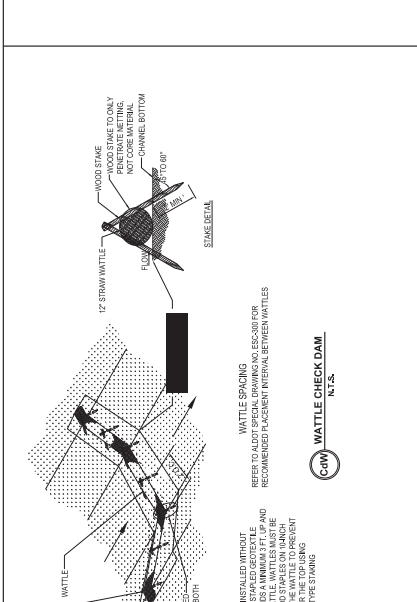
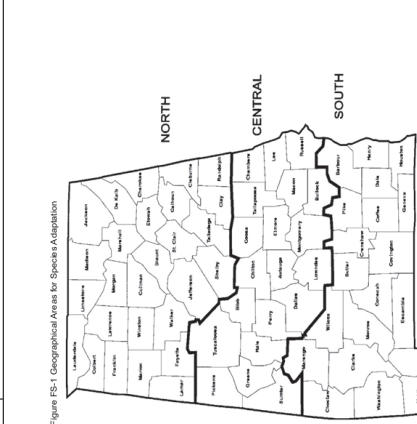
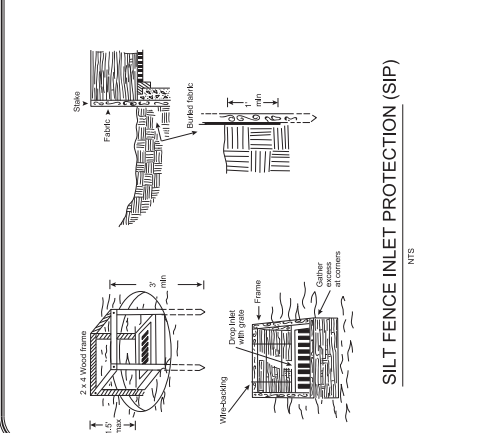
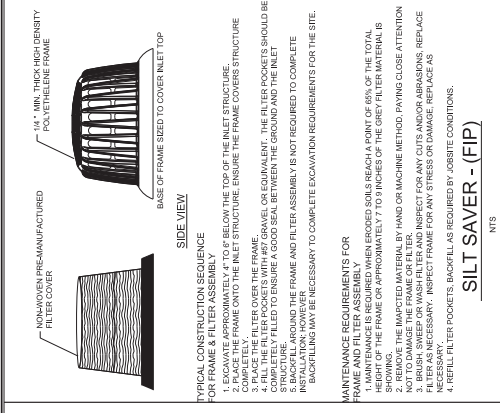
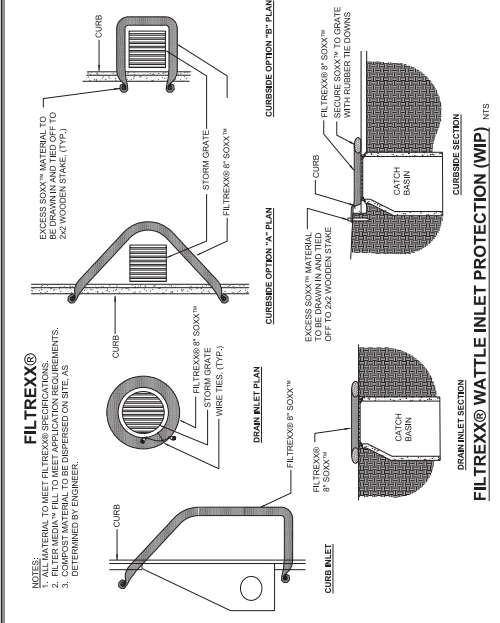
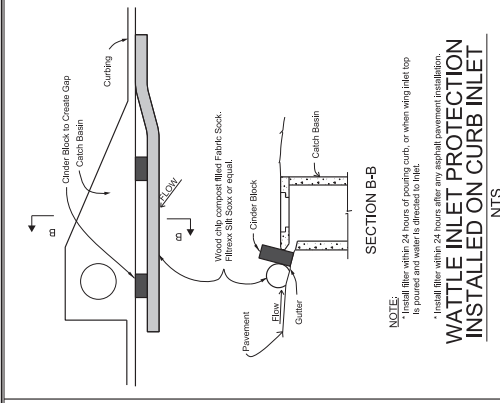
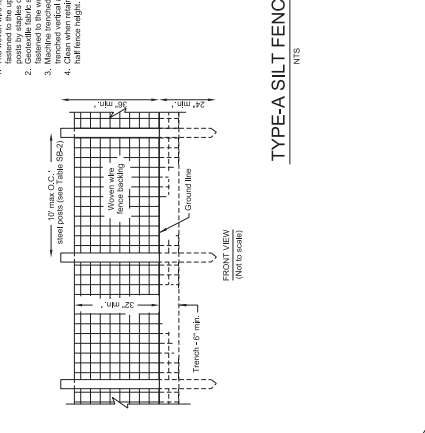
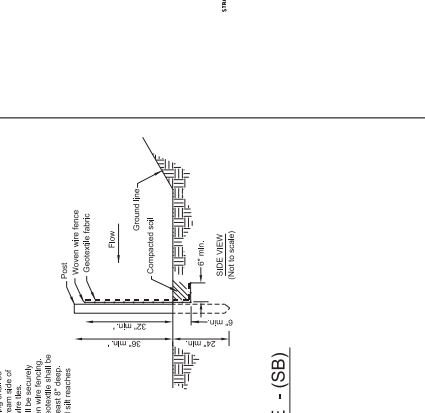
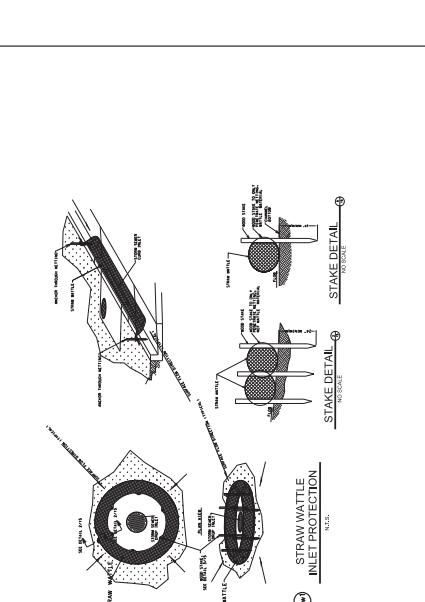


Table 15-1 Making Materials and Application Rates

Species	Seedling	North	Central	South
Alabama	1000	1000	1000	1000
Arkansas	1000	1000	1000	1000
California	1000	1000	1000	1000
Colorado	1000	1000	1000	1000
Connecticut	1000	1000	1000	1000
Delaware	1000	1000	1000	1000
District of Columbia	1000	1000	1000	1000
Florida	1000	1000	1000	1000
Georgia	1000	1000	1000	1000
Hawaii	1000	1000	1000	1000
Idaho	1000	1000	1000	1000
Illinois	1000	1000	1000	1000
Indiana	1000	1000	1000	1000
Iowa	1000	1000	1000	1000
Kansas	1000	1000	1000	1000
Kentucky	1000	1000	1000	1000
Louisiana	1000	1000	1000	1000
Maine	1000	1000	1000	1000
Maryland	1000	1000	1000	1000
Massachusetts	1000	1000	1000	1000
Michigan	1000	1000	1000	1000
Minnesota	1000	1000	1000	1000
Mississippi	1000	1000	1000	1000
Missouri	1000	1000	1000	1000
Montana	1000	1000	1000	1000
Nebraska	1000	1000	1000	1000
Nevada	1000	1000	1000	1000
New Hampshire	1000	1000	1000	1000
New Jersey	1000	1000	1000	1000
New Mexico	1000	1000	1000	1000
New York	1000	1000	1000	1000
North Carolina	1000	1000	1000	1000
North Dakota	1000	1000	1000	1000
Ohio	1000	1000	1000	1000
Oklahoma	1000	1000	1000	1000
Oregon	1000	1000	1000	1000
Pennsylvania	1000	1000	1000	1000
Rhode Island	1000	1000	1000	1000
South Carolina	1000	1000	1000	1000
South Dakota	1000	1000	1000	1000
Tennessee	1000	1000	1000	1000
Texas	1000	1000	1000	1000
Vermont	1000	1000	1000	1000
Virginia	1000	1000	1000	1000
Washington	1000	1000	1000	1000
West Virginia	1000	1000	1000	1000
Wisconsin	1000	1000	1000	1000
Wyoming	1000	1000	1000	1000

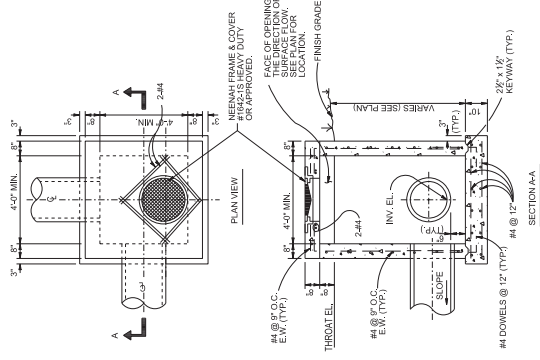
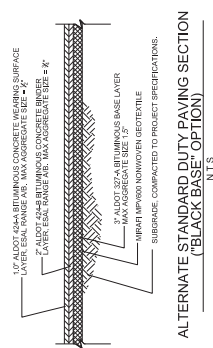
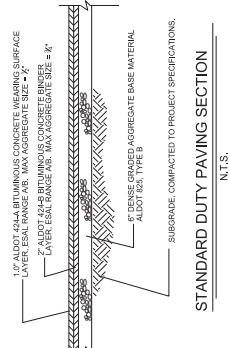
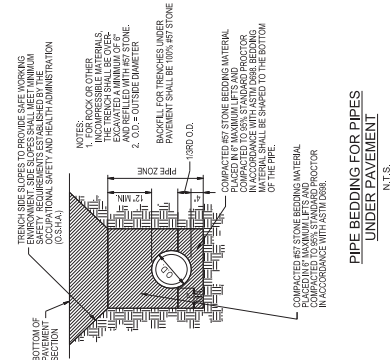
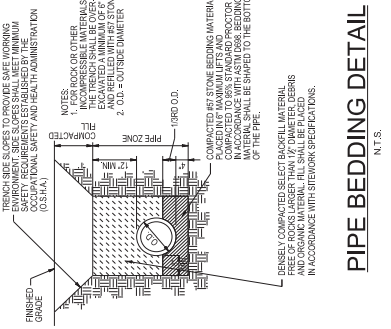
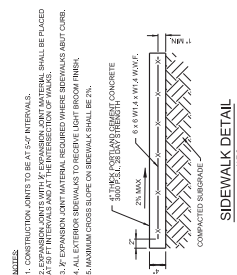
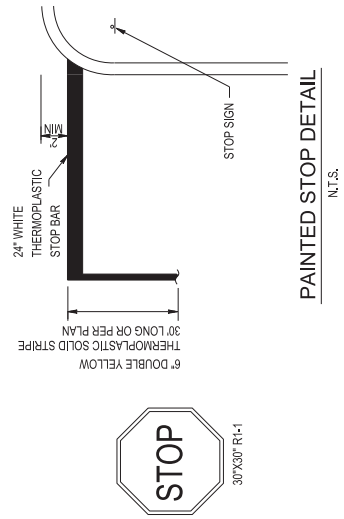


REVISIONS

PROJECT ADDRESS: 3279 CAHABA HEIGHTS ROAD VESTAVIA HILLS, ALABAMA	SHEET TITLE: SITE DETAILS
---	------------------------------

PROJECT NAME: CAHABA HEIGHTS TOWNHOMES	SHEET NUMBER: C6.2
--	-----------------------

DESIGNED BY: JRM	CHECKED BY: WHL
PROJECT NUMBER: KAC000002	CAD FILE NAME: C6.2.dwg
DATE: APRIL 3, 2024	SHEET TOTAL: 1 OF 1



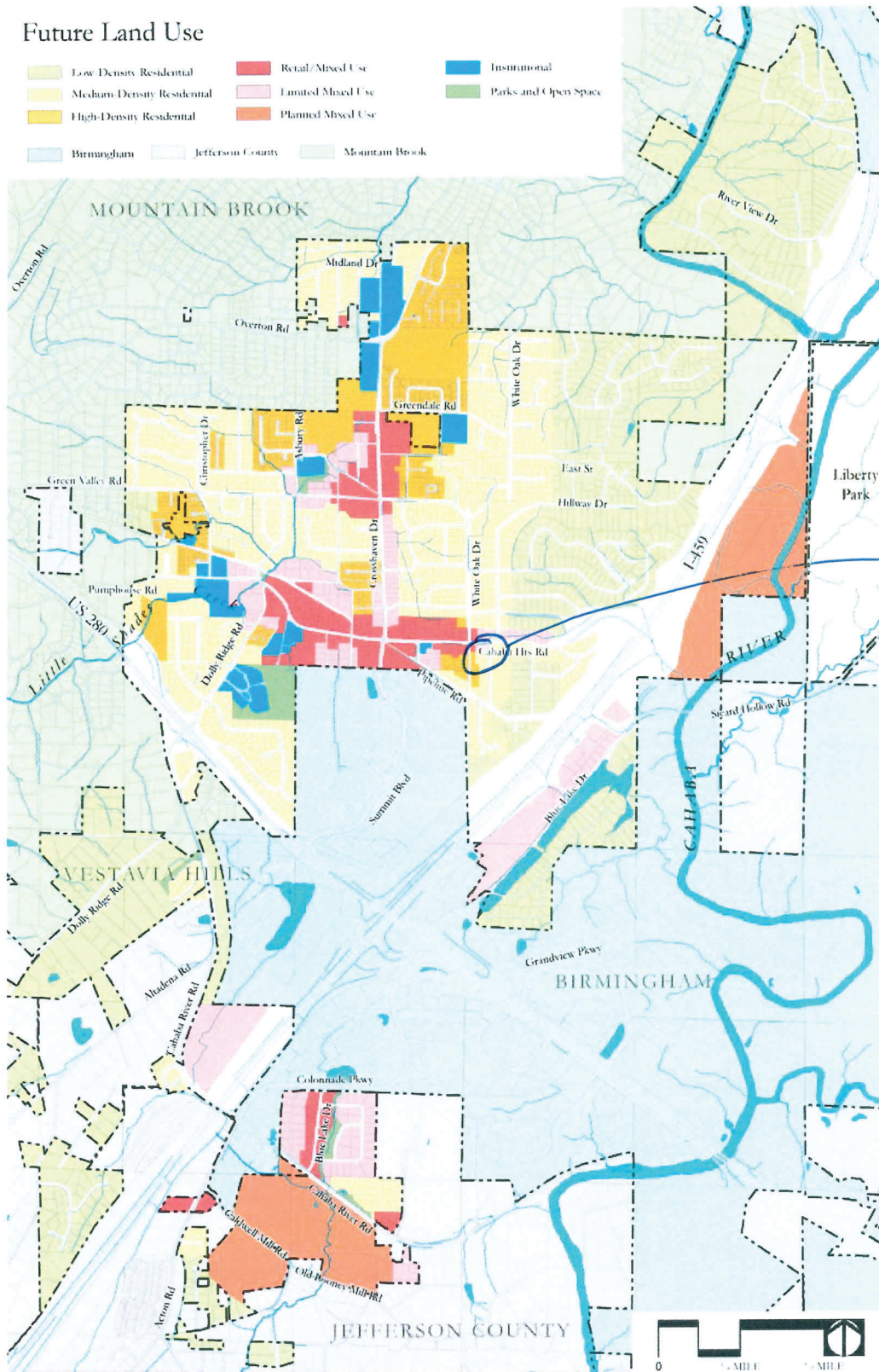
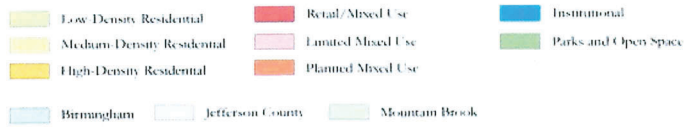


THRUST AREAS ARE BASED ON 200 PSI MAX. PIPE PRESSURE





Future Land Use



Subject
Parcel

Figure 4: Future Land Use Map



**CITY OF VESTAVIA HILLS
POLICE DEPARTMENT
INTER-DEPARTMENT MEMO**

July 28, 2025

To: Jeff Downes, City Manager

From: Shane Ware, Police Chief

Cc:

RE: Public Hearing - Ordinance 3281 - An ordinance authorizing the Vestavia Hills Police Department to offer a police officer their badge and service weapon upon their retirement.

Background:

The Vestavia Hills Police Department would like to provide police officers with their badges and service weapon upon retirement as a special benefit in recognition of their years of service to the City. Title 36-21-8, of the Alabama Code 1975 does not directly address a municipality's ability to provide a police officer, in good standing, their badge and service weapon at no cost, upon their retirement. Additions or amendments to Police Department Procedure are needed to authorize the Police Chief of the Vestavia Hills Police Department's ability to provide a police officer, in good standing, their badge and service weapon at no cost, upon their retirement.

Recommendation:

The Chief of Police supports this endeavor and recommends approval.

Fiscal Impact:

N/A

Attachments:

1. Ordinance 3281
2. PH Boone Legal Opinion to Police Chief Shane Ware June 3, 2025

ORDINANCE NUMBER 3281

AN ORDINANCE AUTHORIZING THE VESTAVIA HILLS POLICE DEPARTMENT TO OFFER A POLICE OFFICER THEIR BADGE AND SERVICE WEAPON UPON THEIR RETIREMENT

THIS ORDINANCE NUMBER 3281 is approved and adopted by the City Council of the City of Vestavia Hills, Alabama on this the 11th day of August, 2025.

WITNESSETH THESE RECITALS:

WHEREAS, the Vestavia Hills Police Department would like to provide police officers with their badges and service weapon upon retirement as a special benefit in recognition of their years of service to the City; and

WHEREAS, Title 36-21-8, of the Alabama Code 1975 does not directly address a municipality's ability to provide a police officer, in good standing, their badge and service weapon at no cost, upon their retirement; and

WHEREAS, additions or amendments to police department procedure are needed to authorize the Police Chief of the Vestavia Hills Police Department to provide a police officer, in good standing, their badge and service weapon at no cost, upon their retirement; and

WHEREAS, the Mayor and City Council find it in the best public interest to authorize these special benefits.

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

SECTION 1: The Police Chief of City of Vestavia Hills Police Department may offer to a police officer, in good standing, their badge and service weapon at no cost, upon their retirement. The ability to provide said benefit shall be in accordance with the City of Vestavia Hills Police Department's internal policy and procedures manual upon the approval of the Chief of Police that the police officer is in good standing according to said policies.

SECTION 2: SEVERABILITY: If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance which shall continue in full force and effect notwithstanding such holding.

SECTION 3: EFFECTIVE DATE: This Ordinance Number 3281 shall become effective immediately upon adoption and approval followed by posting/publishing in accordance with Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 11th day of August, 2025.

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 No. 3281 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 August, 2025, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, and Vestavia Hills New Merkel House and Vestavia Hills Civic Center this the __ day of _____, 2025.

Rebecca Leavings
City Clerk

PATRICK H. BOONE
ATTORNEY AND COUNSELOR AT LAW
NEW SOUTH FEDERAL SAVINGS BUILDING, SUITE 705
215 RICHARD ARRINGTON, JR. BOULEVARD NORTH
BIRMINGHAM, ALABAMA 35203-3720
TELEPHONE (205) 324-2018
FACSIMILE (205) 324-2295

E-Mail: patrickboone@bellsouth.net

June 3, 2025

By Electronic Mail

Police Chief Shane Ware
Vestavia Hills Police Department
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

In Re: Ordinance Adding Badge and Pistol to Retirement Benefits for
Vestavia Hills Police Officers

Dear Chief Ware:

I. LEGAL OPINION

It is my legal opinion that the Vestavia Hills City Council may enact an ordinance providing that a Vestavia Hills Police Officer who retires in good standing may receive as a part of his or her retirement benefits, without costs, his or her badge and pistol.

II. BASIS FOR LEGAL OPINION

A. CONSTITUTION OF THE STATE OF ALABAMA: Section 94, as amended by Amendments 112 and 558, of the Constitution of Alabama provides as follows:

“The Legislature shall not have power to authorize any county, city, town or other subdivision of this state to lend its credit or to grant public money or thing of value in aid of or to any individual, association or corporation whatsoever.”

B. **STATE STATUTE:** Title 36-21-8, *Code of Alabama, 1975*, reads as follows:

“§36-21-8. Retirement; badge and pistol. Any person who, at the time of retirement, is in good standing and employed by the Department of Conservation and Natural Resources, the Alcoholic Beverage Control Board, the State Forestry Commission, the Alabama Criminal Justice Information Center, the Public Service Commission, campus police at a state institution, or any other state agency which requires its officers to be Peace Officers’ Standards and Training Commission certified as a law enforcement officer or investigator, or by the Department of Public Safety as a State Capitol Police Officer shall receive, as part of his or her retirement benefits, without cost, his or her badge and pistol.”

C. **RETIREMENT BENEFITS:** The state statute cited above (Section B) takes the badge and pistol out of a violation of the *Alabama Constitution* (Section A) by making it part of retirement benefits rather than a gift.

Please call me if you have any questions regarding this legal opinion.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick H. Boone", with a long horizontal flourish extending to the right.

Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp

cc: City Manager Jeffrey D. Downes (by e-mail)
City Clerk Rebecca Leavings (by e-mail)
Administrative Assistant Melissa Hipp (by e-mail)