

**REGULAR MEETING OF THE COUNCIL  
CITY OF BIRMINGHAM, ALABAMA  
VIRTUAL MEETING**

**PRE-COUNCIL MEETING – 9:00 A.M.**

**February 9, 2021 – 9:30 A.M.**

**WEBSITE ADDRESS: [www.birminghamal.gov](http://www.birminghamal.gov)**

**Event address for attendees:**

<https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e0bbd3001011a1f811a797cb34e31b326>

**Audio conference: United States Toll: +1-415-655-0002**

**Access code: 146 285 7404**

**INVOCATION**

**PLEDGE OF ALLEGIANCE: Councilor Darrell O’Quinn**

**ROLL CALL**

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:**

**MINUTES NOT READY: August 11, 2020 – February 2, 2021**

**COMMUNICATIONS FROM THE MAYOR**

**CONSIDERATION OF CONSENT AGENDA**

**All items designated as “Consent” are routine and non-controversial and will be approved by one motion. No separate discussion of these items will be permitted unless a Councilmember, the Mayor or Citizen interested in a public hearing so requests, if so, such item(s) will revert to its normal place on the Agenda Order of Business. All matters of permanent operation (“P”) will be read. All other matters will be announced by reading the Item Number only. All Public Hearings will be announced.**

## CONSIDERATION OF ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

(ph)

### ITEM 1.

A Resolution relative to the application of Evergreen Grocery LLC for an Off Premise Beer and Wine License to be used at **Evergreen Grocery**, 2237 – 22<sup>nd</sup> Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

This is a public hearing item. Any persons who wish to speak for or against this item may do so by joining the meeting of the full Council using this link:

<https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e0bbd3001011a1f811a797cb34e31b326>

**Please use the “hand raise function” on WebEx to request to speak to this agenda item.**

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(ph)

### ITEM 2.

A Resolution relative to the application of Bilywood Food LLC for an Off Premise Beer and Wine License to be used at **River Fish Market**, 1928 Vanderbilt Road, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

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(ph)

**ITEM 3.**

A Resolution relative to the application of Ampersandwich LLC for an On and Off Premise Beer and Wine License to be used at **Ampersandwich Deli**, 4120 – 3<sup>rd</sup> Avenue South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

This is a public hearing item. Any persons who wish to speak for or against this item may do so by joining the meeting of the full Council using this link: <https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e0bbd3001011a1f811a797cb34e31b326>

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(ph)

**ITEM 4.**

A Resolution relative to the application of Ore Industries LLC for an On and Off Premise Beer and Wine License to be used at **Ore**, 4414 – 4<sup>th</sup> Avenue South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

This is a public hearing item. Any persons who wish to speak for or against this item may do so by joining the meeting of the full Council using this link: <https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e0bbd3001011a1f811a797cb34e31b326>

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(ph)

**ITEM 5.**

A Resolution relative to the application of CBOCS, Inc. for a Restaurant Retail Liquor License to be used at **Cracker Barrel Old Country Store**, 3415 Colonnade Parkway, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

This is a public hearing item. Any persons who wish to speak for or against this item may do so by joining the meeting of the full Council using this link: <https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e0bbd3001011a1f811a797cb34e31b326>

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## **INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS**

### **CONSENT**

#### **ITEM 6.**

A Resolution authorizing the Mayor to execute Lease Purchase Schedule No. 2 with **Connection Financial Services**, that is subject to and incorporates the terms and conditions of the Master Lease Agreement No. 100-5729969-001 dated on or about April 17, 2020, under which the City of Birmingham will lease purchase Cisco computer equipment from an active Alabama statewide contract with PC Connections, Inc. to move the City’s internet circuit and public facing application servers in the amount not to exceed \$13,800.00 for a period not to exceed sixty-one (61) months in accordance with Code of Alabama 1975 Section 41-16-57(f). [**Funding Source: 001\_037\_01910\_01912\_526-003**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

### **CONSENT**

#### **ITEM 7.**

A Resolution authorizing the Mayor to enter into a Right of Way Encroachment License Agreement whereby **Lindsey Office Furnishings, Inc.**, is allowed to install one (1) non-illuminated, double sided, vinyl, 7’ long x 3’ wide, blade sign, and three (3) existing metal framed, 4’ wide x 20’ long and awnings. The sign and the existing awnings project from exterior of the building located at 2223 - 1<sup>st</sup> Avenue, North. The sign will be installed at the height of 14’-4” above finished grade and encroach 7’-6” feet into and over the right of way of 1<sup>st</sup> Avenue, North, and the awnings are installed at the height of 10’ above finished grade and encroach 4’ feet into and over the right of way of 1<sup>st</sup> Avenue, North Birmingham. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

**CONSENT**

**ITEM 8.**

A Resolution authorizing the Mayor to enter into a Right of Way Encroachment License Agreement whereby **Montgomery Entities, LLC**, is allowed to install one (1), 12’- 11<sup>1</sup>/<sub>4</sub>” long x 4’ – 10<sup>3</sup>/<sub>4</sub>” wide, double-sided, aluminum, blade sign. The sign will be installed at a height of 16’ above the finished grade, project from the front of the building located at 2117 – 2<sup>nd</sup> Avenue, North, and encroach 5’- 6” into and over the right of way of 2<sup>nd</sup> Avenue, North, Birmingham. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and the Public Improvements Committee)

**CONSENT**

**ITEM 9.**

A Resolution authorizing the Mayor to execute any and all documents required for the City to complete a grant with **the United States Department of Homeland Security** in the amount of \$495,536.00 for the purchase of 320 sets of turnout gear for the Birmingham Fire and Rescue Service and the City shall provide \$49,536.00 in matching funds, and authorizing the Mayor to take any and all actions and execute such other documents as are appropriate and necessary to make application, accept, and expend the grant funds on behalf of the City in accordance with the terms of the grant. (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Public Safety Committee)

**CONSENT**

**ITEM 10.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **the Birmingham Board of Education** in an amount not to exceed \$3,000.00, pursuant to §11-40-1 and §16-11-9.1, Codes of Alabama 1975, 1) to coordinate with Jones Valley Middle School (\$500.00), Oxmoor Valley Elementary School (\$500.00), Richard Arrington, Jr. Elementary School (\$500.00), West End Academy (\$500.00) and Wenonah High School (\$500.00) to assist with expenses associated with “Student and Teacher Supplies.” The allocation is exclusively for the purposes stated. Said funds will come from the Powderly Neighborhood Association; and 2) to coordinate with Jackson Olin High School (\$500.00) to assist with expenses associated with “Volleyball Program Equipment, Supplies, Uniforms, Tournament Fees and Fees for Volleyball Officials.” The allocation is exclusively for the purposes stated. Said funds will come from the Sherman Heights Neighborhood Association. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) \*\*

**ITEM 11.**

A Resolution appointing two (2) members to **the Medical Clinic Board of the City of Birmingham – General**, one (1) term expiring December 31, 2023 and one (1) term expiring December 31, 2021. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT**

**ITEM 12.**

A Resolution determining that the building or structure located at 1309 – 18<sup>th</sup> Street S.W., Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 13.**

A Resolution determining that the building or structure located at 3115 Avenue C Ensley, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 14.**

A Resolution determining that the building or structure located at 6113 Avenue O Ensley, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 15.**

A Resolution determining that the building or structure located at 5507 Court I, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 16.**

A Resolution determining that the building or structure located at **5724 Country Club Drive**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 17.**

A Resolution determining that the building or structure located at **1415 17<sup>th</sup> Way SW**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 18.**

A Resolution determining that the building or structure located at **717 Buffalo Street, Wylam**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 19.**

A Resolution determining that the building or structure located at **914 Albany Street, Wylam**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 20.**

A Resolution determining that the building or structure located at **417 Oakmont Street**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 21.**

A Resolution determining that the building or structure located at **5601 Terrace J**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 22.**

A Resolution determining that the building or structure located at **1517 30<sup>th</sup> Street Ensley**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 23.**

A Resolution determining that the building or structure located at **5313 Avenue I**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 24.**

A Resolution determining that the building or structure located at **3222 Beulah Avenue**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 25.**

A Resolution determining that the building or structure located at **1523 13<sup>th</sup> Street SW**, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 26.**

A Resolution fixing a special assessment in the amount of **\$7,643.36** against the property located at **1820 28<sup>th</sup> Street Ensley**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 27.**

A Resolution fixing a special assessment in the amount of **\$10,337.68** against the property located at **4630 7<sup>th</sup> Avenue, Wylam**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)



**CONSENT**

**ITEM 28.**

A Resolution fixing a special assessment in the amount of **\$4,992.00** against the property located at **1217 Frisco Street, Wylam**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 29.**

A Resolution fixing a special assessment in the amount of **\$8,068.80** against the property located at **428 Lexington Street, Wylam**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 30.**

A Resolution fixing a special assessment in the amount of **\$4,632.40** against the property located at **325 Nevada Street, Wylam**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 31.**

A Resolution fixing a special assessment in the amount of **\$5,070.72** against the property located at **1632 32<sup>nd</sup> Street Ensley**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 32.**

A Resolution fixing a special assessment in the amount of **\$5,690.32** against the property located at **1628 32<sup>nd</sup> Street, Ensley**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 33.**

A Resolution fixing a special assessment in the amount of **\$11,818.52** against the property located at **2361 23<sup>rd</sup> Street W**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 34.**

A Resolution fixing a special assessment in the amount of **\$3,580.24** against the property located at **2917 Price Street**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 35.**

A Resolution fixing a special assessment in the amount of **\$13,974.00** against the property located at **2001 25<sup>th</sup> Street W**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 36.**

A Resolution fixing a special assessment in the amount of **\$3,334.05** against the property located at **2009 Avenue W**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 37.**

A Resolution fixing a special assessment in the amount of **\$10,552.00** against the property located at **412 Albany Street, Wylam**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 38.**

A Resolution fixing a special assessment in the amount of **\$4,472.00** against the property located at **1511 29<sup>th</sup> Street**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 39.**

A Resolution fixing a special assessment in the amount of **\$7,321.52** against the property located at **3038 Avenue T**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 40.**

A Resolution fixing a special assessment in the amount of **\$10,621.12** against the property located at **2801 Avenue V**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 41.**

A Resolution fixing a special assessment in the amount of **\$6,270.00** against the property located at **2108 30<sup>th</sup> Place W**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 42.**

A Resolution fixing a special assessment in the amount of **\$3,692.05** against the property located at **1404 Gulfport Street, Wylam**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 43.**

A Resolution fixing a special assessment in the amount of **\$5,334.32** against the property located at **205 Avenue T**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 44.**

A Resolution fixing a special assessment in the amount of **\$6,735.20** against the property located at **222 Avenue T**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 45.**

A Resolution fixing a special assessment in the amount of **\$9,800.00** against the property located at **4401 6<sup>th</sup> Avenue, Wylam**, Birmingham, for the cost incurred for the demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 46.**

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a condemnation repair permit to **Tamera Rembert**, the owner or agent of the property located at **5501 Avenue H**, Birmingham, which was condemned by the Council **November 10, 2020**, in order to remove the weeds and trash from the premises within ten (10) days of permit issuance and to commence and make substantial repairs within 30 days of permit issuance, no previous permits having been requested. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits and the Public Improvements Committee)

**CONSENT**

**ITEM 47.**

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a condemnation repair permit to **Yvonne Davis/Immanuel Group, Inc**, the owner or agent of the property located at **1535 Druid Hill Drive**, Birmingham, which was condemned by the Council **January 5, 2021**, in order to remove the weeds and trash from the premises within ten (10) days of permit issuance and to commence and make substantial repairs within 30

days of permit issuance, no previous permits having been requested. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits and the Public Improvements Committee)

**CONSENT****ITEM 48.**

A Resolution accepting and approving the lump sum bid of Johns and Kirksey, Inc., 5424 Metro Park Drive, Tuscaloosa, Alabama, in the amount of \$246,000.00, for Boutwell Auditorium Exhibition Hall Reroofing, this being the lowest and best bid submitted, and authorizing the Mayor to enter into a contract with Johns and Kirksey, Inc. [Project Code: DCP057CP03878A] (Submitted by the Mayor) Recommended by the Director of Capital Projects) (Six Bids Submitted)

**CONSENT****ITEM 49.**

A Resolution approving payment to **FQS dba Bear Equipment**, Charlotte, NC, in the amount of **\$3,129.85** for an outstanding invoice for the Department Equipment Management, in accordance with Section 3-1-7 of the Birmingham City Code. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Director of Equipment Management)

**CONSENT****ITEM 50.**

A Resolution approving payment to **Precision Delta Corporation**, Ruleville, MS, in the amount of **\$49,227.08** for the purchase of ammunition, for the City of Birmingham Police Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**G/L Account: 001\_043\_26212\_26213.518-003 (State of Alabama Master Agreement #MA 999-1800000303.1)**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief of Police)

**CONSENT****ITEM 51.**

A Resolution approving payment to **Quick Motors**, Birmingham, in the amount of **\$828.60** for automobile wreck repair on vehicle number 044951 for the Department of Equipment Management, in accordance with Section 3-1-7 of the Birmingham City Code. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

**CONSENT**

**ITEM 52.**

A Resolution approving payment to **Tucker Paint and Body Shop**, Birmingham, in the amount of **\$1,056.40** for automobile wreck repair on vehicle number 134340 for the Department Equipment Management, in accordance with Section 3-1-7 of the Birmingham City Code. [G/L **Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

**CONSENT**

**ITEM 53.**

A Resolution approving payment to **Tucker Paint and Body Shop**, Birmingham, in the amount of **\$2,043.00** for automobile wreck repair on vehicle number 054602 for the Department Equipment Management, in accordance with Section 3-1-7 of the Birmingham City Code. [G/L **Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

**CONSENT**

**ITEM 54.**

A Resolution authorizing the Director of Finance to make seven (4) refunds in the total amount of \$4,590.99. (Submitted by the Mayor) (Recommended by the Director of Finance) \*\*

**CONSENT**

**ITEM 55.**

A Resolution approving the following **Advanced Expense Account:** (Submitted by the Mayor) (Recommended by the Director of Finance)\*\*

**OLD AND NEW BUSINESS**

**PRESENTATIONS**

**REQUEST FROM THE PUBLIC**

**ADJOURNMENT**