

**REGULAR MEETING OF THE COUNCIL
CITY OF BIRMINGHAM, ALABAMA
PRE-COUNCIL MEETING – 9:00 A.M.**

January 18, 2022 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION:

PLEDGE OF ALLEGIANCE: Councilor Hunter Williams

ROLL CALL

MINUTES NOT READY: August 17, 2021 – January 11, 2022

COMMUNICATIONS FROM THE MAYOR

NOMINATIONS TO BOARD AND AGENCIES

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

CONSENT(ph) ITEM 1.

A Resolution relative to the application of Saint Monica, LLC for the transfer of a Lounge Retail Liquor Class I License to be used at **Gable Square Saloon and Games**, 803 9th Court South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT(ph) ITEM 2.

A Resolution relative to the application of Kuntry Klubb, Inc., for a Lounge Retail Liquor Class I License to be used at **Kuntry Klubb**, 1157 Bankhead Highway West, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

(ph) ITEM 3.

A Resolution relative to the application of Maurice King for a Division I Dance Permit to be used at **Kuntry Klubb**, 1157 Bankhead Highway West, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT(ph) ITEM 4.

A Resolution relative to the application of Ghost Train Brewing Company, Inc., for a Manufacturer License to be used at **Ghost Train Brewing**, 3501 1st Avenue South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT

ITEM 5.

A Resolution granting Operating Authority Permit with two (2) Certificates of Public Necessity and Convenience to **Clazzy Elegance, LLC**, 1800 Marlin Springs Road, Birmingham, to be used in the operation of an Executive Sedan Service upon the public streets of Birmingham and to and from locations within the City in accordance with the provisions of Title 12, Chapter 16 of the General Code of the City of Birmingham, 1980, as amended or may be amended. (Submitted by Councilor O’Quinn, Chairman, Transportation Committee) (Recommended by the Transportation Committee)

CONSENT

ITEM 6.

A Resolution granting Operating Authority Permit with five (5) Certificates of Public Necessity and Convenience to **Pinnacle Transportation Group, Inc.**, 810 St. Vincent’s Drive, Birmingham, to be used in the operation of a Shuttle Service upon the public streets of Birmingham and to and from locations within the City in accordance with the provisions of Title 12, Chapter 16 of the General Code of the City of Birmingham, 1980, as amended or may be amended. (Submitted by Councilor O’Quinn, Chairman, Transportation Committee) (Recommended by the Transportation Committee)

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 7.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2022 by appropriating \$10,000.00 to Planning, Engineering and Permits, Alabama Historical Commission – Druid Hills Neighborhood per award received per Grant Number AL-21-I0020. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Director of Finance)**

CONSENT

ITEM 8.

An Ordinance “TO FURTHER AMEND THE NEIGHBORHOOD ALLOCATIONS FUND BUDGET” for the fiscal year ending June 30, 2022, by transferring \$4,120.00 from Penfield Park Neighborhood Association and appropriating \$4,120.00 to Transfer to Fund 001 General Fund; and “TO FURTHER AMEND THE GENERAL FUND BUDGET” for the fiscal year ending June 30, 2022, by appropriating \$4,120.00 to Department of Transportation, R&M Infrastructure Street and Traffic Signs (i.e. speed cushions). (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Director of Finance)**

CONSENT

ITEM 9.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2022, by appropriating \$1,500,000.00 to Community Development Block Grant-Coronavirus (ADECA) grant per award received. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Director of Finance)**

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ITEM 10.

An Ordinance amending Title 4, “Municipal Services”, Chapter 5, “Streets and Sidewalks”, Article K, “Establishment, Operation, Maintenance of Outdoor Cafés”, of the General Code of the City of Birmingham, to further provide for Permits for Outdoor Café and other Business Operations in the Public Right of Way. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Public Improvement Committee) **

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ITEM 11.

An Ordinance authorizing the Mayor to enter into an Intergovernmental Agreement between the **Birmingham Jefferson County Transit Authority** (BJCTA) and the City of Birmingham for the purchase and installation of the passenger information technology systems and passenger information display systems at both transit centers and all 32 transit stations and provide marketing services to support the Birmingham Xpress BRT project using the Tiger Grant Funds in the amount of \$547,686.00 and City matching funds in the amount \$547,686.00 for a total amount not to exceed \$1,095,372.00. **[First Reading] [Funding Source: PEP35GR 003771 (012/003) and PEP151CP 03771A (012/003)]** (Submitted by the City Attorney) (Recommended by the Mayor and the, Budget and Finance Committee)**

CONSENT

ITEM 12.

A Resolution authorizing and approving the Mayor to submit an application and execute all documents necessary to apply for a FY 2021 American Rescue Plan Act Good Jobs Challenge grant from the **United States Economic Development Administration** (EDA), Funding Opportunity Number EDA-HDQ-ARPGJ-2021-2006964 for the City to form sectoral partnership to collaboratively grow regional economies and their associated workforces by building training programs that meet the existing and emerging skills needs of employers and that help workers enter quality jobs and advance along their chosen career path specifically targeting at historically underserved populations and areas, communities of color, women, and other groups facing with labor market barriers such as persons with disabilities, disconnected youth, individuals in recovery, individuals with past criminal records including justice-impacted and reentry participants, serving trainees participating in the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Women, Infants and Children (WIC), and veterans and military spouses. There is no funding requirement by the City. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 13.

A Resolution authorizing the Mayor to execute a Funding Agreement with the **Birmingham Jefferson County Port Authority** (BJCPA) under which the BJCPA will provide for the operation of an inland port facility on the Black Warrior River for recreational, transportational, agricultural, industrial and commercial purposes and other professional services as needed to carry out its duties and responsibilities and other services that are required to fulfill the intent of the Port Authority Act as defined in Chapter 94 of Title 11 of the Code of Alabama 1975, and the purpose of the Funding Agreement and the City will pay the BJCPA and amount not to exceed \$125,000.00 for such services provided that such funding has been approved and included in the City's General Fund Budget for FY2021-2022. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 14.

A Resolution authorizing the Mayor to execute an Event Sponsorship Agreement with **Knight Eady Sports and Entertainment, LLC**, under which Knight Eady will host the SEC Gymnastics Conference Championship at the Birmingham-Jefferson Convention Complex on March 19, 2022 and the City will provide funding to Knight Eady in the amount of \$25,000.00 pursuant to Amendment No. 772 as a sponsorship incentive for the SEC Gymnastics Conference Championship, which will generate revenue from out-of-town visitors and positive publicity for the City through sponsorship recognition by Knight Eady. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 15.

A Resolution authorizing the City Clerk to publish ordinances, resolutions, bids, ads and notices with various newspaper vendors as requested by City Departments and Agencies from time to time for the 2022 calendar year, under the provisions of Alabama Code § 6-8-65. (Submitted by the Mayor) (Recommended by the City Clerk and the Budget and Finance Committee)**

CONSENT

ITEM 16.

A Resolution determining that the building or structure located at 1000 9th Street West aka 1004 9th Street West, 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 1520 Pleasant Grove Road, Dolomite, 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 8134 4th Avenue South, 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 2722 Avenue 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 20.

A Resolution determining that the building or structure located at 3005 Avenue V, 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 459 - 4th Street, Thomas, 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 3511 - 2nd Street North, 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 804 McCary 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 24.

A Resolution determining that the building or structure located at 7903 - 6th Avenue North, 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 2219 - 32nd Avenue North, 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 determining that the building or structure located at 819 - 17th Street aka 1700 Avenue I 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 27.

A Resolution determining that the building or structure located at 18 - 3rd Street South, 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 28.

A Resolution determining that the building or structure located at 20 - 3rd Street South, 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 29.

A Resolution fixing a special assessment in the amount of \$5,691.12 against the property located at 1407 Gulfport 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 30.

A Resolution fixing a special assessment in the amount of \$11,443.92 against the property located at 3538 Norwood Boulevard, 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 \$4,640.88 against the property located at 528 Cambridge 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 32.

A Resolution fixing a special assessment in the amount of 3,463.20 against the property located at 1116 – 5th Place, 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 \$11,561.44 against the property located at 509 – 59th Street South, 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 \$4,750.92 against the property located at 3501 Avenue B 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 35.

A Resolution fixing a special assessment in the amount of \$7,198.22 against the property located at 3507 Avenue B 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,

CONSENT

ITEM 36.

A Resolution fixing a special assessment in the amount of \$3,013.76 against the property located at 407 – 4th Street Thomas, 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 \$4,478.92 against the property located at 3211 Avenue C, 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 \$5,704.00 against the property located at 360 Court F, 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 \$5,592.88 against the property located at 7100 - 66th Street South, 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 \$5,213.24 against the property located at 3222 Beulah Avenue, 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 \$5,083.28 against the property located at 804 – 45th 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 42.

A Resolution approving Change Order #1 to the Agreement with **Brasfield & Gorrie, LLC**, in the amount of \$2,172,021.00 for the Birmingham Xpress Bus Rapid Transit (BRT)-Roadway Improvements and Transit Stations, increasing the original lump sum bid to the maximum of \$28,489,173.00 and to increase the Contract Duration by forty-one (41) calendar days and authorizing the Mayor to modify the contract with Brasfield & Gorrie, LLC in substantially the form contained within the bid documents and in accordance with said Change Order. [G/L Account: 039_000.525-012 (Submitted by the Mayor) (Recommended by the Director of Capital Projects)

CONSENT

ITEM 43.

A Resolution accepting and approving the bid of **Hill’s Janitorial Service, Inc.**, Gardendale, Alabama, for Janitorial Services: Various Facilities; Group 1: Police Headquarters and Precincts, Group 2: Fire and Police Fitness Centers, and Group 3: Municipal Court Facilities, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year guaranteed, for the City of Birmingham Municipal Court, Police and Fire Departments, this being the lowest bid submitted meeting specifications. [G/L Account: 001_046_02500_02520.511-030; 001_046_02500_02520.511-030; 001_022_17000_17300.511-030] (Submitted by the Mayor) (Recommended by the Purchasing Agent, the Chief of Police, Fire Chief and Presiding Judge of Municipal Court) (Seven Bids Submitted)

CONSENT**ITEM 44.**

A Resolution accepting and approving the bid of **Mansfield Oil Company of Gainesville, Inc.**, Gainesville, Georgia, for Fuel (Gasoline/E-85/Diesel), as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year guaranteed with the option of renewal, contingent upon Council approval, for the City of Birmingham Equipment Department, this being the lowest bid submitted meeting specifications. [**Appropriated in the FY 2021-2022 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management) (Two Bids Submitted)

CONSENT**ITEM 45.**

A Resolution accepting and approving the bid award of **North American Fire Equipment Co., Inc.**, (NAFECO), Decatur, Alabama, for fire hose and applicances – groups 1, 2 and 4, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Birmingham Fire and Rescue Department, this being the lowest bid submitted. [**G/L Account: 001_022_17000_17401.512-005**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief) (Two Bids Submitted)

CONSENT**ITEM 46.**

A Resolution accepting and approving the bid award of **Sunbelt Fire, Inc.**, Fairhope, Alabama, for fire hose and appliances – group 3, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Birmingham Fire and Rescue Department, this being the lowest bid submitted. [**G/L Account: 001_022_17000_17401.512-005**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief) (Two Bids Submitted)

CONSENT**ITEM 47.**

A Resolution accepting and approving the bid of **ReDesigned Living & Construction**, Hueytown, Alabama, for CRGP Housing Rehabilitation (Case Numbers: FY20-57, FY20-63, FY20-68, FY20-77, FY20-78, FY20-79 and FY20-11) at prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Community Development Department, this being the lowest bid submitted. [**G/L Account: 081_013_05400_05402_05415.536-001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Community Development) (Three Bids Submitted)

CONSENT

ITEM 48.

A Resolution accepting and approving the bid of **City of Slate Industrial Solutions**, Montgomery, Alabama, for CRGP Housing Rehabilitation (Case Numbers: FY20-56, FY20-58, FY20-59, FY20-60, FY20-61, FY20-62, FY20-64, FY20-65, FY20-66, FY20-67, FY20-69, FY20-70, FY20-71, FY20-72, FY20-73, FY20-74, FY20-75, FY20-76, FY20-80 and FY20-81) at prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Community Development Department, this being the lowest bid submitted. [G/L Account: **081_013_05400_05402_05415.536-001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Community Development) (Three Bids Submitted)

CONSENT

ITEM 49.

A Resolution approving payment to **North American Fire Equipment Co., Inc.**, (NAFECO), Decatur, Alabama, in the amount of \$14,315.00 for a Honda supervac powered fan, for the Birmingham Fire and Rescue Department, in accordance with the National Purchasing Partners (NPPGov) Contract #PS20045-1910, in accordance with Section 3-1-7 of the Birmingham City Code. [G/L Account: **001_022_17000_17401.518-001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

CONSENT

ITEM 50.

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

Kelvin Datcher, Director of External Government, Mayor’s Office, Atlanta, Georgia, \$607.42, October 10-11, 2021 to attend Federal Government Agencies.

Earl Hilliard, Senior Director of Governmental Affairs, Mayor’s Office, Huntsville, Alabama, \$258.41, January 9-10, 2022 to attend big 10 Mayor’s Meeting.

CONSENT

ITEM 51.

A Resolution approving the advanced expense account of city employee. (Submitted by the Mayor) (Recommended by the Director of Finance)**

CONSENT

ITEM 52.

A Resolution amending Resolution 2182-21, adopted by the Council on December 7, 2021 approving the **advanced expense account** for Chaz Mitchell, Mayor’s Office to Hollywood, Florida, February 13-17, 2022 to increase the amount to \$2,706.20 from \$2,078.81 in order to include the cost of lodging. (Submitted by the Mayor) (Recommended by the Director of Finance)

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ITEM 53.

A Resolution setting a public hearing **February 15, 2022**, to consider the adoption of a resolution assenting to the vacation of 1,997 square feet of the right of way that is located parallel to and between 6th Avenue S and 7th Avenue S, and perpendicular to and between 19th Street S and 20th Street S on behalf of **The University of Alabama at Birmingham**, owner, so that the owner can consolidate property **Case No. SUB2021-00081. [First Reading]** (Submitted by Councilor Smitherman, Chair, Public Improvements and Beautification Committee) (Recommended by Subdivision Committee of the Birmingham Planning Commission and the Public Improvements and Beautification Committee)**

COMMUNICATIONS FROM THE CITY CLERK

ITEM 54.

Receiving the Emergency Repair Notice from the Purchasing Agent relative to the Boiler Replacement at the CrossPlex.**

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT