

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

January 24, 2023 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Tracy Hipps, Executive Director, Christian Service Mission

PLEDGE OF ALLEGIANCE: Councilor Hunter Williams

ROLL CALL

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: Sept. 6, 13, 20 & 27, 2022

MINUTES NOT READY: October 3, 2022 – January 17, 2023

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

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 1.

A Resolution authorizing the Mayor to execute any and all documents required for the City to complete a grant with the **Alabama Department of Transportation (ALDOT)** for grant funding from ALDOT’s Rebuild Alabama Act (RAA) Annual Grant Program for paving Graymont Avenue from Arkadelphia Road to 15th Street West in Bush Hills in the City of Birmingham with the total grant not to exceed \$250,000.00 with no matching funds required by the City and authorizing the Mayor to take any and all actions and execute such other documents as are appropriate and necessary in accordance with the terms of the Grant. (Submitted by the City Attorney) (Recommended by the Mayor, Budget and Finance Committee and the Director Finance)

CONSENT

ITEM 2.

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **Leaders of Excellence** in an amount not to exceed \$25,000.00 to fund the Providing Opportunities for Wealth and Economic Resilience Program (POWER). The POWER career readiness program is designed to prepare youth and young adults, ages 16-24, experiencing academic learning and job training loss due to COVID restrictions for high-demand jobs through workforce education, paid student internships, and eliminating barriers of employment by connecting program participants with employers. [**Funding Source: ARPA-Dist. 1: \$25,000.00, G/L Account: 039_010.445-035**] (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT

ITEM 3.

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **One Place Family Justice Center**, in an amount not to exceed \$150,000.00 to fund the expansion of the existing One Place facility to allow more criminal justice professionals from across the city and county to work together through this community violence intervention program to prevent future homicides that often begin as domestic violence cases. [**Funding Source: ARPA-Dist. 1: \$90,000.00, ARPA-Dist. 8: \$55,000.00, ARPA-Dist. 4: \$5,000.00, G/L 039_010.445-035**] (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT**ITEM 4.**

A Resolution approving and authorizing the Mayor to execute a Commercial Lease Agreement between the City of Birmingham and **RJ Building, Inc. (RJB)**, under which the RJB will lease a space totaling approximately 54,136 square feet of that certain property known as Mazer Discount Home Center located at 2 South 41st Street, Birmingham, which is comprised of a total of approximately 430,888 square feet for the sole purpose of conducting business operations related to City of Birmingham Fire Department activities for a term of seven (7) months for a rental fee of \$18,514.29 per month for a total amount up to but not to exceed \$129,600.00. (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT**ITEM 5.**

A Resolution approving and authorizing the Mayor to execute a Consulting Agreement with **The Aspen Institute, Inc.**, under which The Aspen Institute will provide services to support the planning stage of the Birmingham/Aspen Justice and Governance Partnership (JGP), which is designed to improve analytical capacity and support policy improvements focused on ending overdependence on the criminal legal system and stimulate reinvestment in the local people, institutions and networks most knowledgeable about neighborhood safety and justice and the City will pay a fee to The Aspen Institute, Inc. in an amount not to exceed \$275,000.00 for the services. [**Funding Source: District 9 – ARPA**] (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT**ITEM 6.**

A Resolution authorizing and empowering the Mayor to execute agreements and administer funds in an amount not to exceed \$5,000.00 for the **2023 Neighborhood Officer Swearing in Ceremony**, which will serve to enable the Neighborhood Officers to facilitate the City's vision of open communication between the City and its citizens related to resources for community and economic development within the City of Birmingham. Said funds shall be paid from Professional Fees Election Expense Funds. [**Funding Source: 001_013_03780.527-025**] (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Director of Community Development) **

CONSENT**ITEM 7.**

A Resolution pursuant to the provisions of §2-3-27 of the General Code of the City of Birmingham, 1980, as amended, authorizing the City Attorney, upon her recommendation, to pay the judgment in the matter of *Cynthia Thomas v. City of Birmingham and Officer Demarco Easley, CV-2019-904511*, and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to make payment in full of the judgment in the amount of \$85,971.24. [**G/L Account: 001-028-01600-534-013**] (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 8.**

A Resolution accepting the unit price bid of **Iron City Solutions Building and Renovations, LLC**, Hoover, Alabama, in the amount of \$22,000.00 for Crestline Park Drainage Improvements located in Birmingham, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with Iron City Solutions Building and Renovations, LLC, in substantially the form contained within the bid documents and in accordance with said bid, providing that the total compensation payable under the contract not exceed the appropriation. [**Project Code: DCP102CP 003999**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Two Bids Submitted)

CONSENT**ITEM 9.**

A Resolution accepting the unit price change order of **Diversified Elevator Service & Equipment Company, Inc.**, Millbrook, Alabama, in the amount of \$1,695.00 for the elevator inspection, testing, and preventive maintenance of an additional elevator located at Carver Theater located in Birmingham, this being based upon current contract dated May 12, 2020, and authorizing the Mayor to enter into a contract with Diversified Elevator Service & Equipment Company, Inc., in substantially the form contained within the change order documents and in accordance with said bid, providing that the total compensation payable under the contract not exceed the appropriation. [**Funding Source: 001_049_40200_40229.511-022**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects)

CONSENT

ITEM 10.

A Resolution accepting and approving the bid renewal of **Galls, LLC**, Birmingham, for Work Uniforms, Groups One (1), Three (3), Four (4) and Five (5), as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for a period of one (1) year guaranteed with the option of renewal, contingent upon Council approval for the City of Birmingham Public Works Department, this being the lowest most responsive bid submitted meeting specifications. This will begin the 3rd and final year of the current bid. **[G/L Account: 001_049_40300_40395.522-001]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (Four Bids Submitted)

CONSENT

ITEM 11.

A Resolution accepting and approving the bid renewal of **Uniforms Galore**, Birmingham, for Work Uniforms, Groups Two (2), 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 Public Works Department, this being the lowest most responsive bid submitted meeting specifications. This will begin the 3rd and final year of the current bid. **[G/L Account: 001_049_40300_40395.522-001]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (Four Bids Submitted)

CONSENT

ITEM 12.

A Resolution accepting and approving the bid renewal of **Hill's Janitorial Service, Inc.**, Gardendale, Alabama, for Janitorial Services: Various Facilities; Group 1: Police Headquarters & 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, & Fire Departments, this being the lowest bid submitted meeting specifications. This will begin the 2nd year of the current bid. **[G/L Accounts: 001_046_02500_02520.511-030, 001_046_02500_02520.511-030 and 001_022_17000_17300.511-030]** (Submitted by the Mayor) (Recommended by the Purchasing Agent, the Chief of Police, the Fire Chief and the Presiding Judge of Municipal Court) (Seven Bids Submitted)

CONSENT

ITEM 13.

A Resolution accepting and approving the bid of **Truckworx/Kenworth**, Birmingham, for the purchase of Rebuilt Automatic Transmissions, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Equipment Management Department. **[Appropriated for in the FY 2022-2023 Budget, G/L Account: 001.151-004]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management) (Two Bids Submitted)

CONSENT

ITEM 14.

A Resolution approving payment to **Amazon.com**, Seattle, Washington, in the amount of \$529.99 for an electric computer desk, for the Mayor's Office, in accordance with Section 3-1-7 of the Birmingham City Code. **[Appropriated for in FY 2022-2023 Budget, G/L Account: 001_031_03700.524-015]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of the Office of Public Information)

CONSENT

ITEM 15.

A Resolution approving payment to **B and D Electric Motor Company, Inc.**, Birmingham, in the amount of \$678.26 for the purchase of electrical supplies to repair VAV fan motor in City Hall Room 203, for the Public Works Department, per PACA Bid #12-21. **[Appropriated in the FY 2022-2023 Budget; G/L Account: 001_049_40200_40229.511-004]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works)

CONSENT

ITEM 16.

A Resolution approving payment to **J W Autobody and Collision**, Birmingham, in the amount of \$8,590.98 for wreck repair on vehicle number 184393 for the Equipment Management Department, 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 17.

A Resolution approving payment to **Paul Pierce Paint Body**, Birmingham, in the amount of \$7,035.60 for wreck repair on vehicle number(s) 982501, 052205 and 184308 for the Equipment Management Department, 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 18.

A Resolution approving payment to **Rich's Collision Repair, LLC**, Adamsville, Alabama, in the amount of \$9,785.79 for wreck repair on vehicle number(s) 114301 and 184317, for the Equipment Management Department, 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 19.

A Resolution approving payment to **State Industrial Products Corp.**, Cleveland, Ohio, in the amount of \$7,560.00 for the purchase of Pyxis Citrus industrial concentrated liquid laundry detergent for Central Stores Warehouse Inventory for distribution to the City of Birmingham Fire Department laundry dispensers, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated in the FY 2022-2023 Budget; G/L Account: 001.152-003**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

CONSENT

ITEM 20.

A Resolution approving payment to **W.W. Grainger, Inc.**, Birmingham, in the amount of \$6,185.61 for the purchase of two (2) safety cabinets, at unit prices on file in the office of the Purchasing Agent, for the Print Shop, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated in the FY 2022-2023 Budget; G/L Account: 001_019_00090.00092.524-035**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Finance)

CONSENT

ITEM 21.

A Resolution approving the advanced expense accounts of elected and appointed officials. (Submitted by the Mayor) (Recommended by the Director of Finance) **

CONSENT

ITEM 22.

A Resolution approving the itemized expense accounts of city employees. (Submitted by the Mayor) (Recommended by the Director of Finance) **

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ITEM 23.

A Resolution setting a public hearing **February 21, 2023**, to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (Case No. **ZAC2022-00006**) to change zone district boundaries from B2 General Business District to Q-I-1 Qualified Light Manufacturing District, filed by Don Cosper, applicant, representing the owner Steven Bailey, for property located at 2509 Ensley Avenue West and situated in the NE¼ of Section 06, Township 18-S, Range 3-West, Birmingham. [**First Reading**] (Submitted by Councilor Abbott, Chair, Planning and Zoning Committee) (No Recommendation by the Z.A.C. of the Birmingham Planning Commission) (NOT Recommended by the Planning and Zoning Committee)**

CONSENT

ITEM 24

A Resolution finding that the following thirty-three (33) properties have noxious or dangerous weeds growing thereon declaring said properties to be a public nuisance and providing that notice shall be posted on each of said properties and notice sent by certified mail to the last person assessing these properties for state taxes and further providing for a public hearing **February 28, 2023**, to hear and consider all objections or protests to proposed abatement of these nuisances by the City: (Submitted by the Mayor) (Recommended by the Public Improvements and Beautification Committee)

- 1 22-13-1-16-27.000-RR; 3460 31ST WAY N, LOT 17 W J RYAN,
- 2 22-13-1-18-10.000-RR; 3612 FRED L SHUTTLESWORTH DR, LOT 10 BLK 9
FAIRFIELD ADD TO NORTH BHAM,
- 3 22-15-4-03-01.000-RR; 3845 1ST ST N, LOT 1 BLK 2 J H BERRYS ADD TO
HOOPER CITY,

- 4 22-15-4-03-02.000-RR; 3837 1ST ST N, LOT 2 BLK 2 J H BERRYS ADD TO HOOPER CITY,
- 5 22-15-4-03-03.000-RR; 3835 1ST ST N, LOT 3 BLK 2 J H BERRYS ADD TO HOOPER CITY,
- 6 22-15-4-04-02.000-RR; 3833 CENTER ST, LOT 4 BLK 1 J H BERRYS ADD TO HOOPER CITY,
- 7 22-15-4-04-09.000-RR; 3810 1ST ST N, LOTS 16 & 17 BLK 1 J H BERRYS ADD TO HOOPER CITY,
- 8 22-15-4-04-10.000-RR; 3814 1ST ST N, LOT 18 BLK 1 J H BERRYS ADD TO HOOPER CITY,
- 9 22-15-4-04-12.000-RR; 3844 1ST ST N, LOTS 22 & 23 & 24 BLK 1 J H BERRYS ADD TO HOOPER CITY,
- 10 22-15-4-05-20.000-RR; 3840 CENTER ST N, LOT 1 BLK 1 ZION HEIGHTS,
- 11 22-15-4-15-03.000-RR; 3773 CENTER ST W, LOT 1 BLK 4 J H BERRYS ADD TO HOOPER CITY,
- 12 22-30-4-22-07.000-RR; 201 5TH WAY, LOT 8 & W 1/2 LOT 7 BLK 16 ENSLEY LAND CO ADD TO PRATT CITY,
- 13 23-22-1-08-07.000-RR; 6804 66TH ST S, LOT 7 BLK 25 GATE CITY,
- 14 23-22-1-12-03.000-RR; 7100 66TH ST S, LOT 6 W 20 FT & ALL LOTS 7 & 8 BLK 22 GATE CITY,
- 15 29-03-2-34-21.000-RR; 424 COTTON AVE SW, LOT 20 J W MCCONNELL SUR,
- 16 30-02-1-21-09.000-RR; 4624 8TH AVE, LOT 10 BLK 8 RESUR OF ADLER WEAVER,
- 17 30-02-1-21-10.000-RR; 4620 8TH AVE, LOT 11 BLK 8 RESUR OF ADLER WEAVER,
- 18 30-02-1-21-11.000-RR; 4616 8TH AVE, LOT 12 BLK 8 RESUR OF ADLER WEAVER,
- 19 30-02-1-21-12.000-RR; 4608 8TH AVE, LOTS 13 & 14 BLK 8 RESUR OF ADLER WEAVER,
- 20 30-02-1-22-02.000-RR; 4709 7TH AVE, W 2 FT OF LOT 2 & ALL OF LOT 3 BLK 9 RESUR OF ADLER-WEAVER,
- 21 30-02-1-22-03.000-RR; 4713 7TH AVE, LOT 4 BLK 9 RESUR OF ADLER WEAVER 4/43,
- 22 30-02-1-22-04.000-RR; 4717 7TH AVE, LOT 5 BLK 9 RESUR OF ADLER WEAVER PB 4 PG 43,
- 23 30-02-1-22-07.000-RR; 4712 8TH AVE, LOTS 12 & 13 BLK 9 RESUR OF ADLER WEAVER,

- 24 30-02-1-22-08.000-RR; 4710 8TH AVE, LOT 14 BLK 9 RESUR OF ADLER WEAVER,
- 25 30-02-1-22-10.000-RR; 4700 8TH AVE, S 1/2 LOT 16 BLK 9 RESUR OF ADLER-WEAVER,
- 26 30-02-1-35-04.000-RR; 4613 8TH AVE, LOT 4 BLK 11 RESUR OF ADLER WEAVER,
- 27 30-02-1-35-05.000-RR; 4617 8TH AVE, LOT 5 BLK 11 RESUR OF ADLER WEAVER,
- 28 30-02-1-35-07.000-RR; 4623 8TH AVE, W 25 FT OF LOT 6 BLK 11 RESUR OF ADLER-WEAVER,
- 29 30-02-1-35-08.000-RR; 4625 8TH AVE, LOTS 7 & 8 BLK 11 RESUR OF ADLER WEAVER,
- 30 30-02-1-36-03.000-RR; 4713 8TH AVE, LOT 5 BLK 10 RESUR OF ADLER WEAVER,
- 31 30-02-1-36-04.000-RR; 4715 8TH AVE, LOT 6 BLK 10 RESUR OF ADLER WEAVER,
- 32 30-02-1-36-05.001-RR; 4729 8TH AVE, LOT 8 BLK 10 ADLER ET AL,
- 33 30-02-2-03-21.000-RR; 4935 7TH AVE, LOTS 5 THRU 7 BLK 3 OAKMONT SUR,

COMMUNICATIONS FROM THE CITY CLERK

ITEM 25.

Receiving the Emergency Purchase Notice from the Purchasing Agent relative to the frozen and busted water coil at the Boutwell Auditorium.**

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT