

**REGULAR MEETING OF THE COUNCIL
CITY OF BIRMINGHAM, ALABAMA
PRE-COUNCIL MEETING – 9:00 A.M.
CITY COUNCIL CHAMBERS – CITY HALL – 3RD FLOOR**

April 2, 2024 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION: Father Philip Paxton, Pastor, Holy Family Catholic Church

PLEDGE OF ALLEGIANCE: Councilor Hunter Williams

ROLL CALL

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: November 7 and 14, 2023

MINUTES NOT READY: November 21, 2023 – March 26, 2024

COMMUNICATIONS FROM THE MAYOR

ANNOUNCEMENT OF BOARDS AND AGENCIES EXPIRATIONS – May 2024

STATEMENT OF CONDUCT BUSINESS

All items designated as “Consent” are routine and non-controversial and will be approved by one motion. All items on the “Consent Agenda” will be announced by reading the Item Numbers only. No separate discussion of these items will be permitted unless a Councilmember or the Mayor requests the item be removed from the “Consent Agenda.” Additionally, a citizen interested in addressing the Council with respect to an item on the “Consent Agenda” designated for “Public Hearing” (“ph”) may request the item be removed from the “Consent Agenda” to hold the hearing on the item. Any item(s) removed from the “Consent Agenda” will revert to its normal place on the Agenda Order of Business.

For remaining matters, all matters of permanent operation (“P”) will be read, and all Public Hearings (“ph”) will be announced.

CONSIDERATION OF CONSENT AGENDA

CONSIDERATION OF ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

(ph) ITEM 1.
Notice of the withdrawal request for an appeal hearing from Walter P. Scott, III of Walter Scott, LLC, on behalf of **Floyd Properties of Florence, LLC** on the denial of an application and permit to develop an automated car wash facility to be called Whitecap Car Wash, LLC.**

(ph) ITEM 2.
Appeal hearing of Michael J. Douglass of Leak, Douglas & Morano, PC and Walter P. Scott, III of Walter Scott, LLC, on behalf of **Vulcan Storage, LLC and SHJ Development LLC f/k/a TWAS Properties, LLC** on the denial of an application and permit to develop an automated car wash facility to be called Tidal Wave Auto Spa, in accordance with Ordinance No. 24-15, adopted by the Council on March 5, 2024. **

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

P ITEM 3.
An Ordinance authorizing the Mayor, upon receipt of payment in the amount of \$454.13, to execute a Quitclaim Deed to **Teresa D. Hughes and Overa Dunlap** for the sale of property located at 128 Avenue T, which was acquired by the City upon foreclosure of municipal improvement liens, in accordance with Section 3-1-4(c) of the General Code of the city of Birmingham. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Director of Finance) **

CONSENT

ITEM 4.

A Resolution authorizing the Mayor to execute and deliver a Fifth Amendment to the agreement with **Aletheia House, Inc.**, to update the scope of services and the funding amount by \$150,000.00, in an amount not to exceed \$1,637,244.00, pursuant to contract for authorized goods and services. Aletheia House, Inc. will provide additional application intake, screening, and case management services to support the program administration, management, compliance and financial reporting required to administer the Treasury Emergency Rental Assistance Program. [**Funding Source: CD035GR**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 5.

A Resolution approving and authorizing the Mayor to execute an agreement with **Brunk Auctions, Inc.**, under which Brunk Auctions will provide services involving the consignment for sale of surplus Birmingham Museum of Art items of art, and the City will pay Brunk Auctions the sum of five percent (5.0%) of every dollar of the sales price of items sold by Brunk Auctions. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 6.

A Resolution authorizing the Mayor to execute an agreement between the City of Birmingham and **Neighborhood Housing Services of Birmingham**, under which Neighborhood Housing Services of Birmingham will be awarded funds under the Community Development Block Grant (CDBG), and the program grant (HOME) Funds to administer the city-wide Ready to Own Birmingham Program, which will assist with down payment assistance and closing costs that will provide homebuyers with flexible gap financing for a term of one (1) year in an amount not to exceed \$600,000.00. [**Funding Sources: GL# 081_013_05400_052_05416.536-001 and GL# 083_013_07500_07504.536-001**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 7.

A Resolution authorizing the Mayor to execute a Master Lease Agreement that is subject to and incorporates the terms and conditions of the Master Lease Agreement 100-5729969-001, dated on or about September 29, 2021, between the City of Birmingham and **PC Connection Sales Corporation dba Connection** (“Connection”), under which Connection, in accordance with Bid 22-34, shall work to replace the Cisco networking components that connects Internet, Data, and voice communication across the City of Birmingham for a term not to exceed three (3) years and in an amount not to exceed \$188,741.77. [**Funding Source: 001_037-01910-01912-526-003**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

ITEM 8.

A Resolution electing five (5) members to **the Public Athletic Cultural and Entertainment Facilities Board of the City of Birmingham**, as nominated by the Mayor, one (1) term expiring September 15, 2025, one (1) term expiring September 15, 2027, one (1) term expiring September 15, 2029 and two (2) terms expiring December 13, 2029. (Submitted and Recommended by the Mayor)

CONSENT

ITEM 9.

A Resolution determining that the building or structure located at 3008 Ensley 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 10.

A Resolution determining that the building or structure located at 2501 – 30th 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 11.

A Resolution determining that the building or structure located at 316 Del Rio 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 12.

A Resolution determining that the building or structure located at 3921 – 28th Place 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 13.

A Resolution determining that the building or structure located at 704 – 30th 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 14.

A Resolution determining that the building or structure located at 709 – 30th Place 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 15.

A Resolution determining that the building or structure located at 3656 South 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 16.

A Resolution determining that the building or structure located at 1223 Pineview Road, 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 345 – 15th 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 18.

A Resolution determining that the building or structure located at 1112 Coosa 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 19.

A Resolution determining that the building or structure located at 1115 Coosa 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 20.

A Resolution determining that the building or structure located at 1540 – 4th 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 21.

A Resolution determining that the building or structure located at 505 Lawson Road, 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 5301 Georgia Road, 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 4811 – 7th 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 24.

A Resolution determining that the building or structure located at 105 – 15th Avenue 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 25.

A Resolution determining that the building or structure located at 3301 – 28th Place 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 108 – 14th Court 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 27.

A Resolution determining that the building or structure located at 3618 – 27th 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 28.

A Resolution determining that the building or structure located at 3416 – 27th 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 29.

A Resolution determining that the building or structure located at 409 – 8th 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 30.

A Resolution determining that the building or structure located at 1131 – 2nd Court 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 31.

A Resolution determining that the building or structure located at 1325 – 2nd Avenue 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 32.

A Resolution determining that the building or structure located at 1116 – 2nd Court 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 33.

A Resolution determining that the building or structure located at 1124 – 2nd Court 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 34.

A Resolution determining that the building or structure located at 1138 – 2nd Court 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 35.

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a condemnation repair permit to **Lisa Billingsley**, the owner or agent of the property located at 4210 7th Avenue, Birmingham, which was condemned by the Council February 6, 2024, 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)

CONSENT

ITEM 36.

A Resolution accepting the lump sum proposal of **VADD, Inc.**, Fosters, Alabama, in the amount of \$10,724.88, for the DPW Western District Office Masonry Repairs, this being the lowest responsible and responsive proposal submitted, and authorizing the Mayor to enter into a contract with VADD, Inc. in substantially the form contained within the proposal documents and in accordance with said proposal, providing that the total compensation payable under the contract does not exceed the appropriation. [**Funding Source: DCP102CP 003999**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Proposal Received)

CONSENT

ITEM 37.

A Resolution accepting the lump sum proposal of **VADD, Inc.**, Fosters, Alabama, in the amount of \$6,924.88, for the Carver Theatre Masonry Repairs, this being the lowest responsible and responsive proposal submitted, and authorizing the Mayor to enter into a contract with VADD, Inc. in substantially the form contained within the proposal documents and in accordance with said proposal, providing that the total compensation payable under the contract does not exceed the appropriation. [**Funding Source: DCP102CP 003999**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Proposal Received)

CONSENT

ITEM 38.

A Resolution approving payment to **Crown USA, Inc.**, Woodbury, Georgia, to purchase Class I Yellow and White Waterborne Traffic Paint in the amount of \$17,844.75, at unit prices on file in the office of the Purchasing Agent, for the City of Birmingham Central Stores Warehouse to replenish inventory, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated for in FY2023-2024 Budget; G/L Account: 001.152-003**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works)

CONSENT

ITEM 39.

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

CONSENT

ITEM 40.

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

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT