

AGENDA

REGULAR MEETING OF THE COUNCIL CITY OF BIRMINGHAM, ALABAMA CITY COUNCIL CHAMBERS – THIRD FLOOR CITY HALL

March 30, 2010 - - 9:30 A.M.

WEB SITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend P. Banneker Hatcherson, Pastor Of Twenty-Third Street Baptist Church, South

PLEDGE OF ALLEGIANCE: Councilmember Valerie Abbott

ROLL CALL

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: December 15 – 29, 2009 and January 5, 2010

MINUTES NOT READY: January 12 - March 23, 2010

COMMUNICATIONS FROM THE MAYOR

CONSIDERATION OF CONSENT AGENDA

All items designated as “Consent” are considered to be 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**ITEM 1.**

An Ordinance to add a new Section 20 entitled “Neighborhood Form-Based Overlay District Regulations” to Article VI, “Supplementary Regulations and Modifications” of the Zoning Ordinance of the City of Birmingham, Ordinance No. 90-130 as amended, filed by the Department of Planning, Engineering and Permits, City of Birmingham, in order to establish a neighborhood form-based overlay district to address building and site development standards related to building form, parking, pedestrian and vehicular access, landscaping, and signage for areas within the City which have initiated and adopted a neighborhood form-based regulatory plan consistent with a community’s shared vision. These standards are intended to be placed “over” an area’s base zoning to modify the base zoning’s regulatory standards and would not change the use or overall density allowed on the property, **Case No. ZAC2009-00148**, and the **hearing** of all interested parties. (Submitted by Councillor Abbott, Chairperson, Planning and Zoning Committee) (Recommended by the Birmingham Planning Commission)**

ITEM 2.

an Ordinance to amend the Zoning Map of the City of Birmingham to include the proposed Neighborhood Form-Based Overlay District Regulations, Article VI, Section 20 of the Zoning Ordinance of the City of Birmingham, Ordinance No. 90-130 as amended, to the Highland Park Neighborhood, excluding those properties comprising the campus of St. Vincent’s Hospital, as an overlay district, affecting the parcels of land as described and illustrated on the map entitled “Highland Park Neighborhood Plan, Recommended Form-Based Zoning Overlay Districts”, filed by the Department of Planning, Engineering and Permits, City of Birmingham, in order to establish a neighborhood form-based overlay district to the Highland Park Neighborhood as an effective means for regulating development in a manner that will enable the Highland Park Neighborhood to positively shape and guide its physical growth and character in accordance with the goals and vision set forth in the Highland Park Neighborhood Plan, **Case No. ZAC2009-00149**. (Submitted by Councillor Abbott, Chairperson, Planning and Zoning Committee) (Recommended by the Birmingham Planning Commission)**

ITEM 3.

A Resolution relative to the application of Muskan, Inc for an On and Off Premise Beer and Wine License to be used at **Sitar**, 729 20th Street South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee) (Deferred from 3/9/10 to 3/30/10)

ITEM 4.

A Resolution amending Resolution 251-10 adopted by the Council March 9, 2010 to change the application to an On and Off Premise Beer and Wine License and remove transfer of a Restaurant Retail Liquor License to be used at **Big Blue Bagel**, 1117 Dunston Avenue Suite 1101, Birmingham, and the **hearing** of all interested parties. (Submitted and Recommended by Councillor Austin, Chairman, Public Safety Committee)

ITEM 5.

A Resolution relative to the application of Event Concession Inc. for a Special Events Retail License to be used at **Funky Fish Fry**, 1103 Dunston Avenue, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT

ITEM 6.

A Resolution authorizing the abatement of the nuisances existing on the following properties and the costs of such abatement to be assessed against and constitute a lien upon such properties, and the **hearing** of all interested parties: (Submitted by the City Attorney) (Recommended by Councillor Roberson, Chairman, Public Improvements and Beautification Committee)

1	23-15-3-29-03.000-RR	224 66TH PL N 35206	LOT 21 FRAZIER & EBERSOLE
2	22-26-2-21-05.000-RR	1663 5TH ST N 35204	LOT 2 DONALD & ROBINS RESUR OF PT OF LOT 1 HUDSON LANDS
3	29-06-2-11-11.000-RR	2408 AVENUE G 35218	NE 10 FT OF LOT 10 & SW 25 FT OF LOT 11 BLK 24-F ENSLEY 1ST ADD
4	29-06-2-09-01.000-RR	2320 AVENUE G 35218	NE 12-1/2 FT LOT 7 & SW 1/2 OF LOT 8 BLK 23-F ENSLEY 1ST ADD
5	22-31-3-46-09.000-RR	2104 AVENUE G 35218	LOTS 21+22 BLK 21-F ENSLEY

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6	29-20-3-10-26.000-RR	2937 29TH ST SW 35211	LOTS 10 THRU 14 BLK 9 INDUSTRIAL CENTER
7	29-20-3-16-29.000-RR	2904 29TH ST SW 35211	LOT 23 BLK 8 INDUSTRIAL CENTER
8	29-20-3-16-28.000-RR	2908 29TH ST SW 35211	LOT 22 BLK 8 INDUSTRIAL CENTER 6/58
9	22-26-2-21-16.000-RR	1664 5TH PL N 35204	LOT 10 DONALD & ROBINS RESUR OF PT LOT 1 HUDSON LANDS
10	22-26-2-21-15.000-RR	1660 5TH PL N 35204	LOT 9 DONALD & ROBINS RESUR OF PT LOT 1 HUDSON LANDS
16	23-03-1-14-04.000-RR-01	9329 13TH AVE N 35206	LOT 19+20+21 BLK 2 AIRPORT ESTS 2ND ADD LESS & EXC PT TO ROW
19	23-03-1-15-11.000-RR	9334 13TH AVE N 35206	ALL LOT 13 EXC PT TO RD & ALL LOT 14 BLK 3 AIRPORT
21	13-34-4-01-53.000-RR	9725 WESTFIELD PL 35217	P O B NE COR SE 1/4 OF SE 1/4 SEC 34 T 16 S R 2 W
22	22-26-2-21-14.000-RR	1656 5TH PL N 35204	LOT 8 DONALD & ROBINS RESUR OF PT BLK 1 HUDSON LANDS
23	22-26-2-21-13.000-RR	1652 5TH PL N 35204	LOT 7 DONALD & ROBINS RESUR OF PT LOT 1 HUDSON LAN
24	22-29-2-50-03.000-RR	1000 4TH WAY 35214	LOT 10 BLK 12 HUEY-PARKER-BARKER ET AL SUR
25	22-29-3-05-03.000-RR	817 5TH ST 35214	POB 230 FT S W OF SW INTER 5 TH ST & AVE U TH W 40 FT ALG 5 TH
26	22-29-3-06-10.001-RR	714 5TH PL 35214	COM NW COR OF SW 1/4 SEC 29 TH SLY 240 FT TH ELY 1
27	22-29-3-06-30.000-RR	524 AVENUE T 35214	LOTS 1 & 2 ELISABETH FIELDS SUR
28	24-09-2-00-02.001-RR	DEAD END OF RAGLAND ST 35000	LOT 2-B WORD OF LIFE RESURVEY PB 210 PG 79 LYING IN NW 1/4 SEC 9 TP 17 R 1W
29	13-26-3-00-96.000-RR	93 REDSTONE WAY 35215	LOT 3 BLK 3 SUNRISE EAST 1ST SECT 115/77
30	23-15-3-35-09.000-RR	132 65TH PL N 35206	LOT 9 BLK 14-G EDMUNDS SUB
31	23-14-3-23-11.000-RR	630 72ND ST S 35206	LOT 25 BROWNSVILLE

32	23-14-3-23-04.000-RR	700 72ND ST S 35206	E 10 FT LOT 33 & ALL LOT 34 BROWNSVILLE
33	12-31-3-08-19.001-RR	807 SCHOOL TER 35000	LOT 7-A HUFFMAN HIGHLANDS 1ST ADD RESUR 89/6 & E 25 FT OF LOT 6 HUFFMAN HIGHLANDS 1ST ADD 13/52
34	23-30-1-04-01.000-RR	3725 5TH CT N 35222	LOT 10 BLK 92 AVONDALE 1/221
35	29-19-3-31-07.000-RR	3744 OAK AVE SW 35221	LOT 96 & W 5 FT LOT 95 BLK 4 TREVELLICK
36	28-01-4-02-09.000-RR	833 WALNUT ST 35210	LOT 151 OVERTON LD COS OVERTON SUB #2
37	28-01-4-02-05.000-RR	915 WALNUT ST 35210	LOTS 142 OVERTON LAND COS OVERTON SUB #2
38	28-01-1-11-10.000-RR	781 WALNUT ST 35210	LOT 159 OVERTON LAND COS OVERTON NO 2 SUBDIVISION
39	24-09-3-22-09.000-RR	5120 COMMERCE AVE 35210	LOT 12 BLK 8 MAP OF LIBERTY HGHLD
40	29-30-1-28-02.000-RR	3306 WILLARD AVE 35211	LOTS 2-3 BL 13 TARPLEY
41	29-04-4-14-10.000-RR	417 12TH ST SW 35211	THARPE PLACE 29-4-4 BLOCK: 18 LOT: 14
43	22-12-3-13-06.000-RR	2864 42ND AVE N 35207	LOT 4 BLK 3 MOUNTAIN VIEW ADD TO NORTH BHAM
44	22-12-3-13-07.000-RR	4200 FAIRMONT WAY 35207	LOT 1 & S 1/2 LOT 2 BLK 3 MOUNTAIN VIEW ADD TO NORTH BHAM
45	29-02-2-18-08.000-RR	1 3RD ST S 35205	LOT 23 HAMILTON-COPELAND & FEAGIN SUR SHADYDALE
46	30-01-1-54-04.000-RR	3115 AVENUE G 35218	LOT 4 BLK 31-G ENSLEY 15TH ADD
47	23-11-4-13-18.000-RR	8332 7TH CT S 35206	LOT 10 BLK 51 SO HGLDS OF EAST LAKE
48	23-08-3-29-10.000-RR	4300 42ND AVE N 35217	LOT 9 BLK 3 MOUNTAIN PARK RESUR
49	23-08-3-29-11.000-RR	4304 42ND AVE N 35217	LOT 8 BLK 3 MTN PARK RESUR RESUR SEC 8 TP 17 R 2
50	30-01-3-03-03.000-RR	3519 AVENUE B 35218	LOT 5 BLK 35-B ENSLEY LAND CO 15TH ADD TO ENSLEY

51	23-08-3-29-12.000-RR	4308 42ND AVE N 35217	LOT 7 BLK 3 MOUNTAIN PARK
52	23-14-3-01-47.000-RR	7402 OPORTO AVENUE 35206	POB 148 FT S OF & 92.5S FT W OF INTER S LINE 76 TH
53	22-31-3-52-02.000-RR	2207 AVENUE F 35218	LOTS 3 + 4 BLK 22-F ENSLEY
54	21-36-4-11-09.001-RR	2410 AVENUE E 35218	LOTS 19 & 20 BLK 24-D ENSLEY 4/3
55	22-26-1-26-11.000-RR	1401 19TH STREET NORTH 35234	LOTS 2-3-4 EDWARDS ADD EX N 36.6 FT:PT 2
56	23-19-3-15-01.001-RR	3411 11TH AVE N 35234	LOT 2-A T C CLARK RESUR 165/60
57	29-20-4-01-03.000-RR	1950 SPAULDING ISHKOODA RD SW 35211	COM NE COR SE 1/4 SEC 20 TP 18 R 3W TH S 650 FT TH SW 860 FT TO POB TH CONT SW 180 FT TH W 186 FT TH N 331.1 FT TH E CONTINUED
58	30-35-2-26-04.000-RR	613 TAYLOR STREET 35020	LOT 11 BL 1 HUDSON GARDENS
59	22-26-3-07-21.000-RR	1136 12TH CT N 35204	P O B 85 FT W OF THE NW INTER OF 12TH ST N & 12 TH
60	13-35-2-05-05.000-RR	809 JEFFERSON AVE 35217	LOT 29-32 BLK 4 VIRGIL J LONG
61	22-26-4-20-11.000-RR	1608 12TH AVE N 35204	POB 130 FT NE OF N INTER OF 16TH ST N & 12TH AVE N
62	23-18-2-02-02.000-RR	3539 34TH CT N 35207	LOTS 20+21+22+23 BLK 2 VULCAN CITY
64	23-18-2-02-03.000-RR	3537 34TH CT N 35207	LOTS 18+19 BLK 2 VULCAN CITY
65	23-18-2-02-04.000-RR	3535 34TH CT N 35207	LOTS 16 & 17 BLK 2 VULCAN CITY 6/9
66	23-18-2-02-04.001-RR	3527 34TH CT N 35207	LOT 15 BLK 2 VULCAN CITY 6/9
67	22-24-4-23-01.000-RR	2909 15TH AVENUE NORTH 35234	E 80 FT LOTS 12-13 BLK 28 BHAM RLTY COS ADD NO 4
68	22-24-4-28-11.000-RR	1205 33RD ST N 35234	N 40 FT OF S 130 FT OF W 90 FT LOT 5 BLK 652 BHAM
69	23-30-1-04-01.000-RR	3731 5TH CT N 35222	LOT 11 BLK 92 AVONDALE 1/221
70	28-01-4-02-04.000-RR	878 OAK ST 35210	LOT 136 OVERTON LD COS OVERTON SUB #2 PB 35 PG 1

71	22-24-4-20-11.000-RR	1401 32ND ST N 35234	LOT 25 BLK 20 BHAM RLTY COS ADD NO 4
72	22-24-3-20-13.000-RR	2724 17TH AVE N 35234	LOT 7 BLK 3 BHAM RLTY COS ADD #10
73	22-31-3-38-03.000-RR	2013 AVENUE H 35218	LOTS 7+8 BLK 20-H ENSLEY
74	29-06-2-12-08.000-RR	2422 AVENUE H 35218	SE 100 FT LOT 7 BLK 24-G 1ST ADD ENSLEY
75	22-26-3-06-18.000-RR	1244 13TH ST N 35204	NO 50 FT OF LOT 1 & NO 50 FT OF E 20 FT OF LOT 2 B
76	22-26-3-06-11.000-RR	1200 12TH CT N 35204	LOT 9 & W 15 FT LOT 8 BLK A FOUNTAIN HGTS
77	22-26-3-06-12.000-RR	1202 12TH CT N 35204	E 35 FT LOT 8 & W 20 FT LOT 7 BLK A FOUNTAIN HGTS
78	22-26-3-06-14.000-RR	1220 12TH CT N 35204	W 30 FT LOT 5 & E 20 FT LOT 6 BLK A FOUNTAIN HGTS
79	22-26-3-06-15.000-RR	1222 12TH CT N 35204	LOT 4 & W 5 FT OF LOT 3 & E 20 FT OF LOT 5 BLK A FOUNTAIN HGTS
80	22-26-3-06-16.000-RR	1226 12TH CT N 35204	W 30 FT LOT 2 & E 45 FT LOT 3 BLK A FOUNTAIN HGTS
81	22-26-4-35-01.000-RR	1409 12TH CT N 35203	P O B S W INTER OF 15TH ST N & 12TH CT N TH W 52S FT ALG CT TH S 79S FT TH E 97S FT TO 15TH ST N TH N W 91S FT ALG ST
82	23-07-3-05-01.000-RR	3741 45TH AVENUE NORTH 35207	LOT 11 BLK 5 M A HINES 1ST ADD TO HARRIMAN PARK
83	22-26-3-07-20.000-RR	1132 12TH CT N 35204	P O B 150 FT W OF THE N W INTER OF 12TH ST N & 12T
84	13-35-2-05-04.000-RR	815 JEFFERSON AVE 35217	LOTS 23 THRU 28 BLK 4 BOULEVARD ADD TO BHAM
85	22-26-3-08-08.000-RR	1115 12TH CT N 35204	P O B 350 FT W OF THE S W INTER OF 12TH ST N & 12TH CT N TH W 50 FT TH S W 70S FT ALG I-65 TH S 125S FT ALG I-65 TO

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

ITEM 7.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by transferring \$50,000.00 from Non Departmental, High School Basketball Championships and appropriating \$50,000.00 to Mayor’s Office, Security Services for security at City Hall. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Acting Director of Finance)**

ITEM 8.

An Ordinance “TO FURTHER AMEND THE GRANT FUND BUDGET”, by appropriating \$31,491.51 to the Fire Department, FY08 Homeland Security Training for grant award received. (Submitted by the Mayor) (Recommended by the Acting Director of Finance)**

ITEM 9.

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by transferring \$300,000.00 from Negro and Southern Baseball League Hall of Fame and appropriating \$300,000.00 to City Hall Elevator Repair. (Submitted by the Mayor) (Recommended by the Acting Director of Finance)**

CONSENT

ITEM 10.

An Ordinance authorizing the Mayor to enter into an easement agreement whereby **Alabama Power Company** is allowed to install, operate and maintain certain electrical facilities upon property owned by the City of Birmingham known as Memorial Park located near 6th Avenue South, as shown on Alabama Power Company Plan No. A6110-06-AK10 in providing underground electrical service to the Tennis Courts and the new pavilion. (Submitted by the Mayor)(Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)**

CONSENT

ITEM 11.

A Resolution authorizing the Mayor to accept a grant from **the State of Alabama Executive Commission on Community Service Grants** in the amount of \$5,000.00 which will allow the Birmingham Park and Recreation Board to further develop the Roosevelt City Recreation Center’s fitness program by purchasing weight equipment to promote the improvement of public health, and authorizing the Acting Director of Finance to process expenditure of the funds in accordance with the grant guidelines. (Submitted by the Mayor) (Recommended by the Director of Park and Recreation)**

CONSENT

ITEM 12.

A Resolution authorizing the Mayor to enter into a Right of Way Encroachment License Agreement whereby **Blach's Capital, LLC** is allowed to install and maintain two (2) awnings, and one (1) sign in the City right of way at 300 20th Street North (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

ITEM 13.

A Resolution authorizing the Mayor to execute an amendment to two (2) Agreements with **Greater Birmingham Habitat for Humanity** under with the City will decrease appropriation for the Wylam Agreement by Five Hundred Thousand 00/100 Dollars (\$500,000.00) and will provide an additional Five Hundred Thousand 00/100 Dollars (\$500,000.00) in Home Funds to the Scattered Lots Agreement at 0% interest to be utilized for land acquisition and construction financing for construction of single-family units on scattered sites throughout the City of Birmingham, and to be secured by a construction mortgage on each single-family unit. (Submitted by the Acting Chief Assistant Attorney) (Recommended by the Community Development Department and the Budget and Finance Committee)**

CONSENT

ITEM 14.

A Resolution providing financial support to **the James Lewis Tennis Foundation, Inc.** in an amount not to exceed \$17,500.00 in its effort to host the 2010 United States Tennis Association Southern Sectional Tennis Event to be held July 24-August 1, 2010 at tennis centers throughout the City, and authorizing the Mayor to execute the appointment letter. (Submitted by Council President Royal, Chairman, Committee of the Whole) (Recommended by the Committee of the Whole)

CONSENT

ITEM 15.

A Resolution requesting that the Mayor authorize the Department of Traffic and Engineering to erect two (2) street signs in honor of **Mr. Howard Johnson** on Gross Street beginning at Sandridge Road and ending on the corner of Wenonah-Oxmoor Road in the Oxmoor Neighborhood. (Submitted by the Councilor Roberson) (Recommended by the Public Improvement and Beautification Committee)

CONSENT

ITEM 16.

A Resolution requesting that the Mayor authorize the Department of Traffic and Engineering to erect two (2) street signs in honor of **Councilor Miriam D. Witherspoon** on Wenonah-Oxmoor Road beginning at Shannon-Oxmoor Road and ending on the corner of Singapore Drive in the Oxmoor Neighborhood. (Submitted by the Councilor Roberson) (Recommended by the Public Improvement and Beautification Committee)

CONSENT

ITEM 17.

A Resolution opposing the proposed plan by ALDOT to address the traffic congestion on U.S. 280 and requesting Governor Bob Riley consider alternative plans to better protect our businesses and the environment, to be more compatible with existing land uses, be aesthetically pleasing and easily adapted to meet our ultimate goal of rapid transit. (Submitted and Recommended by the Councilor Abbott)**

ITEM 18.

A Resolution expressing the Council's intent to provide the twenty (20%) funding match to trigger the acceptance of State funds allotted for the Collegeville Community pedestrian crosswalk and vehicular overpasses. (Submitted and Recommended by Councilor Parker)**

CONSENT

ITEM 19.

A Resolution determining that **the 2010 District 4 Family Fun Nights** to be held June 24, 2010, at East Lake Park and July 29, 2010 at W. C. Patton Park serves a public purpose that promotes goodwill and serves a public interest and requesting that City funds be used to pay for this event. (Submitted and Recommended by Councilor Parker)**

CONSENT

ITEM 20.

A Resolution accepting the unit price bid of **Robert Granger, Inc.**, Columbiana, Alabama, in the amount of \$30,000.00, for Change Order No. 1 due to unforeseen circumstances of the retaining wall needing to be larger than expected at the Ruffner Mountain Nature Center Entrance, this being the lowest bid submitted meeting specifications, and authorizing the Mayor to execute the contract in accordance with said bid. [**Appropriated in the FY 2010 Budget; PEP121CP 003673**] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (One Bid Submitted)

CONSENT

ITEM 21.

A Resolution fixing a special assessment in the amount of \$6,010.00 against the property located at 3505 Ellis Avenue S.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 22.

A Resolution fixing a special assessment in the amount of \$7,410.00 against the property located at 1806 – 29th 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 23.

A Resolution fixing a special assessment in the amount of \$3,757.00 against the property located at 2922 Avenue D 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 24.

A Resolution fixing a special assessment in the amount of \$4,279.00 against the property located at 617 Omega 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 25.

A Resolution fixing a special assessment in the amount of \$4,300.00 against the property located at 1801 – 27th 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 26.

A Resolution fixing a special assessment in the amount of \$684.56 against the property located at 1305 – 6th Place Pratt City and Garage, 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 \$1,322.96 against the property located at 565 Avenue G Pratt City and Storage, 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 \$2,950.00 against the property located at 3216 Alameda Avenue S.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 29.

A Resolution fixing a special assessment in the amount of \$2,860.00 against the property located at 3441 – 32nd Avenue North, 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 \$8,850.00 against the property located at 1608 – 6th Street North, 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 \$2,110.00 against the property located at 6412 – 1st Court North, 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 \$2,890.00 against the property located at 9-11 – 9th Avenue W, Duplex, 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 \$10,160.00 against the property located at 1830 – 14th Avenue North, 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 \$6,372.00 against the property located at 514 – 4th Terrace North and Storage, 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 \$2,210.00 against the property located at 410 Avenue U Pratt City, 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 \$1,670.00 against the property located at 5912 Avenue N, 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 authorizing the Director of Planning, Engineering and Permits to issue a building permit to **Mohammad A. Janjua**, the owner or agent of the property located at 320 – 6th Avenue South, Birmingham, which was condemned by the Council July 22, 2008, 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, three (3) permits having been voided due to the lack of substantial repairs. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits and the Public Improvements Committee)

CONSENT

ITEM 38.

A Resolution amending Resolution No. 1178-08, adopted by the Council September 23, 2008, fixing a special assessment against various properties throughout the City for the abatement of noxious or dangerous weeds due to the lots being mistakenly assessed: (Submitted by the Acting Chief Assistant City Attorney) (Recommended by Councillor Roberson, Chairman, Public Improvement and Beautification Committee)

- \$419.94 5400 Lewisburg Rd 35207 22-01-3-08-05.001-RR Acct No. 87884
Property was cut and assessed in error
- \$325.04 1121 21st St N 35203 22-25-3-10-05.000-RR ---Acct No. 87952
Property was cut and assessed in error.
- \$354.08 1733 1st Pl S 35205 29-11-2-10-11.000-RR – Acct. No. 88151
Pending appeal investigation.
- \$777.00 9305 8th Ave N 35206 23-03-1-19-05.000-RR ---Acct No. 88009
Pending appeal investigation
- \$1,241.46 4917 5th Ave S 23-28-2-12-09.000-RR ---Acct No. 88089
Pending notification of new owner.
- \$403.87 1220 Monroe Ave 35211 29-04-4-27-03.000—Acct No. 88119
Pending appeal investigation
- \$532.12 5445 Watson Ave 35221 30-25-3-12-13.000-RR Acct No. 88191
Pending verification of address. Street numbers were changed in this area.

CONSENT

ITEM 39.

A Resolution amending Resolution No. 944-09, adopted by the Council November 10, 2009, fixing a special assessment against various properties throughout the City for the abatement of noxious or dangerous weeds due to the lots being mistakenly assessed: (Submitted by the Acting Chief Assistant City Attorney) (Recommended by Councillor Roberson, Chairman, Public Improvement and Beautification Committee)

- \$427.45 1316 Pineview Rd 35228 29-18-2-02-40.000-RR- - Acct No. 90943
Pending notification of new owner. Foreclosure

CONSENT

ITEM 40.

A Resolution amending Resolution No. 150-10, adopted by the Council February 16, 2010, fixing a special assessment against various properties throughout the City for the abatement of noxious or dangerous weeds due to the lots being mistakenly assessed: (Submitted by the Acting Chief Assistant City Attorney) (Recommended by Councillor Roberson, Chairman, Public Improvement and Beautification Committee)

\$787.65 917 13th ST N 22-35-1-21-13.000-RR-- Acct No. 91057
Property was cut and assessed in error

\$341.15 3406 Park Ave SW 35221 29-19-1-12-13.000-RR --Acct No. 91007
Property listed incorrectly on mapping. Wrong lot cut.

\$384.25 2726 Dowell Ave SW 35211 29-17-3-23-10.001-RR – Acct. No. 91077
Property was cut and assessed in error.

CONSENT

ITEM 41.

A Resolution amending Resolution No. 306-10, adopted by the Council March 23, 2010, authorizing the Acting Director of Finance to make three (3) refunds in the total amount of \$126,572.02, to change the total amount of the refunds to \$123,299.51. (Submitted by the Mayor) (Recommended by the Acting Director of Finance)**

ITEM 42.

A Resolution setting a public hearing **May 4, 2010**, to consider the adoption of a resolution assenting to the vacation of 2,250 square feet of unopened alley that runs parallel to and between 16th Street Ensley and 17th Street Ensley and perpendicular to and between Avenue C and Avenue D, on behalf of **Leola Early Boswell and Richmond Drakeford**, owners, so that the Bethel Ensley Action Task Inc. can use the vacated alley for new home construction, **Case No. SUB2010-00005**. (Submitted by Councillor Roberson, Chairman, Public Improvements Committee) (Recommended by Subdivision Committee of the Birmingham Planning Commission and the Public Improvements Committee)**

ITEM 43.

A Resolution setting a public hearing **May 11, 2010** to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2010-00154**) to change zone district boundaries from “Q”O&I Qualified Office and Institutional District to B-1 Neighborhood Business District, filed by Michael J. Barry, owner, for property located at 1518 – 19th Street South, and situated in the SW¼ of Section 6, Township 18 South, Range 2 West, Birmingham. (Submitted by Acting Chief Assistant City Attorney) (No Recommendation by the Zoning Advisory Committee)**

ITEM 44.

An Ordinance “TO FURTHER AMEND THE HUD BLOCK GRANT FUND BUDGET” by appropriating \$74,831.00 to Single Family Activities-Critical Repair to reflect the actual entitlement of program allocations for the CDBG Program. (Submitted by the Mayor and Budget and Finance Committee) (Recommended by the Acting Director of Finance)**

ITEM 45.

An Ordinance “TO FURTHER AMEND THE HOME FUND BUDGET” by appropriating \$238,289.00 to HOME Program, Homebuyer Activities to reflect the actual entitlement of program allocations, the actual entitlement being higher than the original budget anticipated. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Acting Director of Finance)**

OLD AND NEW BUSINESS

PRESENTATIONS

REQUESTS FROM THE PUBLIC

ADJOURNMENT

NOTE: The following matters were withdrawn:

A Resolution revoking the Junk Dealer's Permit issued to Bagwell Auto Inc., 3540 – 4th Street West, Birmingham, AL 35207.

A Resolution revoking the Junk Dealer's Permit issued to Standard Iron and Metal, 1933 Vanderbilt Road, Birmingham, AL 35234.