

AGENDA

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

April 14, 2009 - - 9:30 A.M.

WEB SITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Dr. James Arthur Rumph, Pastor of Payne Chapel African Methodist Episcopal Church

PLEDGE OF ALLEGIANCE: Councilmember Roderick Royal

ROLL CALL

MINUTES NOT READY: December 23, 2008 – April 7, 2009

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 annex two parcels of privately held residential land and the adjacent right of way totaling 2.389 acres the properties proposed to be annexed are currently located in unincorporated Jefferson County at 4708 Lewisburg Road and 2820 48th Avenue North respectively. This property consists of a tract of land upon which the petitioner resides in a single family home 4708 Lewisburg Road together with a smaller tract of land upon which an additional single family residence is situated behind the petitioners’ house and is a rental investment. The property owners Harold and Linda May have petitioned the City of Birmingham to annex this property into the City to receive municipal services, including police, fire protection and emergency services as well as garbage pickup.(Submitted by the City Attorney) (Recommended by the Administration, Budget and Finance Committee and the Department of Planning, Engineering and Permits)**

CONSENT(ph)

ITEM 2.

A Resolution fixing a special assessment against the following properties for the abatement of noxious or dangerous weeds, from various resolutions adopted by the Council, and the **hearing** of all interested parties: (Submitted by the City Attorney) (Recommended by Councillor Witherspoon, Chairperson, Public Improvement and Beautification Committee)

1.	22-31-2-09-05.001-RR	1413 AVENUE C 35218	PT BLK 14-C ENSLEY DESC AS FOLS-COM INTERSECT AVE C &
2.	23-15-2-26-02.000-RR	6821 5TH TER N 35206	LOT 6 BLK 4 WAHOUMA PARK
3.	13-34-3-02-02.000-RR	9901 WOOD AVE 35217	LOT 16 BLK 4 BOOKERWOOD HEIGHTS
5.	23-23-2-17-01.000-RR-01	6716 INTERLAKEN AVE 35212	LOT 11 & 13 & N 46.7 FT OF LOT 12 BLK 29 GATE CITY 1/378
6.	23-22-3-24-04.000-RR	613 63RD ST S 35212	LOT 4 BLK 10 OAK RIDGE PARK
7.	23-22-3-10-19.000-RR	542 63RD ST S 35212	LOT 27 BLK 8 OAK RIDGE PARK
8.	22-14-2-10-01.000-RR	3933 24TH ST N 35207	POB N Inter Of 24TH ST N & 39TH Ct TH Nw LY 150 FT
9.	23-15-3-26-01.000-RR	435 65TH ST N 35206	LOTS 11 & 12 BLK 3 GROVELAND EXCEPT H/W R/W
10.	23-15-3-26-02.000-RR	431 65TH ST N 35206	LOT 13 BLK 3 GROVELAND EXCEPT H/W R/W

11.	13-23-1-02-06.003-RR	1737 WINEWOOD RD 35215	LOT 8 BLK 6 WINEWOOD 5TH SECT 141/44 AMENDED MAP 146/26
12.	23-11-2-07-29.000-RR	8532 2ND AVE N 35206	LOT 3 LEDBETTERS RESUR OF LOTS 14 & 15 BLK 17-B 16/1 & LOT 13 BLK 17-B EAST LAKE LAND COS 1ST ADD TO EAST LAKE 6/31
13.	23-11-2-07-30.000-RR	8534 2ND AVE N 35206	LOT 2 LEDBETTERS RESUR OF LOTS 14 & 15 BLK 17-B FIRST ADDITION TO EAST LAKE
14.	23-15-3-20-27.000-RR	216 68TH ST N 35206	LOT 47 FULLERS SUB OF BLK 12-G EAST WOODLAWN
15.	22-20-3-35-07.000-RR	185 CHURCH AVE 35214	S 41 FT OF N 121 FT OF LOT 6 BLK 11 MARTIN LOCKHART SURVEY FOSTER
16.	22-20-3-35-08.000-RR	179 CHURCH AVE 35214	N 30 FT OF S 239 FT LOT 6 BLK 11 MARTIN LOCKHART SURVEY
17.	22-20-3-34-02.000-RR	120 CHURCH AVE 35214	LOT 3 JAMES ALLEN JR P O B 135 FT S OF S INTER CROOKED ST & CHURCH ST TH S 68.5 FT ALG CHURCH ST TH W 99.5
18.	22-14-3-08-15.000-RR	2224 35TH AVE N 35207	BEGIN AT A PT 50 FT SW OF W INT OF 35TH AVE & 23RD ST TH CONTINUE 50 FT ON ROW OF 35TH AVE TH NW 140 FT TH NE 50 FT
19.	23-15-1-28-17.000-RR	7332 DIVISION AVE 35206	LOT 9 BLK 18 EAST LAKE
20.	23-15-1-27-05.000-RR	7317 DIVISION AVE 35206	LOT 14 BLK 11 EAST LAKE
21.	23-03-2-09-26.000-RR	1612 90TH PL N 35206	LOT 7 BLK 5 OF HOOVERS RESUR OF BLK 1+3+4 & 5 OF PLEASANT VIEW HEIGHTS
22.	23-03-2-07-85.000-RR	9129 14TH AVE N 35206	LOTS 4 & 5 BLK 1 AIRPORT ESTS 3RD ADD
23.	23-03-2-13-14.000-RR	1408 90TH ST N 35206	LOT 12 BLK 3 NORTH VIEW GARDENS
24.	22-13-4-20-01.000-RR	3037 33RD ST N 35207	LOT 1 BLK 1 CRESTVIEW
25.	22-13-4-20-22.000-RR	3040 33RD PL N 35207	LOT 9 BLK 1 CRESTVIEW CO SUR OF CRESTVIEW
26.	22-14-3-08-06.000-RR	2209 36TH AVE N 35207	P O B 100 FT NE OF E INTER 2 36TH AVE N & 22ND ST N TH NE
27.	22-14-3-08-14.000-RR	2220 35TH AVE N 35207	P O B 100 FT SW OF NW INTER 35TH AVE N & 23RD ST N TH SW 47 FT S ALG 35TH AVE N TH NW 140 FT TO ALLEY TH NE 47
28.	22-31-2-09-02.000-RR	1401 AVENUE C 35218	POB 60 FT SW OF S INTER 14TH ST & AVE C TH SW 90 F
29.	22-13-4-14-03.000-RR	3125 33RD PL N 35207	S 33 FT OF LOT 17 BLK 4 MCCARTYS ADD TO NORTH BHAM

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30.	23-11-2-18-05.000-RR	8209 1ST AVE N 35206	LOT 22 BLK 141 EAST LAKE LAND CO LESS PT IN HWY R O W
31.	22-13-4-24-01.000-RR	2912 33RD ST N 35207	LOTS 54+52 BLK 4 EBORNS ADD TO NO BHAM
32.	22-13-1-10-53.000-RR	3357 33RD ST N 35207	LOT 28 DOUGLASVILLE GARDENS
33.	22-13-4-15-08.000-RR	3417 33RD AVE N 35207	LOT 8 BLK 3 DOUGLASSVILLE
34.	22-13-4-15-06.000-RR	3429 33RD AVE N 35207	LOT 6 BLK 3 DOUGLASVILLE
35.	22-13-4-16-06.000-RR	3419 32ND AVE N 35207	E 1/2 LOT 6 BLK 4 DOUGLASVILLE
36.	22-13-4-16-07.000-RR	3417 32ND AVE N 35207	W 1/2 LOT 6 BLK 4 DOUGLASVILLE
37.	22-13-4-16-09.000-RR	3413 32ND AVE N 35207	W 1/2 OF LOT 7 BLK 4 DOUGLASSVILLE
38.	29-30-3-15-10.000-RR	4407 WENONAH CT 35221	LOT 3 BLK 3 WENONAH SUB PLAT B
39.	22-31-2-09-03.000-RR	1407 AVENUE C 35218	POB 9.81 S OF INTER AVE C & ALLEY TH SW 85.4 FT AL
40.	22-31-2-09-05.005-RR	300 15TH ST 35218	PT OF BEG SW COR LOT 12 BLK 14-C ENSLEY TH SE 37 FT TH NE
41.	22-31-2-09-05.004-RR	304 15TH ST 35218	PT OF BEG 37 FT SE OF SW COR LOT 12 BLK 14-C ENSLEY TH SE
42.	22-31-2-09-05.003-RR	312 15TH ST 35218	PT OF BEG SE COR LOT 12 BLK 14-C ENSLEY TH NE 84 FT TH NW 37 FT TH SW 84 FT TH SE 37 FT
43.	22-31-2-09-05.002-RR	1417 AVENUE C 35218	COM INTERSECT ALLEY & AVE C IN BLK 14-C ENSLEY TH SE 61.6
44.	22-31-2-09-05.000-RR	308 15TH ST 35218	PT BLK 14-C ENSLEY DESC AS FOL PT OF BEG 37 FT NW OF INTER
45.	22-31-2-09-06.000-RR	1405 AVENUE C 35218	POB 52.5 FT SW OF W INTER 14TH ST & ALLEY TH SW 98FT S TO
46.	29-08-4-20-05.000-RR	1913 PEARSON AVE SW 35211	LOTS 5 & 6 BLK 9 OAKWOOD PLACE 1ST ADD
47.	29-08-4-20-07.000-RR	1917 PEARSON AVE SW 35211	LOT 3 & E 1/2 LOT 2 BLK 4 EUREKA
48.	22-12-3-08-54.000-RR	2934 42ND CT N 35207	P O B 209 FT S W OF NW INTER 42ND CT N & CHEEK RD TH W 40 FT S ALG R/W TH N 87 FT S TH E 37.5 FT TH S 100 FT D 85
49.	23-29-3-09-02.001-RR	4133 42ND ST S 35222	LOT 1-A MAZER RESURVEY OF LOTS 1 & 2 & 3 & 4 BLK 4 AVONDALE PB 192 PG 100
50.	23-28-3-13-05.000-RR	917 47TH WAY S 35222	LOT 5 BLK 8 J R PHILLIPS
51.	29-09-1-08-06.000-RR	1321 COTTON AVE.SW. 35211	POB NE INTER PEARSON AVE & COTTON AVE TH SW 30S FT

52.	29-09-4-08-16.000-RR	1261 15TH WAY SW 35211	LOT 320 BLK 15 CLEVELAND
53.	30-01-2-07-02.000-RR	529 ERIE ST 35064	LOT 1 & THE N 50 FT OF LOT 2 BLK 1 WM MORRIS SUR
54.	30-25-2-15-06.000-RR	5427 WINTERGREEN AVE 35228	W 60 FT OF BLK 55 CAIRO
55.	30-25-2-15-05.000-RR	5423 WINTERGREEN AVE 35020	E 30 FT OF W 90 FT OF BLK 55 CAIRO
56.	30-25-2-10-14.000-RR	5428 WINTERGREEN AVE 35020	LOTS 1 & 2 BLK 47 CAIRO
57.	23-07-4-16-10.000-RR	4209 INGLENOOK ST 35217	LOT 26 BLK 2 BENDALE
58.	22-11-4-09-01.000-RR	2867 41ST CT N 35207	LOTS 1 THRU 3 BLK 7 BOYDGA TERRACE
59.	22-12-3-15-16.000-RR	4140 29TH ST N 35207	LOT 11 BLK 1 MTN VIEW ADD TO NO BHAM
60.	22-12-3-15-02.000-RR	4143 FAIRMONT WAY 35207	N 33-1/3 FT LOT 14 BLK 1 MTN VIEW ADD TO NO BHAM & LOT 13-B BLK 1 MCCLUNG RESUR OF MTN VIEW PB 193
61.	22-12-3-08-56.000-RR	2938 42ND CT N 35207	P O B 139 FT S W OF NW INTER 42ND CT N & CHEEK RD TH W 35 FT S ALG R/W TH N 100 FT D 83 FT S TH E 34 FT S TH S 81
62.	22-14-1-22-07.000-RR	2609 41ST AVE N 35207	LOT 7 F T NORRIS ADD TO NO BHAM
63.	21-27-4-13-11.000-RR	1328 XAVIER ST 35224	LOT 8 BL 1 2ND ADD TO MINOR HGTS
64.	23-15-2-09-04.000-RR	3509 65TH ST N 35212	LOT 3 BLK 1 GROVELAND HTS
65.	23-15-2-08-15.000-RR	3628 66TH ST N 35206	LOT 11 BLK 4 GROVELAND HGTS
66.	30-01-1-11-10.000-RR	2808 AVENUE D 35218	LOT 11 BLK 5 ENSLEY DEV CO
67.	23-15-4-11-11.000-RR	7112 DIVISION AVE 35206	LOT 4 BLK 16 EAST LAKE
68.	22-12-3-03-03.000-RR	3006 46TH AVE N 35207	LOTS 4 & 5 BLK 1 LINCOLN HEIGHTS 15/68
69.	22-12-3-03-05.000-RR	3010 46TH AVE N 35207	LOTS 6 & 7 BLK 1 LINCOLN HEIGHTS
70.	22-12-3-04-91.001-RR	3003 46TH AVE N 35207	W 10 FT OF LOT 2 BLK 2 LINCOLN HEIGHTS
71.	22-12-3-04-90.000-RR	3007 46TH AVE N 35207	LOT 4 BLK 2 LINCOLN HEIGHTS
72.	22-12-3-04-89.000-RR	3011 46TH AVE N 35207	LOTS 5 6 & 7 BLK 2 LINCOLN HEIGHTS
73.	29-02-3-14-02.000-RR	57 3RD AVE S 35205	N 175 FT OF LOT 4 BLK 5 HAGOODS RESUB OF WALKER LAND COS ADD TO BHAM

CONSENT(ph)

ITEM 3.

A Resolution fixing a special assessment against the following properties for the abatement of noxious or dangerous weeds, from various resolutions adopted by the Council, and the **hearing** of all interested parties:. (Submitted by the City Attorney) (Recommended by Councillor Witherspoon, Chairperson, Public Improvement and Beautification Committee)

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|-----|-------------------------|--------------------------|---|
| 1. | 23-14-2-31-03.000-RR | 7625 4TH AVE S 35206 | LOT 12 BLK 86 EAST LAKE |
| 2. | 23-19-1-28-05.000-RR | 1116 COOSA ST 35234 | LOT 7 BLK 45 EAST BHAM LAND CO |
| 3. | 23-10-4-02-06.000-RR | 8033 5TH AVE N 35206 | LOT 18 BLK 12-D EAST LAKE |
| 4. | 22-32-2-09-22.001-RR | 2212 10TH PL 35214 | LOT 22 BLK 5 HUEY LAND CO |
| 5. | 22-14-1-13-02.000-RR-01 | 3704 27TH ST N 35207 | Lot 16-A Blk 43 Of A Resur Of Lots 16, 17, & 18 BI |
| 6. | 22-14-1-13-01.000-RR | 3708 27TH ST N 35207 | P O B 150S FT NW OF NW INTER 37TH AVE N & 27 TH |
| 7. | 22-13-3-03-03.000-RR | 2901 28TH PL N 35207 | LOTS 9 THRU 12 BLK 200 NORTH BHAM |
| 8. | 22-13-3-03-02.000-RR | 2909 28TH PL N 35207 | LOTS 6 & 7 & 8 BLK 200 NORTH BHAM |
| 9. | 22-13-3-04-01.000-RR | 2827 29TH AVE N 35207 | P O B INTER W LINE SO RAILWAY SYSTEM & L & N R R |
| 10. | 22-14-4-29-06.000-RR | 2600 28TH AVE N 35207 | Lot 11 Blk 1 ESTes Holding Co Resur Of S 1/2 Of B |
| 11. | 29-02-2-02-03.000-RR | 635 1ST CT N 35203 | POB 263 FT SW OF TH N INTER OF 1ST CT N & 1ST AVE N TH W 50 S |
| 12. | 22-35-4-29-11.000-RR | 920 1ST AVE N 35203 | LOTS 18 THRU 20 BLK 299 BHAM |
| 13. | 22-26-3-04-07.000-RR | 1313 13TH ST N 35204 | POB 180S FT N OF THE NE INTER OF 13TH AVE N & 13TH ST |
| 14. | 22-26-3-04-06.000-RR | 1315 13TH ST N 35204 | S 2 FT LOT 4 N 48 FT LOT 5 BLK C FOUNTAIN HTS |
| 15. | 22-26-3-10-01.000-RR | 1201 13TH ST N 35204 | P O B S E INTER OF 13TH ST N & 12TH CT N TH E 303.1 FT ALG CT TO E LINE S W 1/4 SEC 26 T 17 S R 3 W TH S 110 FT |
| 16. | 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 |
| 17. | 29-09-2-25-08.000-RR | 1729 PRINCETON AVE 35211 | LOT 5 BLK 69 WEST END |
| 18. | 22-14-1-17-05.000-RR | 3603 26TH ST N 35207 | POB 205 205 Ft SE Of SW Inter 37TH AVE N & Alley T |

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19.	22-14-1-17-04.000-RR	3609 26TH ST N 35207	POB 150 Ft SE Of SW Inter 37TH AVE N & Alley TH SE
20.	22-14-1-17-03.000-RR	3615 26TH ST N 35207	POB 100 FT SE Of SW Inter 37TH AVE N & Alley TH SE
21.	22-14-1-17-02.000-RR	3621 26TH ST N 35207	POB 50 FT SW Of SW Inter 37TH AVE N & Alley TH SW
22.	22-14-4-02-01.000-RR	3109 28TH PL N 35207	LOTS 1 THRU 4 BLK 180 NO BHAM ALSO VACATED ST LOCATED BETWEEN BLKS 160 & 180 NO BHAM
23.	30-16-4-04-03.000-RR	1221 Circle St 35061	DOLOMITE VILLAGE 5TH ADD LOT: 28
24.	30-16-1-04-05.000-RR	1338 CIRCLE ST 35061	LOT 4 BL 2 HENRY HUDSONS 1ST ADD TO DOLOMITE
25.	22-35-2-16-18.000-RR	1024 4TH ST N 35204	S 1/2 of N 1/2 of Lots 1 thru 3 Blk 11 Map of Smit
26.	22-35-2-15-03.000-RR	1031 4TH ST N 35204	POB SE Inter of 4th St N and 10th Ct N Th E 26 Ft
27.	22-35-2-15-05.000-RR	1017 4TH ST N 35204	S 50 FT OF LOTS 7 & 8 BLK 4 SMITHFIELD (NORTH)
28.	22-35-2-15-06.000-RR	1015 4TH ST N 35204	N 50 FT OF LOTS 9 & 10 BLK 4 MAP OF SMITHFIELD (NO
29.	22-35-2-16-14.000-RR	1010 4TH ST N 35204	S 1/2 OF N 76 FT S OF LOTS 15-16 BLK 11 MAP OF SMITHFIELD (NORTH)
30.	22-35-2-16-13.000-RR	1006 4TH ST N 35204	N 40 Ft S of S 124 Ft S of Lots 15 & 16 Blk 11 Map
31.	23-10-4-02-05.000-RR	8037 5TH AVE N 35206	LOT 17 BLK 12-D EAST LAKE
33.	23-11-3-08-12.000-RR	8113 1ST AVE S 35206	LOT 27 BLK 133 EAST LAKE
34.	22-35-2-18-07.002-RR	957 4TH ST N 35204	POB 75 FT S OF NW COR OF LOT 8 BLK 5 (NORTH) SMITHFIELD 1/149
35.	22-14-1-24-03.000-RR	2643 40TH AVE N 35207	LOT 3 BLK 2 NO BHAM LAND COS ADD NO 6
36.	22-14-1-24-17.000-RR	3936 27TH ST N 35207	LOT 4 BLK 2 EX N 100 FT NORTH BHAM LAND COS ADD NO 6
37.	22-14-1-25-01.000-RR	3919 27TH ST N 35207	P O B W INTER 27TH TERRACE N & ALLEY TH SW 178.1 FT ALG 39TH TERRACE TH E 101.5 FT TO ALLEY TH N
38.	22-14-1-24-15.000-RR	3928 27TH ST N 35207	LOT 8 BLK 2 NORTH LAND COS ADD NO 6
39.	22-14-1-25-02.000-RR	3917 27TH ST N 35207	P O B 200 FT N OF E INTER LOUISVILLE & NASHVILLE R R TH N 50 FT ALG 39 TERRACE TH E 101.5 FT TO ALLEY TH S 50 FT

40.	22-14-1-24-01.000-RR	2708 40TH AVE N 35207	LOTS 11-12 BLK 4 M C TYLER & J H BERRYS ADD TO FAIRMONT
41.	22-14-1-24-05.000-RR	2635 40TH AVE N 35207	LOT 5 & E 50 FT OF LOT 6 BLK 2 NO BHAM LD COS ADD NO 6
42.	22-14-1-24-04.000-RR	2639 40TH AVE N 35207	N 100 FT OF LOT 4 BLK 2 NO BHAM LAND COS ADD NO 6
43.	23-17-2-18-02.000-RR	4037 39TH AVE N 35212	LOTS 2 & 3 BLK 11 INGLENOK RLTY CO SUR BOYLES HIGHLANDS
44.	23-08-3-29-12.000-RR	4308 42ND AVE N 35217	LOT 7 BLK 3 MOUNTAIN PARK
45.	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
46.	22-35-2-18-08.000-RR	953 4TH ST N 35204	S 1/2 OF LOT 9 BLK 4 MAP SMITHFIELD
47.	22-34-1-12-19.000-RR	1020 2ND ST N 35204	N 50 FT OF S 100 FT OF LOTS 1+ 2+3 BLK 21 EX 10 FT OFF WLY SIDE OF LOT 3 RESERVED AS AN ALLEY SMITHFIELD (NORTH)
48.	22-34-1-12-18.000-RR	1016 2ND ST N 35204	N 140 FT LOTS 5-6 BLK 3 MAP OF SMITHFIELD (NORTH)
49.	22-34-1-12-17.000-RR	1012 2ND ST N 35204	N 78 FT OF LOT 16 BLK 21 SMITHFIELD (NORTH)
50.	22-23-2-37-07.000-RR	1706 26TH AVE N 35204	LOTS 19 & 20 BLK 272 NORTH BHAM
51.	22-26-2-21-09.000-RR	1647 5TH ST NORTH 35204	LOT 12 BLK 2 LEONARD HALLS SUR
52.	23-21-4-01-10.001-RR	5905 3RD AVE S 35000	LOT 2 HABITAT-WOODLAWN SURVEY #2 PB 171 PG 10
53.	23-21-4-01-04.000-RR	232 59TH PL S 35212	LOTS 11 THRU 13 IDEAL LAND & IMP CO
54.	23-21-1-23-15.000-RR	5984 GEORGIA RD 35212	P O B 132 FT S W OF INTER N LINE GEORGIA RD & E LINE NE 1/4 SEC 21 T17S R2W TH W 125 FT N 192.7 FT NE 80 S FT S 10
55.	23-19-4-23-08.000-RR	805 37TH PL N 35222	LOT 19 BLK 9 EAST BHAM
56.	29-21-2-25-01.000-RR	1805 LAUREL AVE 35211	LOTS 9 & 10 BLK 17 PLAT A ISHKOODA
57.	29-08-4-45-01.000-RR	1820 ALMEDA AVE SW 35211	LOT 1 & SW 17-1/2 FT OF LOT 2 BLK 2 C W BANTA SUR
58.	21-35-3-15-05.000-RR	4822 5TH AVE 35224	W 50 FT LOTS 6 THRU 8 BLK 10 HOBSON
59.	22-17-4-01-03.001-RR	1300 REPUBLIC RD 35214	N 330 FT OF NW 1/4 OF SE 1/4 SEC 17 TP 17 R 3W LYING W OF CHERRY AVE LESS COM NW COR OF SD NW 1/4 TH E 290 FT TH S 230 CONTINUED

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61.	30-26-1-08-15.000-RR	5301 MOLTON GRAY DR 35020	LOT 4 ROOSEVELT-CAIRO VILLAGE ADD #4
62.	30-25-2-12-10.000-RR	2953 ROGERS DR 35228	LOT 7 BL 34 CAIRO
63.	22-14-4-29-01.000-RR	2800 27TH ST N 35207	Lots 1 & 2 Blk 1 ESTes Holding Co Resur Of S 1/2 O
64.	22-14-4-29-02.000-RR	2622 28TH AVE N 35207	Lots 3 & 4 Blk 1 Estes Holding Co Resur of S 1/2 o
65.	22-14-4-13-04.000-RR	2725 27TH ST N 35207	N 50 Ft Of Lots 13 THru 16 Blk 242 N Bham
66.	22-14-4-13-05.000-RR	2721 27TH ST N 35207	Lot 13 THru 16 Blk 242 Exc The N 50 Ft
67.	22-14-4-29-05.000-RR	2608 28TH AVE N 35207	Lots 9 & 10 & 12 Blk 1 ESTes Holding Co Resur Of S
68.	21-26-4-05-19.000-RR	1130 INDIANA ST N 35224	LOTS 9+10 BLK 3 OAK RIDGE ADD TO ENSLEY
69.	21-26-4-05-20.000-RR	1132 INDIANA ST N 35224	LOTS 7 & 8 BLK 3 OAK RIDGE ADD TO ENSLEY
70.	21-26-4-01-124-000.RR	1416 NORTH INDIANA PL 35224	POB 74 Ft S Ne of NW Inter No Indiana PL & Oman AV
71.	21-26-4-01-124.002-RR	1422 NORTH INDIANA PL 35224	POB 190 FT S NE of NW Inter NO Indiana Pl & Oman A
72.	30-01-4-12-01.000-RR	3324 AVENUE E 35218	LOTS 7 & 8 BLK 33-D ENSLEY LD COS 15TH ADD TO ENSLEY
73.	22-14-4-14-10.000-RR	2700 28TH AVE N 35207	Lots 17 THru 32 Blk 222 No Bham
74.	22-23-1-01-01.000-RR	2701 27TH ST N 35204	LOTS 17 THRU 32 BLK 242 NORTH BHAM ALSO VACATED ALLEY LYING
75.	22-14-4-29-04.000-RR	2612 28TH AVE N 35207	Lots 6 & 7 & 8 Blk 1 ESTes Holding Co Resur Of S 1
76.	22-14-4-29-03.000-RR	2616 28TH AVE N 35207	Lot 5 Blk 1 ESTes Holding Co Resur Of S 1/2 Of Blk
77.	22-14-4-14-09.000-RR	2813 27TH ST N 35207	LOT 14 BLK 4 DOUGLASVILLE
78.	21-26-4-07-09.000-RR	1104 KNOXVILLE ST N 35224	LOT 14 BLK 4 DOUGLASVILLE
79.	21-26-4-07-12.000-RR	1120 KNOXVILLE ST N 35224	LOT 14 BLK 4 DOUGLASVILLE
80.	21-26-4-07-10.000-RR	1110 KNOXVILLE ST N 35224	LOTS 20 & 21 BLK 7 OAK RIDGE ADD TO ENSLEY EXC PT TAKEN BY
81.	21-26-4-05-18.000-RR	1128 INDIANA ST N 35224	LOTS 11 & 12 BLK 3 OAK RIDGE ADD TO ENSLEY
82.	23-11-1-27-17.000-RR	8408 5TH AVE S 35206	LOT 3 BLK 166 EAST LAKE
83.	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 F

84.	22-26-4-19-11.000-RR	1618 11TH CT N 35204	P O B 172.5 FT N E OF THE INTER OF N E LINE E ROW
85.	22-26-4-26-09.000-RR	1530 12TH CT N 35204	LOTS 16 & 17 & S 1/2 FT LOT 15 BANFILL TRACT
86.	22-26-4-26-08.000-RR	1510 12TH CT N 35204	E 1/2 OF LOTS 18-19 & E 1/2 OF S 1/2 OF LOT 20 BANFILL TRACT
87.	22-26-4-20-08.000-RR	1205 16TH ST N 35204	NAME: WARE J M SURVEY BLOCK: 19 LOT: 7
88.	22-23-4-21-04.000-RR	2311 21ST AVE N 35234	LOT 2307 M A MAY SUR
89.	22-23-4-07-14.000-RR	2207 21ST ST N 35234	POB SE CORNER OF LOT 12 J C WEST BROOK SURVEY TH SE 25 FT ALG 21ST ST N TH NE 35 FTS TH SE 5 FT S TH NE 115 FT TO
90.	23-14-1-05-01.000-RR	734 80TH PL S 35206	LOT 11 BLK 32 SOUTH HIGHLANDS OF EAST LAKE
91.	23-21-1-10-08.000-RR	125 60TH ST N 35212	LOT 4 EDWIN FULTON JR ADD TO WOODLAWN
92.	22-23-4-21-13.000-RR	2008 24TH ST N 35234	P O B 100 FT NW OF NW INTER 20TH AVE N & 24TH ST N TH NW 40 FT ALG 24TH ST N TO ALLEY TH SW 140 FT TO ALLEY

(ph)

ITEM 4.

A Resolution assenting to the vacation of 8,536 square feet of unopened 11th Avenue South that runs perpendicular to and between Highland Avenue and 24th Street South so that the owners can use the property for parking (existing apartment complex has on-street parking only), on behalf of Southside Investors II, LLC and Sterling Capital IV, LLC, owners, and the hearing of all interested parties, **Case No. SUB 2008-00112**. (Submitted by Councillor Witherspoon, Chairperson, Public Improvements Committee) (Recommended by the Subdivision Committee of the Birmingham Planning Commission and the Public Improvements Committee)**

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

ITEM 5.

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by transferring \$7,500,000.00 of Fund various projects and appropriating \$7,500,000.00 to Negro League Baseball Museum. (Submitted by the Mayor) (Recommended by the Director of Finance)**

ITEM 6.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by transferring \$67,915.27 of Fund 001 from Planning, Engineering and Permits – Salaries and Wages to Non Departmental – Capital Outlay-Land for the purchase of property located at 1600 – 8th Avenue West to develop a park. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 7.

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by appropriating \$134,500.00 to East Lake Library Renovations (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 8.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by transferring \$39,600.00 of Fund 001 General Fund from Equipment Management, Salaries and Wages and appropriating \$39,600.00 to Personnel, Other Professional Services to provide for fifty percent (50%) of the cost of the Special Master and Monitor, employed to resolve problems with personnel data interface as ordered by the U.S. District Court. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 9.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET AND CAPITAL FUND BUDGET” by transferring \$21,557.50 of Fund 102 Capital Improvement Fund from Linn Park Improvement and appropriating \$21,557.50 to Planning, Engineering and Permits for Horticulture Supplies and Equipment for improvements at Linn Park. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 10.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by appropriating \$41,734.24 of Fund 001 General Fund to Public Works, Overtime and \$14,645.67 to Equipment Management, Capital Outlay-Equipment for reimbursement of expenses related to evacuees from Hurricane Gustav. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 11.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by transferring \$428,000.00 of Fund 001 General Fund from Police Department, Salaries and Wages and appropriating \$428,000.00 to Public Works for Paint, Building Materials, Electrical and HVAC Repairs. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 12.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by appropriating \$575,000.00 of Fund 001 General Fund to Non Departmental, Telephone (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 13.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by appropriating \$93,893.00 of Fund 001 General Fund to Non Departmental, Animal Control. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 14.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by appropriating \$195,021.00 of Fund 001 General Fund to Non Departmental, Redevelopment Infrastructure Incentives for the annual Honda Project agreement. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

ITEM 15.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by appropriating \$95,000.00 of Fund 001 General Fund to Non Departmental, TCHA for the annual agreement. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

CONSENT

ITEM 16.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by transferring \$250.00 of Fund 001 General Fund from Non Departmental, District 4 – Council Discretionary Projects and appropriating \$250.00 to

Museum of Art, Educational Supplies for the purchase of art supplies for events scheduled at East Lake Park and Patton Park. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

CONSENT

ITEM 17.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by transferring \$10,000.00 of Fund 001 General Fund from Finance, Professional Fees – Consulting and appropriating \$10,000.00 to Mayor’s Office, Professional Fees – Consulting for Grant Writer agreement. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)**

CONSENT

ITEM 18.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET AND HUD BLOCK GRANT FUND BUDGET” by reducing the appropriations of Salaries and Benefits for positions transferred to the Mayor’s Office and to amend the General Fund Budget by appropriating \$48,192.32 of Fund 081 HUD Block Grant Fund to the Mayor’s Office for the cost of those positions (Submitted by the Mayor) (Recommended by the Director of Finance)**

ITEM 19.

A Resolution rescinding and repealing Resolution No. 460-09 and authorizing the Mayor to execute a Property Sales Contract with **Ralph A. Banks**, as seller, under which the City will purchase property located at 1600 - 8th Avenue West, for a purchase price of \$67,915.27, in connection with the creation of a public park and authorizing the Director of Finance to pay the purchase price, as adjusted for usual and customary closing adjustments, to the seller at closing.. (Submitted by the Mayor) (Recommended by the City Attorney)**

CONSENT

ITEM 20.

A Resolution to support the Southern High-Speed Rail Commission in the creation of a high-speed rail intercity passenger service and allocate matching funds for federal intercity passenger rail planning and construction programs. (Submitted by the City Attorney) (Recommended by the Transportation and Communications Committee, Councillor Reynolds Chairperson)

ITEM 21.

A Resolution appointing one (1) member to **Transit Advisory Committee** for two (2) years said term expiring March 31, 2011. (Submitted the City Attorney) (Recommended by Councillor Duncan, Chairperson, Transportation and Communication Committee)

ITEM 22.

A Resolution of intent by the Council to appropriate \$7,500,000.00 for the construction of a Negro League Baseball Hall of Fame Museum at Rickwood Field. (Recommend and Submitted by the Mayor)

CONSENT**ITEM 23.**

A Resolution determining that the Birmingham Weed and Seed Program's community based innovative, comprehensive multi-agency approach to law enforcement, crime prevention and community revitalization program which is sponsored by the U.S. Department of Justice and is currently located at 1528 Carraway Boulevard, Suite 600 serves a public purpose that promotes goodwill and serves a public interest (Submitted by Council President Smitherman, Chairperson, Administration, Budget and Finance Committee) (Recommended by the Administration, Budget and Finance Committee)

CONSENT**ITEM 24.**

A Resolution determining that the **American Cancer Society's for Life of Urban Birmingham** event that is being held Friday, May 8, 2009 at Linn Park, serves a public purpose that promotes goodwill and serves a public interest and city funds in the amount of \$5,000.00 be used to pay for this event. The City Council will appropriate \$2,500.00 and the Mayor will make a matching contribution of \$2,500.00. [GL Account: 001_010_04200.527-014, **Consulting Fees**] (Submitted by Council President Smitherman, Chairperson, Administration, Budget and Finance Committee) (Recommended by the Administration, Budget and Finance Committee)**

CONSENT**ITEM 25.**

A Resolution determining that the **American Red Cross Paint the Town Red Art Festival** that is being held Friday, June 13, 2009 in The Loft District of Downtown Birmingham serves a public purpose that promotes goodwill and serves a public interest and city funds in the amount of \$10,000.00 be used to pay for this event. The City Council will appropriate \$5,000.00 and the Mayor will make a matching contribution of \$5,000.00. [GL Account: 001_010_04200.527-014, **Consulting Fees**] (Submitted by Council President

Smitherman, Chairperson, Administration, Budget and Finance Committee)
(Recommended by the Administration, Budget and Finance Committee)**

CONSENT

ITEM 26.

A Resolution approving the appointment of **Kimberly Richardson Consulting**, Birmingham, in an amount not to exceed \$10,000.00, to provide grant writing services to assist the City of Birmingham in applying for Federal and State competitive funds available through the American Recovery and Reinvestment Act and other public sources, and authorizing the Council President to execute the appointment letter. [**Appropriated in the FY2008-2009 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

ITEM 27.

A Resolution fixing a Sales Tax Assessment in the amount of \$12,861.60, against Cosmos. Inc. and William W. Deason, the person responsible for the collection and remittance of the tax, doing business as **Cosmos Pizza** for the period of December, 2005; February, 2006; March, 2008; October, 2008 through December, 2008 (Submitted by the Mayor) (Recommended by the Director of Finance)

ITEM 28.

A Resolution fixing a Sales Tax Assessment in the amount of \$1,885.00, against Savaigaea, Roslyn A., the person responsible for the collection and remittance of the tax, doing business as **Tyme 2 Shyne** for the period of August, 2008 through December, 2008 (Submitted by the Mayor) (Recommended by the Director of Finance)

CONSENT

ITEM 29.

A Resolution accepting the lump sum bid of **Coating Systems, LLC.**, 24884 Highway 31, Jemison, AL 35085, in the amount of \$97,810.00, to make structural repairs at Legion Field, Birmingham, this being the lowest bid submitted meeting specifications, and authorizing the Mayor to execute the contract in accordance with said bid. [**Appropriated in the FY2009 PR129CP 003502**] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (Six Bids Submitted)

CONSENT**ITEM 30.**

A Resolution accepting the lump sum bid of **Tech Systems, Inc.**, 3400 Corporate Way, Suite F, Duluth, GA 30096 in the amount of \$25,871.00, to install security management system for the fourth floor (narcotics) of the Birmingham Police Department Administration Building, Birmingham, this being the lowest bid submitted meeting specifications, and authorizing the Mayor to execute the contract in accordance with said bid. [**Appropriated in the FY2008 Budget; 031_202_39000_39001.600-010**] (Submitted and Recommended by the Mayor) (One Bid Submitted)

CONSENT**ITEM 31.**

A Resolution accepting and approving the bid of **American Osment**, Birmingham, for the purchase of paper products as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the City Store Warehouse, this being the lowest bid submitted meeting specifications and being no more than three percent (3%) greater than that of the low bidder who has no place of business in the corporate city limits of Birmingham and American Osment is located in the City. Low bids do not have a local stock of goods as required per the specifications, required an unacceptable minimum order and bid the wrong grade of product. [**Appropriated in the FY 2008-2009 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Twelve Bids Submitted)**

CONSENT**ITEM 32.**

A Resolution accepting and approving the bid of **Budget Janitorial Supply Inc.**, Pelham, AL, for the purchase of paper products as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the City Store Warehouse, this being the lowest bid submitted meeting specifications; low bidder has no local stock of goods as required per specifications. [**Appropriated in the FY 2008-2009 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Twelve Bids Submitted)**

CONSENT**ITEM 33.**

A Resolution accepting and approving the bid of **Central Paper Company Inc**, Birmingham, for the purchase of paper products as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the City Stores Warehouse, this being the lowest bid submitted meeting specifications low bids required an unacceptable minimum order, or has no local stock of goods as required per specifications.

[Appropriated in the FY 2008-2009 Budget] (Submitted by the Mayor)
(Recommended by the Purchasing Agent) (Twelve Bids Submitted)

CONSENT

ITEM 34.

A Resolution accepting and approving the bid of **Mac Paper**, Birmingham, for the purchase of paper products as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the City Stores Warehouse, this being the lowest bid submitted.

[Appropriated in the FY 2008-2009 Budget] (Submitted by the Mayor)
(Recommended by the Purchasing Agent) (Twelve Bids Submitted)

CONSENT

ITEM 35.

A Resolution accepting and approving the bid of **Strickland Paper Company Inc.**, Birmingham, for the purchase of paper products as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the City Stores Warehouse, this being the lowest bid submitted. **[Appropriated in the FY 2008-2009 Budget]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management) (Twelve Bids Submitted)

CONSENT

ITEM 36.

A Resolution accepting and approving the bid of **Davlin, LLC** Columbiana, AL, for the purchase of abatement services for overgrown, privately owned lots in Quadrant III as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the Public Works Department, this being the lowest bid submitted meeting specifications. Lower bidder was awarded Quadrant II.

[Appropriated in the FY 2008-2009 Budget] (Submitted by the Mayor)
(Recommended by the Purchasing Agent and the Director of Public Works Department) (Twenty-nine Bids Submitted)

CONSENT

ITEM 37.

A Resolution accepting and approving the bid of **DKM Enterprises, Inc.**, Birmingham, for the purchase of abatement services for overgrown, privately owned lots in Quadrant IV as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the Public Works Department, this being the lowest bid submitted. Lower bidder was awarded Quadrant II.

[Appropriated in the FY 2008-2009 Budget] (Submitted by the Mayor) (Recommended by the

Purchasing Agent and the Director of Public Works Department) (Twenty-nine Bids Submitted)

CONSENT

ITEM 38.

A Resolution accepting and approving the bid of **Tater Creek Farms** Birmingham, for the purchase of abatement services for overgrown, privately owned lots in Quadrant I as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the Public Works Department, this being the lowest bid submitted. [**Appropriated in the FY 2008-2009 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works Department) (Twenty-nine Bids Submitted)

CONSENT

ITEM 39.

A Resolution accepting and approving the bid of **X-treme Brushcutters**, Birmingham, for the purchase of abatement services for overgrown, privately owned lots in Quadrant II as needed at unit prices on file in the Office of the Purchasing Agent, for a period of six (6) months and month to month thereafter, for the Public Works Department, this being the lowest bid submitted. [**Appropriated in the FY 2008-2009 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works Department) (Twenty-nine Bids Submitted)

ITEM 40.

A Resolution accepting and approving the bid of **Brannon Honda**, for the purchase of one (1), 2009 Compressed Natural Gas Powered Honda Civic GX in the amount of \$24,213.18 for the Mayor's Office to be funded under the master lease agreement with Regions Equipment Finance Corporation, this being the lowest bid submitted. [**Appropriated in the FY 2008-2009 Budget; GL Account: 001_034_99999.600-015**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works Department) (---- Bids Submitted)

ITEM 41.

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

OLD AND NEW BUSINESS

PRESENTATIONS

REQUESTS FROM THE PUBLIC

ADJOURNMENT

NOTE: The following matter was withdrawn:

Those properties declared by Resolution No. 388-09 on March 10, 2009 to be noxious and dangerous, whereon said weeds have been abated:

- 4. 30-25-3-03-01.000-RR 5301 WATSON AVE 35221 NE 1/2 OF LOT 1 BLK 1 TENN LD COS
1ST ADD TO HILLMAN

Those properties declared by Resolution No. 389-09 on March 10, 2009 to be noxious and dangerous, whereon said weeds have been abated:

- 32. 23-15-1-02-11.000-RR 7718 DIVISION AVE 35206 LOT 5 BLK 91 EAST LAKE
- 60. 30-25-3-18-02.000-RR 2127 JEFFERSON AVE SW 35221
BEG AT THE INTER OF SE R/W OF AVE K & SW R/W CAIRO ST TH SWLY 226.3 FT TH SE 118.4 FT TH NE 195 FT TH NW 137 FT TO CONTINUED SECTION 25 TOWNSHIP 18S RANGE 4W