

AGENDA

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

February 17, 2009 - - 9:30 A.M.

WEB SITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Mashod Evans, Pastor of St. John A.M.E. Church

PLEDGE OF ALLEGIANCE: Councilmember Valerie Abbott

ROLL CALL

APPROVAL OF MINUTES FROM A PREVIOUS MEETING: November 12 and 18, 2008

MINUTES NOT READY: November 25, 2008 – February 3, 2009

COMMUNICATIONS FROM THE MAYOR

NOMINATIONS TO BOARDS AND AGENCIES

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

- (ph) **ITEM 1.**
A Resolution relative to the application of E. K. Shellman and Company, Inc. for a Lounge Retail Liquor Class I License to be used at **Esther's Lounge**, 1606 – 2nd Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Montgomery, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee) (Deferred from 2/10/09 to 2/17/09)
- (ph) **ITEM 2.**
A Resolution relative to the application of Ranfre, Inc. for the transfer of an Off Premise Beer and Wine License to be used at **R & F**, 5612 – 1st Avenue South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Montgomery, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)
- (ph) **ITEM 3.**
A Resolution revoking the Certificates of Public Necessity and Convenience issued to **Pinnacle Limousine**, 204 Sam Pate Drive, Birmingham, to operate a limousine service, for failure to file the required liability insurance, and the **hearing** of all interested parties. (Submitted by the City Attorney)
- ITEM 4.**
A Resolution approving the contract with **Jefferson State Community College**, Birmingham, in an amount not to exceed \$200,000.00, to implement programs for improvements to and the purchase of computer equipment for the Birmingham Educational Center Laboratory, offer an extensive curriculum of technology, business and professional development assistance, and provide meeting facilities for workshops and seminars for the City of Birmingham citizens, businesses, schools, and organizations, and authorizing the Mayor to execute the contract. [**Appropriated in the FY2009 Budget; GL Account: 001_400_96700_96744.550-008**] (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Deferred from 2/10/09 to 2/17/09)

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 5.

A Resolution authorizing the Mayor to enter into a Supplemental Agreement – Number 2 with **the State of Alabama, acting by and through the Alabama Department of Transportation** for the resurface of Oporto-Madrid Boulevard from Montclair Road to 72nd Street Phase 3. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

CONSENT

ITEM 6.

A Resolution approving the contract with **J J's Freedom Center, Inc.**, Birmingham, in an amount not to exceed \$25,000.00, to provide adult education and programs for older citizens, after school and summer programs as a comprehensive educational enhancement initiative, help redirect children toward positive ideas and goals for themselves, their families and the community and extracurricular activities, and authorizing the Mayor to execute the contract. [**Appropriated in the FY2009 Budget; GL Account: 001_400_96700_96745.550-008**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

CONSENT

ITEM 7.

A Resolution approving the contract with **United Negro College Fund**, in an amount not to exceed \$100,000.00, to provide scholarships to deserving, financially challenged Birmingham area students, continue to fulfill a leadership role in the education of our future leaders working to close the educational attainment gap between African Americans and the majority population, and authorizing the Mayor to execute the contract. [**Appropriated in the FY2009 Budget; GL Account: 001_400_96700_96731.550-008**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

CONSENT

ITEM 8.

A Resolution approving the appointment of **Development Solutions, Inc.**, Annapolis, Maryland, in the amount of \$9,700.00, to provide economic development consulting services, and authorizing the Mayor to execute the appointment. [**Appropriated in the FY2009 Budget; GL Account: 001_000.527-050**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Economic Development)

ITEM 9.

A Resolution determining that **the District Seven Town Hall Meeting** to be held Friday, February 20, 2009 at Shiloh Baptist Church, 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 Council President Pro Tempore Witherspoon)**

ITEM 10.

A Resolution requesting that the Mayor authorize City personnel place the plans and schematics of the Fair Park Revitalization in the Five Points West Library for public consumption. (Submitted and Recommended by Councillor Hoyt)

ITEM 11.

A Resolution appointing one (1) member to **the Birmingham Library Board** for term expiring December 31, 2013. (Submitted by Councillor Royal, Chairman, Education and Community Service Committee) (Recommended by the Education and Community Service Committee)

CONSENT

ITEM 12.

A Resolution determining that the building or structure located at 7933 – 8th Avenue South (Rear Garage), 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 fixing a special assessment in the amount of \$23,385.00 against the property located at 3536 Norwood Boulevard, Birmingham, for the cost incurred for the demolition of an unsafe building or structure (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 14.

A Resolution fixing a special assessment in the amount of \$22,310.00 against the property located at 6700 Frankfort Avenue South, Birmingham, for the cost incurred for the demolition of an unsafe building or structure (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 15.

A Resolution fixing a special assessment in the amount of \$16,480.40 against the property located at 1117 Cullom Street South, Birmingham, for the cost incurred for the demolition of an unsafe building or structure (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 16.

A Resolution fixing a special assessment in the amount of \$2,648.00 against the property located at 1515 Avenue J 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 17.

A Resolution fixing a special assessment in the amount of \$8,526.80 against the property located at 2505 – 36th 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 18.

A Resolution fixing a special assessment in the amount of \$8,938.00 against the property located at 2912 Avenue Y 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 19.

A Resolution fixing a special assessment in the amount of \$5,981.00 against the property located at 1425 Woodland Avenue SW, 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 20.

A Resolution fixing a special assessment in the amount of \$7,716.00 against the property located at 7132 – 4th 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 21.

A Resolution fixing a special assessment in the amount of \$3,652.00 against the property located at 1332 – 34th Street West, 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 \$1,860.00 against the property located at 140 – 57th Street South, Birmingham, for the cost incurred for the demolition of an unsafe building or structure (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 23.

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a building permit to **Charles Duggan**, the owner or agent of the property located at 4115 – 4th Avenue South, Birmingham, which was condemned by the Council May 20, 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, one (1) permit having been voided due to the lack of substantial repairs. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 24.

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a building permit to **Harold E. Thompson**, the owner or agent of the property located at 924 Dublin Avenue, Birmingham, which was condemned by the Council September 9, 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, no previous permits having been requested. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 25.

A Resolution accepting the lump sum bid of **Craneworks**, Birmingham, in the amount of \$41,000.00, to provide equipment, labor and material for the removal and relocation of the steam locomotive and tender for the Fair Park Renovations, this being the lowest bid submitted meeting specifications, and authorizing the Mayor to execute the contract in accordance with said bid. [G/L Account 129_342.527-014] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (One Bid Submitted)

CONSENT

ITEM 26.

A Resolution approving payment to **Yale University Art Gallery**, New Haven, Connecticut, in the amount of \$100,000.00 for participation fee for the exhibition entitled Life, Liberty and the Pursuit of Happiness: Art and the American Experience, 1660-1893, from the Yale University Art Gallery, for October 4, 2009 through January 10, 2010, for the Birmingham Museum of Art, this being the only source of supply. [Appropriated in the FY 2009 Budget; GL Account: 001_080_03535.534-021] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of the Museum of Art)

CONSENT

ITEM 27.

A Resolution authorizing the Director of Finance to make one (1) refund in the amount of \$2,819.57. (Submitted by the Mayor) (Recommended by the Director of Finance)**

ITEM 28.

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

Johnathan Austin, Councilor, City Council, Washington, D.C., \$895.00, March 13 – 18, 2009, to attend National League of Cities Conference.

ITEM 29.

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

ITEM 30.

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

CONSENT

ITEM 31.

A Resolution ordering the installation of fire hydrants at Crestwood Boulevard, approximately 240 feet west of Cresthill Road, Birmingham.
[Appropriated in the FY2009 Budget; Object Code 001_002_16100.531.007; Condense Code FSA] (Submitted by the Mayor)
(Recommended by the Fire Chief)

OLD AND NEW BUSINESS

PRESENTATIONS

REQUESTS FROM THE PUBLIC

ADJOURNMENT