

AGENDA

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

May 12, 2009 - - 9:30 A.M.

WEB SITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Dr. Willie B. O’Neal, Pastor of Mt. Canaan Full Gospel Church

PLEDGE OF ALLEGIANCE: Councilmember Carol Duncan

ROLL CALL

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: January 6 and 13, 2009

MINUTES NOT READY: January 20 – May 5, 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

(ph) ITEM 1.
An Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2009-00001**) to change zone district boundaries from PRD Planned Recreational District to B-3 Community Business District, filed by Tarver Consulting and Development Company, applicant, representing the owner, the City of Birmingham, for those City-owned properties comprising the Fair Park complex and generally located at 2331 Bessemer Road and situated in the NE¼ of Section 5, Township 18 South, Range 2 West Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Abbott, Chairperson, Planning and Zoning Committee) (Recommended “Q”B-3 by the Birmingham Planning Commission and the Planning and Zoning Committee)**

(ph) ITEM 2.
A public hearing on the renewal of the Cable Franchise Agreement submitted by **Bright House Networks, LLC**. (Submitted by the City Attorney) (Recommended by the Administration, Budget and Finance Committee)

(ph) ITEM 3.
A Resolution relative to the application of **Jesse Carl Samuel**, 502 Avenue U, Birmingham, for an Itinerant Junk Dealer’s Permit, and the **hearing** of all interested parties. (Submitted by the City Attorney) (No Recommendation from the Public Safety Committee and the Chief of Police)**

CONSENT(ph) ITEM 4.
A Resolution revoking the Private Investigator’s Permit issued to James E. McConnell, Jr., d/b/a **McConnell Night Hawk Detective Agency, Inc.**, 525 Shades Crest Road, Birmingham, for failure to file the required surety bond, and the **hearing** of all interested parties. (Submitted by the City Attorney)

CONSENT(ph) ITEM 5.
A Resolution revoking the Outdoor Café Permit issued to **Roma’s LLC**, 207-A North 20th Street, Birmingham, for failure to file the required liability insurance, and the **hearing** of all interested parties. (Submitted by the City Attorney)

CONSENT(ph) 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 Witherspoon, Chairperson, Public Improvements and Beautification Committee)

1	29-17-4-20-10.000-RR	2020 CARLOS AVE SW 35211	LOTS 213 & 214 COLLEGE PARK
2	29-06-4-13-14.000-RR	1516 33RD ST 35208	LOT 17 BLK 23 BHAM ENSLEY
3	29-17-4-14-27.000-RR	2204 SNAVELY AVE SW 35211	LOTS 101 & 102 NABERS LAND CO 2 ND ADD TO COLLEGE PARK
4	22-14-1-02-02.000-RR	4029 28TH WAY N 35207	LOTS 3 & 4 BLK 9 FAIRMONT
5	29-17-4-19-11.000-RR	2205 DAWSON AVE SW 35211	LOT 182 COLLEGE PARK
6	29-19-3-21-05.000-RR	3916 ELLIS AVE SW 35221	LOT 8 BLK 18 PARK PLACE
7	22-26-3-17-06.000-RR	430 12TH TER N 35204	LOT 38 C J MCCARY SUB
8	29-19-2-06-02.000-RR	3501 BESSEMER AVE SW 35221	LOT 11 BLK 9 PARK PLACE
9	29-06-1-26-11.000-RR	2619 COURT R 35218	LOT 10 BLK 60 ENSLEY HGLDS
10	29-17-4-18-19.000-RR	2232 DAWSON AVE SW 35211	LOT 132 COLLEGE PARK
11	29-17-3-19-06.000-RR	1732 26TH ST SW 35211	LOT 4 NABERS LD CO 2ND ADD TO COLLEGE PARK
12	23-14-2-05-07.000-RR	7808 3RD AVE S 35206	LOT 3 BLK 104 EAST LAKE
13	29-17-3-19-05.000-RR	1728 26TH ST SW 35211	NABERS 2ND-COLLEG 29-17- BLOCK: N/A* LOT: 5
14	22-29-2-42-04.000-RR	341 AVENUE T 35214	N 1/2 OF LOT 7 BLK 7 HUEY PARKER BARKER ET AL
15	22-26-3-08-04.000-RR	1129 12TH CT N 35204	P O B 166 FT W OF THE S W INTER OF 12TH ST N & 12TH CT N TH W 42 FT ALG CT TH S 140 FT TO ALLEY TH E 42 FT TH N
16	22-26-3-06-11.000-RR	1200 12TH CT N 35204	LOT 9 & W 15 FT LOT 8 BLK A FOUNTAIN HGTS
17	22-26-3-07-19.000-RR	1128 12TH CT N 35204	P O B 200S FT W OF THE N W INTER OF 12TH ST N & 12
18	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

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19	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
20	23-29-2-14-35.000-RR	4284 MORRIS AVE 35222	LOT A J H SHERERS RESUR OF LOTS 18-19-20-21 & W 36 FT OF LOT 22 BLK 2 LAIRD FALL & WEISNER SUR
21	23-20-4-33-09.001-RR	NEXT TO 4764 1ST AVE N 35000	LOT 4 BLK 3 SURVEY OF ELINOR 4/34
22	30-21-1-09-10.000-RR	1547 WHITE ST 35061	LOT 8 DOLOMITE VILLAGE 2ND ADD
23	29-03-1-08-05.000-RR	521 1ST ST SW 35211	LOTS 23 & 24 BLK A WEST BIRMINGHAM
24	22-30-4-45-04.000-RR	825 AVENUE F 35214	W 10 Ft Lot 11 & All of Lots 12 THru 16 Blk 8-E En
25	29-17-3-15-03.000-RR	3009 SNAVELY AVE SW 35211	POB SE INTER OF 31ST ST SW & SNAVELY AVE SW TH S 100 FT ALG 31ST ST SW TH E 93 FT TH N 100 FT TO SNAVELY AVE SW TH W 93 CONTINUED
26	29-01-3-11-01.000-RR	1169 11TH AVE S 35205	COM SE INTER OF 11TH AVE SO & 11TH PL SO TH E 220 FT TO POB TH N 12 FT TH NE 66.1 FT TH SE 31.3 FT TH S 137.7 FT TH W 80 CONTINUED
27	29-01-3-10-07.000-RR	1113 CULLOM ST S 35205	P O B 275 FT N OF THE E INTER OF 14TH AVE S & CULLOM ST TH N 50 FT ALG ST TH E 136.5 FT TO ALLEY TH S 50 FT TH W 136.5 FT CONTINUED
28	22-20-3-32-04.000-RR	1109 HIXON AVE 35214	POB INTER NE COR LOT 1-A RES 171/61 & HIXON ST TH SE 53 FT TH S 150 FT TH W 46 FT TH N 165 FT TO POB SECT 20 TWSP 17S
29	22-11-3-01-27.000-RR	2312 42ND AVE N 35207	LOT 34 BLK 2 WASHINGTON HTS 16/51
30	22-15-3-07-12.000-RR	508 37TH TER W 35207	LOT 18 BLK 1 A J HOOPER SUB
31	22-15-3-15-03.000-RR	511 37TH TER W 35207	Lots 4 & 5 Blk 8 A J Hoopers Sub
32	22-15-3-15-04.000-RR	521 37TH TER W 35207	LOTS 6 & 7 & 8 BLK 8 A J HOOPERS SUB
33	22-15-3-09-04.000-RR	453 38TH AVE W 35207	Lots 8 & 9 Blk 3 A J Hooper Sub
34	22-15-3-09-05.000-RR	457 38TH AVE W 35207	Lot 10 Blk 3 aJ Hooper Sub Sec 15 TP 17 R 3
35	22-27-4-18-03.000-RR	1319 2ND PL N 35204	W 1/2 Of Lot 6 Blk 8 Map Of New Zealand
36	22-26-3-17-05.000-RR	428 12TH TER N 35204	LOT 39 C J MCCARY SUB

37	23-21-1-14-16.000-RR	132 58TH ST N 35212	BEG 216.3 S FT SE OF SW INTER OF 2ND AVE N & 58TH ST TH SE 55 FT SW-150 FT NW-50 FT NE 155 FT TO P O B LOT 5 & PT OF CONTINUED
39	29-16-3-01-52.000-RR	221 GLORIA RD SW 35211	Lot 10 Blk 6 Powderly Hills
40	29-17-4-20-08.000-RR	2032 CARLOS AVE SW 35211	LOTS 209 & 210 COLLEGE PARK
41	29-17-4-20-09.000-RR	2028 CARLOS AVE SW 35211	LOTS 211 & 212 COLLEGE PARK
42	29-17-4-20-11.000-RR	2008 CARLOS AVE SW 35211	LOTS 215 THRU 217 COLLEGE PARK 10/113
43	29-29-4-01-08.000-RR	1016 CORAL ST 35211	LOT 8 BL 1 WEBBTOWN
44	23-03-2-16-16.000-RR	1621 90TH ST N 35206	LOT 5 BLK 3 HOOVERS RESUR OF BLKS 1-3-4-5 PLEASANT VIEW HTS
45	22-20-3-24-07.000-RR	405 NELSON AVE 35214	POB 52 FT N OF E INTERSECT HIXON ST & NELSON AVE TH N 53 FT TH E 82 FT TH S 53 FT TH W 82 FT TO POB
46	22-20-3-32-02.000-RR	1119 HIXON AVE 35214	POB 122S FT ELY OF INTERSEC NE COR LOT 1 WAINWRIGHT ADD TO PRATT CITY & HIXON ST TH E 41S FT ALG HIXON ST TH 142S FT TH
48	22-26-3-17-04.001-RR	422 12TH TER N 35204	SO 50 FT OF LOT 40 LESS 10 FT OF EASTSIDE OF LOT 40 FOUNTAIN HTS 1/79
49	22-26-3-22-15.000-RR	1216 5TH ST N 35204	S 50 FT OF LOTS 20+21 C J MCCARY TRUSTEE
50	22-26-3-21-01.000-RR	410 12TH AVE N 35204	E 42 FT OF BLK 10 MCDANIEL SUR
51	22-26-3-20-04.000-RR	316 12TH AVE N 35204	W 42 FT BLK 9 MCDANIEL SUR
52	22-27-4-28-08.000-RR	300 12TH TER N 35204	W 25 FT LOTS 1 & 2 BLK 6 MAP OF NEW ZEALAND
53	22-27-4-18-01.000-RR	1331 2ND ST N 35204	LOT 8 BLK 8 MAP OF NEW ZEALAND
54	22-22-4-08-33.000-RR	2320 13TH PL N 35204	LOT 33 BLK 3 JULIUS ELLSBERRY PARK
55	22-22-4-15-09.000-RR	1116 22ND AVE N 35204	LOT 12 BLK 358 NO BHAM 4TH ADD
56	29-17-3-21-25.000-RR	2508 DAWSON AVE SW 35211	LOTS 119 THRU 121 COLLEGE PARK RESUB
57	29-11-2-05-14.000-RR	48 17TH AVE S 35205	LOT 30 BLK 2 BENJAMINS ADD TO BIRMINGHAM
58	29-03-2-08-13.000-RR	516 2ND PL SW 35211	LOTS 22 THRU 24 BLK C WEST BHAM

59	22-20-3-33-02.000-RR	901 HIXON AVE 35214	P O B 450S FT NE OF S INTER HIXON ST & AMORY RD TH NE 95S FT ALG HIXON ST TH SE 203S FT TH SW 125S FT TH NW 200S FT TO
60	29-16-3-08-09.000-RR	1824 HENRY CRUMPTON DR SW 35211	LOT 7 BLK 4 POWDERLY HILLS
62	29-30-2-36-10.000-RR	3913 WILLARD AVE SW 35221	LOTS 7-8-9 & 10 BLK 2 GRASSELLI SOUTH HGLDS
63	29-30-2-11-01.000-RR	3901 VIOLA AVE 35221	LOT 15 BL 2 M A HINES 1ST ADD TO POWDERLY
64	29-30-2-36-12.000-RR	3922 WILLARD AVE SW 35221	LOT 5 BL 2 GRASSELLI S HGLDS
66	22-11-3-01-21.000-RR	2230 42ND AVE N 35207	LOT 28 BLK 2 WASHINGTON HTS 16/51
67	22-14-2-14-02.000-RR	4161 22ND ST N 35207	P O B 180 FT S W OF THE INTER OF W LINE I-65 N LINE SEC 14
68	22-15-3-06-12.000-RR	536 37TH AVE W 35207	Lot 1 & 2 Blk 5 Mid Town
69	22-15-3-06-13.000-RR	528 37TH AVE W 35207	LOT 3 BLK 5 MID TOWN
70	22-15-3-07-13.000-RR	500 37TH TER W 35207	Lots 19 & 20 Blk 1 A J Hooper Sub
71	22-34-4-18-07.000-RR	465 2ND ST N 35204	S 40 FT OF LOTS 7 AND 8 BLK 24 MAP OF SMITHFIELD
72	22-34-4-18-06.000-RR	467 2ND ST N 35204	N 40 FT OF THE S 80 FT OF LOTS 7 & 8 BLK 24 MAP OF
73	22-34-4-02-24.000-RR	614 3RD ST N 35204	N 33.3 FT OF LOTS 15 & 16 & N 33.3 FT OF THE E 15 FT OF LOT 14 BLK 26 MAP OF SMITHFIELD TAX G (SOUTH)
74	22-34-4-02-01.000-RR	227 8TH AVE N 35204	Lots 1 & 2 Blk 26 Map Of Smithfield (S)
75	22-34-4-24-01.000-RR	440 3RD ST N 35204	LOTS 1 & 2 BLK 23 MAP OF (SOUTH) SMITHFIELD
76	22-14-3-27-06.000-RR	3118 20ST ST N 35207	LOT 1 BLK 170 NORTH BHAM
77	22-14-3-26-01.000-RR	1931 33RD AVE N 35207	E 1/2 LOT 1 ALL LOT 2 BLK 150 NORTH BHAM
78	22-14-4-48-01.001-RR	2325 32ND AVE N 35207	LOT 3 BLK 166 NORTH BHAM LAND CO 1/111
79	22-14-3-23-06.000-RR	2200 32ND AVE N 35207	LOT 12 & W 1/2 LOT 11 BLK 147 NORTH BHAM
80	22-14-3-24-16.000-RR	3220 22ND ST N 35207	LOT 1 & SLY 7 FT OF LOTS 2 & 3 BLK 148 NORTH BHAM
81	22-14-3-19-07.000-RR	2112 33RD AVE N 35207	LOT 15 BLK 128 NORTH BHAM
82	29-17-4-19-04.000-RR	2113 DAWSON AVE SW 35211	LOTS 174 & 175 COLLEGE PARK

83	29-17-4-19-07.000-RR	2129 DAWSON AVE SW 35211	LOT 178 COLLEGE PARK
84	29-17-4-19-08.000-RR	2133 DAWSON AVE SW 35211	LOT 179 COLLEGE PARK
85	29-17-4-18-25.000-RR	2208 DAWSON AVE SW 35211	LOT 138 COLLEGE PARK
86	29-17-4-18-24.000-RR	2212 DAWSON AVE SW 35211	LOT 137 COLLEGE PARK
87	29-17-4-14-30.000-RR	2128 SNAVELY AVE SW 35211	LOT 98 NABERS LD CO 2ND ADD TO COLLEGE PARK
88	29-17-4-14-33.000-RR	2116 SNAVELY AVE SW 35211	LOT 95 NABERS LD CO 2ND ADD TO COLLEGE PARK
89	29-17-4-17-10.002-RR	2032 DAWSON AVE SW 35211	LOTS 154 COLLEGE PARK PB 10 PG 11
90	29-17-4-17-10.001-RR	2028 DAWSON AVE SW 35211	LOT 153 COLLEGE PARK
91	29-17-4-17-10.000-RR	2024 DAWSON AVE SW 35211	LOTS 154 COLLEGE PARK PB 10 PG 11
92	29-17-4-17-10.003-RR	NEXT TO 2024 DAWSON AVE SW 35211	LOT 155 COLLEGE PARK PB 10 PG 11
93	22-35-2-17-07.000-RR	308 9TH CT N 35204	LOT 11 BLK 10 MAP OF SMITHFIELD (NORTH)
94	22-34-1-24-01.000-RR	307 9TH CT N 35204	Lots 7-A&8-A &9-A Resur Of Lots 6&7&8 Blk 9 N Smit
95	22-35-2-17-08.000-RR	312 9TH CT N 35204	LOT 12 BLK 10 MAP OF SMITHFIELD (NORTH)
96	22-34-4-16-09.000-RR	220 GRAYMONT AVE N 35204	W 32 FT OF S 114 FT LOT 14 BLK 25 MAP OF SMITHFIELD (SOUTH)
97	22-34-4-18-03.000-RR	213 GRAYMONT AVE N 35204	LOT 5-A SLAUGHTERS RESUR OF SOUTH SMITHFIELD A RESUR OF LOTS 5 & 6 BLK 24 SOUTH SMITHFIELD PB 203 PG 46
98	29-06-2-20-12.000-RR	719 25TH ST 35218	N 37-1/2 FT OF S 74 FT LOTS 11-12 BLK 25- G ENSLEY 1ST ADD
99	29-17-4-17-11.000-RR	2016 DAWSON AVE SW 35211	LOTS 156-157 COLLEGE PARK 55/99 A& B
100	29-17-4-17-14.000-RR	2000 DAWSON AVE SW 35211	LOT 160 COLLEGE PARK
101	29-17-4-15-15.000-RR	2000 SNAVELY AVE SW 35211	LOT 140 NABERS LD CO 2ND ADDTO COLLEGE PARK
102	29-06-2-20-13.000-RR	717 25TH ST 35218	NW 38.5 FT OF SE 112.5 FT OF LOTS 11-12 BLK 25-G ENSLEY 1S ADD
103	29-06-2-20-14.000-RR	715 25TH ST 35218	NW 37.5 FT OF LOTS 11-12 BLK 25-G ENSLEY 1ST ADD

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104	30-01-1-30-03.000-RR	3007 AVENUE D 35218	LOT 3 BLK 13 ENSLEY DEV CO
105	29-08-3-22-03.000-RR	2515 ST CHARLES AVE 35211	E 1/2 LOTS 10 & 11 BLK 5 ARDSLEY
106	22-14-1-06-05.000-RR	3925 28TH ST N 35207	LOT 5 BLK 4 FAIRMONT
107	22-14-1-09-07.000-RR	3917 FAIRMONT ST 35207	LOT 8 BLK 1 FAIRMONT SUR
108	22-14-1-09-09.001-RR	3904 FAIRMONT PL N 35207	LOT 1 & S 35 FT OF LOT 2 BLK 5 TARRANT & MCMILLAN ADD TO NORTH BHAM
109	22-12-3-15-06.000-RR	4125 FAIRMONT WAY 35207	LOT 18 BLK 1 MOUNTAIN VIEW ADD TO NO BHAM
110	22-14-1-03-06.000-RR	4015 28TH PL N 35207	LOT 7 BLK 8 FAIRMONT
111	22-13-1-10-89.000-RR	3356 34TH ST N 35207	LOT 5 REZNIK & BERRY ADD TO BHAM
112	13-34-4-01-74.000-RR	915 PENFIELD DR 35217	LOT 5 BLK 3 1ST ADD TO PENFIELD PARK
113	13-34-4-06-15.000-RR	916 PENFIELD DR 35217	LOTS 27+28+29+30 BLK 4 1ST ADD
114	13-34-4-7-3.000-RR	1021 PENFIELD DR 35217	LOT 12 BLK 1 1ST ADD TO PENFIELD PARK
115	12-06-3-04-44.000-RR-01	3604 CENTER POINT PKWY 35215	LOTS 1 THRU 4 BROWN ESTS 85/16 EXC PT TO RD R/W
116	29-02-2-26-12.000-RR	314 KAPPA AVE 35205	P O B 176 FT S E OF E INTER KAPPA AVE & 3RD PL S TH E 36 FT S ALG KAPPA AVE TH N 135 FT S TO ALLEY TH W 36 FT S TH S
117	30-02-2-13-08.000-RR	5308 12TH AVE 35224	LOT 13 BLK 8 TENN LD COS 6TH ADD TO WYLAM
118	30-02-1-04-04.000-RR	4521 5TH AVE 35224	W 55 FT LOT 3 BLK 1 SUR OF ADLER WEAVER
119	30-02-1-04-03.000-RR	4517 5TH AVE 35224	E 45 FT LOT 3 & W 7 FT LOT 2 BLK 1 SUR OF ADLER & WEAVER 3/75
120	21-36-3-01-05.000-RR	3740 4TH AVE 35224	Pob NW Inter 4TH AVE & 3RD Ct TH N 87 FTW 118 Ft
121	21-36-3-01-04.000-RR	436 BUFFALO ST 35224	Lot 1 Blk 2 WM Morris Sur
122	22-32-4-32-24.000-RR	2844 20TH PL W 35208	LOT 20 BLK 6 OWENTON-ENSLEY HGLDS LD CO
123	22-32-4-34-07.000-RR	2837 20TH PL W 35208	Lot 12 Blk 9 Owenton Ensley Hglds LD Co
124	29-19-3-22-06.000-RR	3928 JEFFERSON AVE SW 35221	LOT 1 & PT LOT 2 BLK 18 PARK PLACE 68/81 DESC AS BEG NLY COR SD LOT 2 TH SE 30 FT TH SW 12 FT TH SWLY 50 FT TH NW 2 FT CONTINUED
125	29-19-3-35-17.000-RR	3724 PINE AVE SW 35221	LOTS 115&116 BLK 5 TREVELLICK

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126	29-08-1-28-06.000-RR	2114 FULTON AVE SW 35211	LOT 14 BLK 3 WEST HAVEN
127	29-09-2-30-11.000-RR	1741 LEE AVE 35211	Lot 2 Blk 72 W End
128	21-24-1-06-03.001-RR	904 PRATT RD 35214	PT Lo 1 Blk 4 B W May Sec 24 TP 17 R 4 Beg SE Cor
129	21-24-1-06-02.000-RR	912 PRATT RD 35214	LOT 2 & THE E 96 FT S OF THE S 50 FT S OF LOT 3 BLK 4 B W MAY SUR
130	29-20-3-14-20.000-RR	2808 30TH ST SW 35211	LOTS 22 & 23 BLK 5 INDUSTRIAL CENTER
131	29-20-3-13-07.000-RR	2821 30TH ST SW 35211	LOT 6 BLK 4 INDUSTRIAL CENTER
132	29-30-1-19-09.000-RR	3410 CARVER AVE SW 35221	LOT 16 BL 8 TARPLEY
133	23-20-4-14-08.000-RR	813 49TH ST N 35212	LOT 8 BLK 5 WOODLAWN REALTY CO 1ST ADD
135	30-16-3-11-02.000-RR	1708 WILKES AVE 35061	P O B 55 FT S E OF SE INTER JOHNSON ST & WILKE
137	22-23-2-42-01.000-RR	1637 27TH AVE N 35204	LOTS 1-A BLK 273 RES OF LOTS 1-8 AND LOT 9-A 148/49
138	29-20-2-11-04.000-RR	2501 PARKLAWN AVE	Legal 1 LOTS 9 & 10 BLK 14 PARK LAWN Legal 2 PB 5 PG 91
139	29-30-1-26-09.000-RR	3540 WILSON RD 35221	LOT 14 BLK 11 TARPLEY
141	29-30-1-19-04.000-RR	3401 GRASSELLI AVE SW 35221	LOT 7 BLK 8 TARPLEY 5/74
142	29-30-1-19-03.001-RR	3319 GRASSELLI AVE SW 35221	LOT 6 BLK 8 TARPLEY 5/74
144	29-30-1-14-16.000-RR	NEXT TO 3312 GRASSELLI AVE SW 35221	LOT 20 BL 1 TARPLEY 1ST ADD
145	29-30-1-14-15.000-RR	3320 GRASSELLI AVE SW 35221	LOT 19 BL 1 TARPLEYS 1ST ADD
146	22-15-1-15-10.000-RR	112 39TH AVE N 35207	BEG 835 FT W OF SE COR OF NE1/4 SECT 15 TP 17 S R 3W TH N 230 FT TH NELY 230 FT TH ELY 10 FT TH S 108 FT TH E 100 FT
147	22-23-2-36-01.000-RR	2618 18TH ST N 35204	N 1/2 OF BLK 272 NORTH BHAM
149	22-34-4-20-12.000-RR	448 1ST ST N 35204	S 47.5 FT OF LOTS 15 & 16 BLK 9 MAP OF SMITHFIELD (SOUTH)
150	22-35-3-22-11.000-RR	449 4TH ST N 35204	LOT 6 BLK 23 OWENTON
151	22-34-4-19-11.002-RR	449 1ST ST N 35204	S 50 FT LOTS 9 & 10 BLK 14 (SOUTH) SMITHFIELD
152	22-34-4-24-04.000-RR	209 4TH TER N 35204	LOT 6 BLK 23 MAP OF (SOUTH) SMITHFIELD

153	22-34-4-19-04.000-RR	123 GRAYMONT AVE N 35204	E 1/2 Lot 3 Blk 14 Map Of (S) Smithfield
154	22-35-3-24-02.000-RR	325 4TH TER N 35204	LOT 2 BLK 30 MAP OF (SOUTH) SMITHFIELD
155	22-35-3-25-01.000-RR	430 5TH ST N 35204	N 100 FT OF LOT 1 & N 100 FT OF E 10 FT OF LOT
156	22-35-3-23-10.000-RR	448 4TH ST N 35204	S 47 FT LOTS 15 & 16 BLK 29 MAP OF SMITHFIELD (SOUTH)

(ph)

ITEM 7.

A Resolution assenting to the vacation of 13,544 square feet of alley and unopened 44th Place that lies between Powell Avenue and 1st Avenue South and parallel to 44th Street South, on behalf of **Southern Precision Sands, LLC and Birmingham USPO, LLC**, owners, so the owner can use the property for their business operations, and the hearing of all interested parties, **Case No. SUB2009-00004**. (Submitted by Councillor Parker, 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 8.

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by appropriating \$133,920.00 to Downtown Building Project, \$1,000,000.00 to Civil Rights Heritage Trail Signage and \$141,080.00 to Bayer Retail Company VI (Summit Phase VI Project), from the sale of property known as the “Fieldstein Warehouse Property” located at 1800 – 10th Avenue North, Birmingham. (Submitted by the Mayor) (Recommended by the Director of Finance)**

CONSENT

ITEM 9.

An Ordinance authorizing the Mayor to execute a Quit Claim Deed to **Fannie Mae a/k/a Federal National Mortgage Association** in the amount of \$683.50, for the conveyance of property located at 1533 – 90th Street North, Birmingham. (Submitted by the City Attorney) (Recommended by the Director of Finance)**

ITEM 10.

An Ordinance authorizing the Mayor to execute a Redevelopment Agreement with **Cornerstone Schools of Alabama, Inc.** under which the City will convey its interest in the property located at 2331 – 6th Avenue North and the adjacent property commonly known as Powell School to Cornerstone Schools of Alabama, Inc., for the use value of \$1.00 and under which Cornerstone Schools of Alabama, Inc. will renovate Powell School for use as a private school and related services, and authorizing the Mayor to execute an agreement with **Birmingham Realty Company and Cornerstone Schools of Alabama, Inc.**, governing the terms and conditions of the reversionary interests retained by the City and Birmingham Realty Company in Powell School. (Submitted by the City Attorney) (Recommended by the Mayor and the Administration, Budget and Finance Committee)**

ITEM 11.

A Resolution authorizing the City's Authorized Official to submit **the U.S. Department of Housing and Urban Development** a completed and signed SF-424, a completed and signed "Substantial Amendment using form HUD-40119 to the Consolidated Plan 2008 Action Plan, a signed copy of the required certifications, on or before May 18, 2009, authorizing the authorized official to sign grant agreements, reports or other documents as may be required, and to act as the correspondent of the City, all for the purpose of making application for and receiving \$2,735,730.00 in Homelessness Prevention and Rapid Re-Housing Program funding. (Submitted by the City Attorney) (Recommended by the Director of Community Development)**

ITEM 12.

A Resolution authorizing the Council President to enter into a \$95,000.00 Urban Development Action Grant Public Services Agreement with **the Jefferson County Committee for Economic Opportunity, Inc.** to be utilized for the provision of public services to assist the delivery of specific community revitalization and development activities. (Submitted by the City Attorney) (Recommended by the Director of Community Development)**

ITEM 13.

A Resolution endorsing the reconstruction of Interstate 20/59 through Downtown below the street-level to improve highway safety, add traffic capacity, eliminate the visual and psychological barrier between the Birmingham-Jefferson Convention Complex and Downtown Birmingham, and to stimulate economic development. (Submitted by Council President Smitherman, Chairperson, Administration, Budget and Finance Committee) (Recommended by the Administration, Budget and Finance Committee)**

CONSENT

ITEM 14.

A Resolution determining that the building or structure located at 4516 – 74th 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 15.

A Resolution determining that the building or structure located at 221 Tucker 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 16.

A Resolution determining that the building or structure located at 214 – 50th 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 17.

A Resolution determining that the building or structure located at 8332 – 4th Avenue South, 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 3668 – 42nd 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 19.

A Resolution determining that the building or structure located at 970 – 52nd 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 20.

A Resolution determining that the building or structure located at 5426 – 12th Court Wylam, 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 3552 Ellis Avenue 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 22.

A Resolution determining that the building or structure located at 3708 – 68th 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 23.

A Resolution accepting the lump sum bid of **Metro D Construction**, Talladega, Alabama, in the amount of \$999,000.00, for a renovation and addition for Eastlake Public Library, 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 Budget; PEP129CP 003616**] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (Eight Bids Submitted)

CONSENT

ITEM 24.

A Resolution accepting the unit price bid of **Southeastern Sealcoating, Inc.**, 1330 Adamsville Industrial Parkway, Birmingham, in the amount of \$377,799.00, for street improvements at 30th Way North to 47th Avenue to the Dead End, 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 Budget; PEP102CP 002827**] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (Ten Bids Submitted)

CONSENT**ITEM 25.**

A Resolution accepting the unit price bid of **Stephens General Contracting, Inc.**, 2070 Montevallo Road, S.W., Birmingham, in the amount of \$27,000.00, for two (2) monument signs for Airport Industrial Park, 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; PEP129CP002887**] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (One Bid Submitted)

CONSENT**ITEM 26.**

A Resolution accepting and approving the bid of **McCain Uniforms**, Birmingham, for the purchase of police related supplies, uniform items, equipment and accessories as needed at the unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year and month to month thereafter, for the Police Department, 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 McCain Uniforms is located in Birmingham. [**Appropriated in the FY 2009 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief of Police) (Nine Bids Submitted)**

CONSENT**ITEM 27.**

A Resolution accepting and approving the bid of **Terry's Uniform and Screen Printing**, Birmingham, for the purchase of police related supplies, uniform items, equipment and accessories as needed at the unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year and month to month thereafter, for the Police Department, this being the lowest bid submitted meeting specifications. [**Appropriated in the FY 2009 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief of Police) (Nine Bids Submitted)**

ITEM 28.

A Resolution rescinding Resolution No. 1270-08, adopted by the Council October 7, 2008, assessing properties for the abatement of noxious or dangerous, due to the lots having been mistakenly assessed. (Submitted by the City Attorney) (Recommended by the Public Improvements Committee)

ITEM 29.

A Resolution rescinding Resolution No. 298-09, adopted by the Council March 3, 2009, revoking the Certificates of Public Necessity and Convenience issued to **Legacy Limousine LLC**, Trussville, Alabama, to operate a limousine service, sue to the liability insurance being on file and in compliance. (Submitted by the City Attorney)

CONSENT

ITEM 30.

A Resolution authorizing the Director of Finance to make seven (7) refunds in the total amount of \$78,657.61. (Submitted by the Mayor) (Recommended by the Director of Finance)**

CONSENT

ITEM 31.

A Resolution authorizing the Director of Finance to make four (4) refunds in the total amount of \$54,634.11. (Submitted by the Mayor) (Recommended by the Director of Finance)**

ITEM 32.

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

ITEM 33.

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

ITEM 34.

A Resolution approving the estimated 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 matters were withdrawn:

Those properties declared by Resolution No. 547-09 on April 7, 2009 to be noxious and dangerous, whereon said weeds have been abated:

38	29-21-2-04-08.000-RR	1656 MAPLE AVE 35211	LOT 1 BLK 20 PLAT A ISHKOODA
47	29-30-2-10-04.000-RR	4017 MINERAL AVE 35221	LOT 4 BL 9 BEARDENDALE
61	29-30-2-25-08.000-RR	4443 GRASSELLI AVE 35221	LOT 1 BL 4 DONALDS ADD TO GRASSELLI
65	29-30-2-23-12.000-RR	4020 GRASSELLI AVE SW 35221	LOT 7 BLK 3 E L MCGEE'S 1ST ADD
134	29-20-2-11-25.000-RR	2209 31st STS SW 35211	Lots 1-7 Blk 11 Park Lawn 5/91 less & Exc Pt In R
136	23-20-2-04-06.000-RR	1317 44TH PL N 35212	LOT 13 BLK 1 J M GIBSON
140	29-30-1-19-04.001-RR	3403 GRASSELLI AVE SW 35221	LOT 8 BLK 8 TARPLEY 5/74
143	29-30-1-19-03.000-RR	3315 GRASSELLI AVE SW 35221	LOT 5 BL 8 TARPLEY
148	22-34-4-22-06.000-RR	5 4TH TER N 35204	Lot 7 Blk 8 Map Of Smithfield (South)