

## **AGENDA**

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

**April 15, 2008 - - 9:30 A.M.**

**WEB SITE ADDRESS: [www.birminghamal.gov](http://www.birminghamal.gov)**

**INVOCATION: Reverend Nathaniel Pierce, Jr., Pastor of Welch Chapel C.M.E. Church,  
Brighton, Alabama**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**MINUTES NOT READY: February 26, March 4, 11, 18, 25, April 1 and 8, 2008**

**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 AJL Enterprise LLC for a Lounge Retail Liquor Class I License to be used at **Paint House Entertainment**, 930 – 5<sup>th</sup> Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Montgomery, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

(ph) **ITEM 2.**  
A Resolution relative to the application of Allen Law for AJL Enterprise LLC for a Division I Dance Permit to be used at **Paint House Entertainment**, 930 – 5<sup>th</sup> Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Montgomery, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT(ph) **ITEM 3.**  
A Resolution relative to the application of Angel Plata Becerril for a Restaurant Retail Liquor License to be used at **El Noa Noa**, 5005 Richard Arrington Jr. Boulevard North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Montgomery, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT (ph) **ITEM 4.**  
A Resolution relative to the application of Noble Management Group LLC for a Division I Dance Permit to be used at **Hilton Birmingham Perimeter Park Hotel**, 8 Perimeter Park South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Montgomery, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT(ph) **ITEM 5.**  
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. 23-30-3-28-01.000-RR	131 28TH ST N 35203	LOT 1 RESUR BLK 420 BHAM 143/2
2. 23-28-3-02-98.000-RR	739 47TH PL S 35222	LOT 2 BLK 1 J R PHILLIPS
3. 22-28-3-06-15.000-RR	470 4TH ST 35214	LOT 16 BLK 11 THOMAS
4. 23-21-2-14-40.000-RR	966 53RD ST N 35212	LOT 9 BLK 1 NANCY A WOOD
5. 23-10-4-06-09.000-RR	7901 7TH AVE N 35206	LOT 18 BLK 11-F EAST LAKE
6. 23-28-3-02-99.000-RR	743 47TH PL S 35222	LOTS 3 & 4 BLK 1 J R PHILLIPS
7. 22-31-1-34-05.000-RR	1213 AVENUE L 35218	LOT 17 BLK 6 MORO PARK
8. 23-03-1-19-05.000-RR	9305 8TH AVE N 35206	LOT 2 BLK 1 PENFIELD PARK
9. 22-25-1-24-03.001-RR	801 30TH ST N 35234	LOT 5 BLK 459 BHAM
11. 22-13-1-10-43.000-RR	3397 33RD ST N 35207	LOT 18 DOUGLASVILLE GARDENS
12. 23-11-4-20-08.000-RR	8255 VASSAR AVE 35206	LOT 34 BLK 45 SO HGLDS OF EAST LAKE
13. 22-28-2-19-03.000-RR	357 3RD ST 35214	LOT 9 BLK 12 THOMAS
14. 22-34-2-08-21.000-RR	905 6TH ST W 35204	LOT 50 BLK 3 COLLEGE HILLS
15. 22-34-2-08-30.000-RR	940 5TH PL W 35204	LOT 10 BLK 3 COLLEGE HILLS
16. 29-12-2-08-24.000-RR	1234 18TH AVE S 35234	LOTS 21 & 22 BLK C ARDIS HEIGHTS
17. 23-10-3-12-15.000-RR	4708 73RD ST N 35206	LOT 3 TROTWOOD PARK 1ST ADD
18. 29-15-2-02-11.000-RR	1543 12TH ST SW 35211	LOT 4 BLK 1 FLIPPENS ADD TO MASON CITY
19. 29-12-2-09-06.000-RR	1213 18TH AVE S 35209	LOTS 5 THRU 7 BLK D ARDIS HEIGHTS
20. 29-03-2-13-02.000-RR	629 Woodland Ave SW 35211	LOT 19 BLK 13 KENILWORTH
21. 13-35-1-01-40.000-RR	329 GLYNN DR 35215	LOT 8 BLK 1 CLOVERDALE ESTS 1ST ADD
22. 29-03-2-13-01.000-RR	619 WOODLAND AVE SW 35211	LOT 20 BLK 13 KENILWORTH
23. 22-27-3-19-02.000-RR	505 11TH CT W 35204	LOT 2 BLK 14 SPAULDING
24. 22-27-3-12-10.000-RR	512 11TH CT W 35204	LOT 13 BLK 7 SPAULDING
25. 22-27-3-12-07.000-RR	1145 6TH ST W 35204	LOTS 9+10 BLK 7 SPAULDING
26. 22-27-3-13-12.000-RR	426 11TH CT W 35204	LOT 10 BLK 6 SPAULDING
28. 23-28-3-02-97.000-RR	801 47TH PL S 35222	LOT 1 BLK 1 J R PHILLIPS SUR
29. 22-28-3-02-13.000-RR	530 5TH ST 35214	LOT 15 BLK 20 THOMAS 1ST ADD
30. 22-28-3-06-10.000-RR	480 4TH ST 35214	LOT 11 BLK 11 THOMAS
31. 22-28-3-06-11.000-RR	478 4TH ST 35214	LOT 12 BLK 11 THOMAS
32. 22-28-4-07-14.000-RR	700 7TH ST 35214	LOT 22 BLK 17 RESUR OF BLKS 17 & 19 THOMAS
34. 23-22-3-28-01.000-RR	5905 6TH AVE S 35212	LOT 11-A SWANSONS ADD TO WOODLAWN 157/30

36.	23-22-2-32-06.000-RR	6218 2ND AVE S 35212	E 1/2 OF LOT 49 & S 83.5 FT OF LOT 6 WARE STEWART WALDROP & HAWKINS IN SEC 22 TP 17 R 2W
37.	23-14-3-18-11.001-RR	7201 NAPLES AVE 35206	LOT 24 BLK 4 EAST LAKE HGLDS
38.	29-19-3-39-02.000-RR	3905 PARK AVE SW 35221	LOT 13 BLK 29 PARK PLACE
39.	29-06-2-12-08.000-RR	2422 AVENUE H 35218	SE 100 FT LOT 7 BLK 24-G 1ST ADD ENSLEY
40.	29-06-2-05-05.000-RR	1204 23RD ST 35218	LOT 16 TUXEDO GARDENS
41.	22-33-1-02-01.000-RR	1122 9TH PL W 35204	LOT 9 & N 12 FT OF LOT 8 BLK A JEANETTE H SMITHS RESUR OF PART OF COLLEGE HLDS
42.	22-28-4-34-02.000-RR	1149 9TH ST W 35204	LOT 21 BLK 14 EAST THOMAS
43.	22-28-4-34-03.000-RR	1145 9TH ST W 35204	LOTS 18 THRU 20 BLK 14 EAST THOMAS
44.	22-28-2-10-11.000-RR	204 2ND ST 35214	LOT 11 BLK 3 THOMAS
45.	22-28-2-06-13.000-RR	108 THOMAS CIR 35214	LOT 12 THOMAS PLAINS 1ST ADD 59/49
46.	24-09-3-20-06.000-RR	Between 5000 and 5040 COMMERCE AVE	LOTS 17 THRU 21 BLK 10 LIBERTY HGLDS 13/82
47.	13-36-3-11-01.000-RR	344 ROBISON DR 35215	LOT 7-A MARTHA A GASKINS SURVEY PB 207 PG 96 SEC 36 TP 16 R 2W
48.	23-03-2-16-05.000-RR	1533 90TH ST N 35206	LOT 5 BLK 5 NORTH VIEW GDNS
49.	22-26-1-16-47.000-RR	1408 Huntsville Rd 35234	P O B 210 FT N OF THE N W INTER OF 14TH AVE N & HUNTSVILLE RD TH N LY 45S FT ALG RD TH W 125S FT TO ALLEY CONTINUED
50.	22-26-1-16-46.000-RR	1406 Huntsville Rd 35234	LOT 8 CONSTANCE ORME SUB DIV LESS R & ROW
51.	23-03-2-16-14.000-RR	1613 90TH ST N 35206	LOT 7 BLK 3 HOOVERS RESUR OF BLKS 1-3-4-5-PLEASANT VIEW HTS
52.	22-34-2-24-06.000-RR	915 4TH ST W 35204	N 47 FT OF LOTS 9 & 10 BLK 60 MAP OF SMITHFIELD (NORTH)
53.	22-27-2-11-09.000-RR	2113 6TH PL W 35204	LOT 11 BLK 30 FINLEY MANOR
54.	22-27-2-11-10.000-RR	2109 6TH PL W 35204	LOT 12 BLK 30 FINLEY MANOR LESS THAT PT TAKEN BY RD R/W
55.	22-27-2-08-07.000-RR	634 23RD AVE W 35204	LOTS 18 & 19 BLK 67 THOS MCLAUGHLIN RESUR OF BLKS 67 & 68 WADE TRACT
56.	23-03-2-16-12.000-RR	1605 90TH ST N 35206	LOT 9 BLK 3 HOOVERS RESUR OF BLKS 1 & 3 & 4 & 5 PLEASANT VIEW HEIGHTS
57.	23-03-2-16-08.000-RR	1545 90TH ST N 35206	LOT 2 BLK 5 NORTH VIEW GARDENS
58.	30-01-4-40-04.000-RR	969 Pike RD 35218	BEGIN Llot 1 Blk 8 C J Donald Resur Blks 6- 7 & 8 Oakland
61.	29-18-4-19-01.000-RR	3303 Alameda AVE SW 35221	LOTS 2 THRU 8 BLK 9 POWDERLY LYING NO AND WEST OF BRIGHTON ROAD
62.	29-07-2-39-04.000-RR	1321 47TH ST 35208	LOT 8 BLK 21 BELVIEW HTS 1ST ADD
63.	30-12-4-18-08.000-RR	5308 Court I 35208	LOT 4 BLK 16 MONTE SANO

64.	29-07-1-12-04.000-RR	1823 43RD ST 35208	LOT 4 BLK 2 WEST END HGLDS
66.	29-09-2-12-11.000-RR	529 FRANCES ST 35211	LOT 20 BLK 3 WEST END PLACE
68.	22-27-2-15-08.000-RR	318 22ND AVE W 35204	THE W 33FT OF THE S 62.5 FT LOT 20 BLK 1 FORD-SOWELL RLTY COS 1ST ADD
69.	29-11-2-17-02.000-RR	1805 CENTER PL S 35205	LOT 2 BLK 2 LOCASCIO AND CATANZANO SUB
70.	23-03-2-16-06.000-RR	1537 90TH ST N 35206	LOT 4 BLK 5 NORTH VIEW GDNS
71.	23-03-2-16-01.000-RR	1505 90TH ST N 35206	LOTS 12 & 13 BLK 5 NORTHVIEW GARDENS
72.	22-26-3-12-13.000-RR	1135 11TH TER N 35204	P O B INTER OF S W COR LOT 7 BLK 6 MAGNOLIA HGTS & 12TH PL N TH S E 82S FT ALG PL TO 11TH TERR N TH E 45S FT ALG TERR CONTINUED
73.	22-35-2-08-25.000-RR	809 11TH PL N 35204	P O B 80 FT NW OF NE INTER PETTIFORD ST & 8TH AVE N TH NW 160 FT ALG PETTIFORD ST TO ALLEY TH NE 85 FT TO ALLEY TH CONTINUED
74.	22-35-1-33-06.000-RR	818 12TH ST N 35204	BEG 200 FT N OF NW INT 12TH ST N & 8TH AVE N TH N 40 ALONG W ROW 12TH ST N TO ALLEY TH SW 85 FT ALONG ALLEY TO ALLEY CONTINUED
75.	22-35-1-33-05.000-RR	814 12TH ST N 35204	BEG 160 FT N OF NW INTER 12TH ST N & 8TH AVE N TH N 40 FT ALG W R/W 12TH ST N TH SW 85 FT TO ALLEY TH SE 40 FT ALG CONTINUED
76.	22-26-1-16-48.000-RR	1410 HUNTSVILLE RD 35234	POB 255S FT NLY OF TH NW INTER OF 14TH AVE N & HUNTSVILLE RD TH NLY 60D FT 62S FT ALG RD TH W 222.8D FT 200S FT TH S 60 FT CONTINUED
77.	22-26-1-26-07.000-RR	1425 19TH ST N 35234	P O B 180S FT S E OF THE S E INTER OF 15TH AVE N & 19TH ST N TH S W 85S FT ALG ST TH E 148S FT TO ALLEY TH N 73 FT TO CONTINUED
78.	22-26-1-26-08.000-RR	1421 19TH ST N 35234	P O B 47S FT N W OF THE N E INTER OF 14TH CT N & 19TH ST N TH N W 40S FT ALG ST TH E 148S FT TO ALLEY TH S 33 FT TH CONTINUED
79.	22-26-1-03-14.000-RR	1569 20TH ST N 35234	LOT 31 BLK 9 DRUID HILLS SUDDUTH RLTY COS 6TH ADD TO BHAM
80.	23-17-2-24-01.000-RR	4029 37TH AVE N 35212	LOT 9 BLK 1 GLENN & TURNERS ADD TO BHAM
81.	23-08-3-29-16.000-RR	4324 42ND AVE N 35217	LOT 3 BLK 3 MTN PK RESUR
83.	22-27-1-22-09.000-RR	110 15TH AVE N 35204	LOT 9 BLK 10 MELVILLE COURT
84.	22-27-1-22-10.000-RR	114 15TH AVE N 35204	W 1/2 OF LOT 10 BLK 10 MELVILLE COURT
85.	22-27-1-22-11.000-RR	116 15TH AVE N 35204	THE E 1/2 OF LOT 10 BLK 10 MELVILLE COURT

86.	22-14-1-21-03.000-RR	2713 41ST AVE N 35207	W 97 FT LOT 7 BLK 3 M C TYLER & J H BERRY ADD TO FAIRMONT
87.	22-12-2-12-01.000-RR	3025 52ND AVE N 35207	LOTS 5 THRU 9 BLK D G R HARSH
88.	22-12-2-05-03.000-RR	5210 30TH WAY N 35207	LOTS 7 THRU 11 BLK E G R HARSH 5/44
89.	22-12-2-05-06.000-RR	220 30TH WAY N 35207	LOTS 12 & 13 & 14 & 15 BLK E G R HARSH SURVEY
90.	22-12-1-01-29.000-RR	5108 RAINBOW CIR 35207	LOT 3 BLK 1 LINCOLN HTS 2ND ADD
91.	22-12-1-01-30.000-RR	5112 RAINBOW CIR 35207	LOTS 4+5+6 BLK 1 LINCOLN HTS 2ND ADD
92.	22-12-1-01-31.000-RR	5120 RAINBOW CIR 35207	LOT 7 BLK 1 LINCOLN HTS 2ND ADD
95.	13-25-2-03-62.000-RR	303 ORCHID RD 35215	LOT 11 BLK 1 JAMES ADD TO KILLOUGH SPRINGS
96.	30-02-1-02-03.000-RR	4305 5TH AVE 35224	BEGIN AT THE NE COR OF LOT SAID PT BEING ON THE N LINE OF SEC 2 T 18S R 4 150 FT W OF THE PT OF INTER OF THE N LINE CONTINUED
97.	23-20-4-22-14.000-RR	705 45TH ST N 35212	W 95 FT LOT 1 BLK 1 W 95 FT OF LOT 1 BLK 2 ALL OF LOT 3 BLK 2 BIRCHENOUGH SUR
98.	23-22-2-36-14.000-RR	200 62ND ST S 35212	P O B 100S FT SE OF INTER SW LINE 62ND ST S & W LINE NW 1/4 SEC 22 T17S R2W TH SE 160S FT ALG 62ND ST S TH SW 150S FT CONTINUED
99.	12-31-3-05-02.000-RR	825 GENE REED RD 35235	COM SE COR NE 1/4 SW 1/4 SEC 31 T 16 S R 1 W TH W 795 S TH N 230 FT S TO BEG TH N 225 S TO S ROW GENE REED RD TH W 156 CONTINUED
100.	23-11-1-30-01.000-RR	212 84TH ST S 35206	SE 50 FT OF LOTS 12+13 & SE 50 FT OF NE 30 FT OF LOT 14 BLK 154 EAST LAKE
102.	13-23-4-00-01.011-RR	777 15TH AVE NW 35215	LOT 1 BLK 15 QUEENSBURY EAST 2ND SECT 127/15
103.	22-20-3-34-04.000-RR	109 CROOKED ST 35214	P O B 65S FT NE OF INTER E LINE CROOKED ST & S LINE SW 1/4 SEC 20 T17S R3W TH NE LY 135S FT ALG CROOKED ST TH E CONTINUED
104.	22-20-4-22-09.000-RR	407 MILES AVE 35214	LOT 6 ADAM BRADFORD
105.	29-11-2-20-01.000-RR	1801 1ST PL S 35205	LOTS 1 THRU 5 BLK 8 GREEN SPRINGS 1ST ADD
107.	29-02-3-19-15.000-RR	300 6TH AVE S 35205	LOT 1 BLK 1 ELYTON HLDS
108.	29-02-3-19-16.000-RR	304 6TH AVE S 35205	LOT 2 BLK 1 ELYTON HGLDS
109.	29-02-3-19-17.000-RR	308 6TH AVE S 35205	LOT 3 BLK 1 ELYTON HGLDS
110.	29-11-2-26-28.000-RR	2018 HOLLINS DR 35205	LOT 8 BLK 3 HONEYSUCKLE HILLS
111.	29-11-2-21-01.000-RR	121 18TH CT S 35205	P O B INTER OF N W R/W L & N R R & S LINE 18TH CT S TH W 50.1 FT ALG CT TH S 55S FT TH SW LY 55S FT TH E 6S FT TO R R CONTINUED

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112. 29-02-3-24-01.001-RR	47 5TH CT S 35205	LOT 13 BLK 2 LUCY E SMITHS SUB PB 10 PG 117
114. 29-02-1-15-01.000-RR	600 4TH AVE S 35233	LOT 1-A RESUR OF INGALLS IRON WORKS COS SUBDIV 122/28
115. 29-12-1-02-03.000-RR	1463 18TH AVE S 35205	LOT 43 & STRIP OF LAND 25 FT WIDE OFF TH NELY SIDE OF LOT 42 ACCD TO THE SUR KNOWN & DESIGNATED AS BELVEDERE TERR
116. 29-12-1-02-06.000-RR	1413 18TH AVE S 35205	LOT 38 BELVEDERE TERRACE
117. 29-12-1-02-07.000-RR	1409 18TH AVE S 35205	LOT 36 & LOT 37 BELVEDERE TERRACE
118. 29-12-1-02-09.000-RR	1401 18TH AVE S 35205	LOTS 30 THRU 34 BELVEDERE TERRACE
119. 29-06-3-21-18.000-RR	1140 WARRIOR RD 35218	LOT 1 OAKLAND CEMETARY SUB PB 185 PG 81
120. 23-20-4-22-31.000-RR	816 45TH PL N 35212	LOT 6 BLK 2 MADDOX SUR TP 17 R 2
121. 23-18-2-04-06.000-RR	3529 34TH AVE N 35207	LOT 15 BLK 1 VULCAN CITY
123. 22-35-3-11-16.000-RR	514 5TH ST N 35204	N 45 FT LOTS 15 & 16 BLK 39 MAP OF SMITHFIELD (SOUTH)
124. 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)
125. 23-18-2-04-05.000-RR	3531 34TH AVE N 35207	LOT 16 BLK 1 VULCAN CITY
126. 23-18-2-04-04.000-RR	3533 34TH AVE N 35207	LOTS 17 THRU 20 BLK 1 VULCAN CITY
127. 23-18-2-04-03.000-RR	3535 34TH AVE N 35207	LOTS 21+22 BLK 1 VULCAN CITY
128. 23-18-2-04-02.000-RR	3537 34TH AVE N 35207	LOT 23 BLK 1 VULCAN CITY
129. 23-18-2-04-01.000-RR	3539 34TH AVE N 35207	LOT 24 BLK 1 VULCAN CITY
130. 22-35-3-12-07.000-RR	513 5TH ST N 35204	N 45.5 FT OF LOTS 9 & 10 BLK 42 MAP OF SMITHFIELD (SOUTH)
132. 29-10-1-08-60.000-RR	884 Goldwire St SW 35211	P O B 406.7 FT S N OF N W INTER OF GOLDWIRE ST & 10TH AVE S W TH N 65 FT S ALG GOLDWIRE ST TH W 140 FT S TH S CONTINUED
133. 22-23-1-44-01.000-RR	2300 29TH AVE N 35207	LOTS 11 THRU 14 BLK 26 NORTH BHAM
134. 22-14-3-25-12.001-RR	3210 21ST ST N 35207	LOT 20 BLK 149 BINGHAM LAND CO SUR 6/26
136. 30-02-2-06-29.000-RR	620 OREGON ST 35224	BEGIN AT THE N W COR OF LOT SAID PT BEING 190 FT S OF THE PT OF INTER OF THE NE COR OF LOT 16 FREEMANS ADD TO WYLAM & CONTINUED
137. 30-02-2-06-28.000-RR	630 OREGON ST 35224	BEGIN AT THE NW COR OF LOT SAID PT BEING 240S FT S OF THE PT OF INTER OF THE NE COR OF LOT 16 FREEMANS ADD TO WYLAM & CONTINUED
138. 22-27-4-06-22.000-RR	8 14TH CT W 35204	LOT 12 BLK 3 REVISED MAP OF ROSEWOOD PARK

139. 22-27-4-39-15.000-RR	1148 Bankhead Hwy N 35204	LOT 1A RESURVEY & SUBD OF PART OF LTS 1 2 & 3 BLK 24
140. 29-03-2-13-03.000-RR	201 7TH ST SW 35211	LOTS 15 THRU 18 BLK 13 KENILWORTH 5/93 LESS & EXC RD RW
141. 23-03-2-12-26.000-RR	1536 90TH ST N 35206	LOT 22 BLK 4 NORTH VIEW GARDENS
142. 22-32-4-21-05.000-RR	2727 17TH ST 35208	LOT 1 EXC NE 10 FT BLK 15 SHADYSIDE
143. 22-32-3-43-02.000-RR	2537 20TH PL 35208	LOT 2 BLK 75 BHAM ENSLEY LAND AND IMP CO
145. 22-28-3-02-04.000-RR	425 4TH ST 35214	LOT 6 BLK 20 THOMAS 1ST ADD
146. 29-05-2-09-14.000-RR	2329 23RD ST W 35208	LOT 5 1ST ADD TO TERRACE PARK
147. 22-32-3-18-15.000-RR	1718 AVENUE V 35218	LOTS 5-6 BLK 3 TUXEDO PARK
148. 23-28-2-12-09.000-RR	4917 5TH AVE S 35212	NW 1/2 OF LOT 1 BLK 1 F M WOOD SUR LESS ROW FOR RD
149. 29-15-2-02-09.000-RR	1537 12TH ST SW 35211	N 1/2 OF LOT 5 BLK 1 FLIPPENS ADD TO MASON CITY
150. 29-15-2-02-10.000-RR	1541 12TH ST SW 35211	S 1/2 OF LOT 5 BLK 1 FLIPPENS ADD TO MASON CITY
151. 29-15-2-02-08.000-RR	1533 12TH ST SW 35211	P O B 375S FT S OF THE E INTER OF MASON AVE & 12TH ST S W TH S 60.5 FT ALG 12TH ST S W TH E 316 FT TO 11TH ST S W TH N CONTINUED
152. 23-28-3-03-15.000-RR	741 47TH PL S 35222	LOTS 11 THRU 14 BLK 2 J R PHILLIPS SUR
153. 23-28-3-03-16.000-RR	804 47TH PL S 35222	LOT 15 BLK 2 J R PHILLIPS SUR 5/7 LESS & EXC RD R/W
154. 29-15-2-02-78.000-RR	1520 11TH ST SW 35211	POB 205 FT S OF SE INTER OF MASON AVE AND 11TH ST SW TH S 47 FT ALG ST TH W 150 FT TH N 45 FT TH E 150 FT TO POB CONTINUED
155. 22-34-2-29-02.000-RR	411 8TH TER W 35204	LOT 4 BLK 2 J N MILLER
156. 23-10-3-10-02.000-RR	4737 74TH ST N 35206	LOT 10 SMITH-WAY RESUR & SUB OF PT OF LOTS 2-3-4-5-6 GANZINI 1ST ADD TO EAST LAKE
157. 22-13-4-13-07.000-RR	3109 33RD ST N 35207	LOT 12 BLK 3 MCCARTY ADD TO NORTH BHAM
158. 22-13-3-01-63.000-RR	2914 27TH AVE N 35207	LOTS 6 & 7 B F POOLES SUB OF BLK 418 NORTH BHAM
159. 22-34-3-10-02.000-RR	824 6TH ST W 35204	LOT 11 & S 1/2 LOT 10 BLK 2 R N GREENS ADD TO OWENTON
160. 22-34-3-10-21.000-RR	830 6TH ST W 35204	LOT 9 & N 1/2 LOT 10 BLK 2 R N GREENS ADD TO OWENTON
161. 23-03-1-19-06.000-RR	9301 8TH AVE N 35206	LOT 1 BLK 1 PENFIELD PARK IN NE 1/4 OF NE 1/4 SEC 3 TP 17 R 2 27/50
162. 23-03-1-22-07.000-RR	9121 9TH AVE N 35206	LOT 18 BLK 1 PENFIELD PARK 2ND ADD

**INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS**

**CONSENT**

**ITEM 6.**

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by transferring \$89,500.00 of Fund BR Tax Increment Financing from Interest Earning to Professional Services. (Submitted by the Mayor) (Recommended by the Director of Finance and the Administration, Budget and Finance Committee)\*\*

**CONSENT**

**ITEM 7.**

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by transferring \$15,850.00 from Community Projects-2008 and appropriating \$7,250.00 to Birmingham Board of Education, \$600.00 to Birmingham Park and Recreation Board (Fishing Rodeo), \$1,000.00 to Joseph’s House, \$1,000.00 to Just Be Reel Foundation, \$1,000.00 to Saint Rose Academy and \$5,000.00 to West End Neighborhood Association. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)\*\*

**CONSENT**

**ITEM 8.**

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by appropriating \$32,000.00 to Information Management Services Office Equipment Maintenance from Revenue Refund of Insurance Stabilization. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)\*\*

**CONSENT**

**ITEM 9.**

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by transferring \$1,200,000.00 of Fund DH Public Buildings 2007-A G. O. Bond from Fire Station No. 26 Eastwood to Fire Station No. 4 Oxmoor. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)\*\*

**CONSENT**

**ITEM 10.**

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by appropriating \$105,768.33 to Finance Consulting Fees from Revenue Adjustment of Prior Years Encumbrances. (Submitted by the Mayor and the Administration, Budget and Finance Committee) (Recommended by the Director of Finance)\*\*

**P**

**ITEM 11.**

An Ordinance amending Title 12 “Licensing and Regulation,” Division 5, “Rates of Fare,” Sec.12-16-72, “Rate,” (1) Taxicab Rates,” and (5) “Waiting Time” of the General Code of the City of Birmingham 1980. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Transportation and Communications Committee)\*\*

**CONSENT**

**ITEM 12.**

A Ordinance authorizing the Director of Finance to pay Frederick Allen Burkes \$350.00 for the purchase of right of way to Parcel No. 2 for the Lomb Avenue Sidewalks Project, located at 821 – 6<sup>th</sup> Street S.W., Birmingham. **[Fund 45, Project 33008]** (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)\*\*

**ITEM 13.**

A Ordinance creating the City of Birmingham Economic Development Stimulus Loan Program. (Submitted by the City Attorney) (Recommended by the Mayor)\*\*

**ITEM 14.**

A Resolution authorizing the Mayor to enter into a Project Agreement to provide **The Children’s Hospital of Alabama (TCHA)** a total of \$20,000,000.00 in financial incentives over a twenty (20)-year period in support of the Expansion Project which will be located in or adjacent to the area bordered on the south by 7<sup>th</sup> Avenue South, on the east by 17<sup>th</sup> Street, on the north by 4<sup>th</sup> Avenue South and on the west by 16<sup>th</sup> Street including the vacated portions of such street and for the promotion of economic development in the City, for the consideration set forth in the Project Agreement and subject to the requirements, term and conditions set forth in the Project Agreement.(Submitted by the City Attorney) (Recommended by the Mayor’s Office)\*\*

CONSENT

**ITEM 15.**

A Resolution authorizing the Mayor to execute a contract with **Schneider Historic Preservation, LLC**, for a total sum of \$17,000.00 to perform a historical and architectural survey of the Ensley Commercial District and of Tuxedo Junction, to complete National Register of Historic Places Nomination Forms for the Ensley Commercial District and for Tuxedo Junction, to prepare an architectural guide to Ensley's commercial district, and to complete a history of the Ensley Commercial District and Tuxedo Junction, consultant fees to be paid with City funds that will be reimbursed to the city by a federal, Preserve America matching grant from the National Park Service of the United States Department of the Interior. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

CONSENT

**ITEM 16.**

A Resolution authorizing the Mayor to accept and cause to be recorded a deed to certain property located on Oslo Circle in the Oxmoor area of Birmingham from **United Cerebral Palsy of Greater Birmingham, Inc.** or any related entity which may hold title to the property, for use as a fire station to serve the Oxmoor area, and authorizing the Mayor to execute such documents and instruments as are necessary to accept the donation of the property. (Submitted by the City Attorney) (Recommended by the Mayor and the Fire Chief)

**ITEM 17.**

A Resolution approving the agreement with **Better Business Bureau, Inc.**, Birmingham, in the amount of \$30,000.00, for a period of one (1) year beginning July 1, 2007 to June 30, 2008, renewable annually subject to funds availability, to provide consumer education to enable citizens to make wiser, better informed decisions and avoid the pitfalls of unethical people or businesses or falling victim to the fraud of identity theft, and provide other related services as stated in the agreement, and authorizing the Mayor to execute the agreement. [**Appropriated in the FY2008 Budget; Object Code 4612; Condense Code 001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

**ITEM 18.**

A Resolution approving the agreement with **Birmingham-Jefferson Film Office**, Birmingham, in the amount of \$62,500.00, for a period of one (1) year beginning February 1, 2008 to January 31, 2009, renewable annually subject to funds availability, to market the Birmingham region as a filming location, recruit out-of-state productions and serve as liaison to those productions, work with other governmental agencies to create favorable filming regulations and guidelines and facilitate on-location filmmaking within the region by offering production companies a complete range of pre-production services through a central contact offering site location photography, a location library, regional scouting services, information regarding local film procedures, permits and guidelines, arranging for filming on public property, acting as a liaison with governmental departments/agencies and providing logistical information regarding crew, talent, facilities, stages, equipment and support services, and authorizing the Mayor to execute the agreement. [**Appropriated in the FY2008 Budget; Object Code 4653; Condense Code 001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

**ITEM 19.**

A Resolution approving the appointment of **Spain and Gillon, LLC**, Birmingham, in an amount not to exceed \$80,000.00, inclusive of any reimbursable expenses, to provide special legal counsel to the City regarding Tax Increment Financing Districts, and authorizing the Mayor to execute the appointment letter. [**Appropriated in the FY2008 Budget; Object Code 2703; Condense Code F01**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Administration, Budget and Finance Committee)

**ITEM 20.**

A Resolution approving an amendment to the appointment of **Summer Youth Games Invitational**, Birmingham, adopted by the Council July 17, 2007 by Resolution No. 1156-07, to make necessary travel plans for the City's 2008 teams to attend the Youth Games scheduled to be held in Oakland, California July 16-20, 2008, increasing the amount by \$91,500.00, making the total Fiscal Year 2008 allocation \$188,000.00, and authorizing the Mayor to execute the amendment. [**Appropriated in the FY2008 Budget**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

**CONSENT**

**ITEM 21.**

A Resolution fixing a Sales Tax Assessment in the amount of \$449.60 against Cellular Express Inc. and Suhail Assao, the persons responsible for the collection and remittance of taxes, d/b/a **Cellular Express, Inc.** for the period of January, 2008. (Submitted by the Mayor) (Recommended by the Director of Finance)

**CONSENT**

**ITEM 22.**

A Resolution fixing a Sales Tax Assessment in the amount of \$282.50 against Black Pearl Inc. and Esteban G. Martinez, the person responsible for the collection and remittance of taxes, d/b/a **Black Pearl Asian Cuisine** for the period of January, 2008. (Submitted by the Mayor) (Recommended by the Director of Finance)

**CONSENT**

**ITEM 23.**

A Resolution fixing a Sales Tax Assessment in the amount of \$1,815.70 against J and R Fitness Inc. and Jennifer Kamm, the person responsible for the collection and remittance of taxes, d/b/a **Curves** for the period of March, 2006 to January, 2008. (Submitted by the Mayor) (Recommended by the Director of Finance)

**CONSENT**

**ITEM 24.**

A Resolution fixing a Sales Tax Assessment in the amount of \$41,401.85 against Supreme Ready Mix and E. McKenzie, the person responsible for the collection and remittance of taxes, d/b/a **Supreme Ready Mix** for the period of December, 2006 to January, 2008. (Submitted by the Mayor) (Recommended by the Director of Finance)

**CONSENT**

**ITEM 25.**

A Resolution fixing a Sales Tax Assessment in the amount of \$381.80 against Christopher House, Inc. and Stephen Kao, the person responsible for the collection and remittance of taxes, d/b/a **Christopher House Antiques** for the period of February, 2004. (Submitted by the Mayor) (Recommended by the Director of Finance)

**CONSENT**

**ITEM 26.**

A Resolution fixing a Sales Tax Assessment in the amount of \$1,663.78 against Lensco Inc. and Duane Willoughby, the person responsible for the collection and remittance of taxes, d/b/a **Lensco, Inc.** for the periods of December, 2005, January, 2006, and November, 2007 - January, 2008. (Submitted by the Mayor) (Recommended by the Director of Finance)

**CONSENT**

**ITEM 27.**

A Resolution fixing a Sales Tax Assessment in the amount of \$1,681.52 against Andrew Brow, LLC, the person responsible for the collection and remittance of taxes, d/b/a **Andrew Brown LLC** for the periods of May, 2006, and October, 2007 – November, 2007. (Submitted by the Mayor) (Recommended by the Director of Finance)

**CONSENT**

**ITEM 28.**

A Resolution fixing a Sales Tax Assessment in the amount of \$217.74 against Highland Coffee Company, Inc. and Paul Roller, the person responsible for the collection and remittance of taxes, for the periods of December, 2006 and March, 2007. (Submitted by the Mayor) (Recommended by the Director of Finance)

**ITEM 29.**

A Resolution supporting Senate Joint Resolution 54 urging Congress to implement the Homeowners and Bank Protecting Act. (Submitted by Council President Smitherman) (Recommended by Councillor Duncan)\*\*

**ITEM 30.**

A Resolution determining that any permanent employee of the City of Birmingham called to duty in defense of our country to be deployed in a military war zone will receive full salary as well as benefits for the entire time of their deployment, upon which time that employee returns and is available to resume employment by the City, that employee's job or position will be available. (Submitted by City Attorney) (Recommended by the Mayor)

**CONSENT****ITEM 31.**

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a building permit to **Joseph J. Holt, II**, the owner or agent of the property located at 825 – 42<sup>nd</sup> Place North, Birmingham, which was condemned by the Council October 9, 2007, 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 32.**

A Resolution accepting the lump sum bid of **Bass Tile**, Helena, Alabama, in the amount of \$47,500.00, to install new ceramic tile on the fifth floor of Police Headquarters, 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 2007 Budget; Equipment/Police DAE**] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (Two Bids Submitted)

**CONSENT****ITEM 33.**

A Resolution accepting the lump sum bid of **Birmingham Water Works Board**, 3600 First Avenue North, Birmingham, in the amount of \$44,540.00, for thirty-four (34) water meters and tapping fees for the Oak Hills Street Improvement Project, 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 2007 Budget; Housings 2007-A G. O. Bond Fund DJ-03523**] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (One Bid Submitted)

**CONSENT****ITEM 34.**

A Resolution accepting and approving the bid of **GLS Supply**, Birmingham, for the purchase of ADA compliant drinking water fountains as needed, this being the lowest responsive bid submitted. [**Appropriated for in FY2008 Budget; Object Code 1221; Condense Code BH9; Project Code 01712**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (Three Bids Submitted)\*\*

**CONSENT**

**ITEM 35.**

A Resolution authorizing the Director of Finance to make three (3) refunds in the total amount of \$4,186.12. (Submitted by the Mayor) (Recommended by the Director of Finance)\*\*

**ITEM 36.**

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

Anne Hooks, Deputy Administrator, City Council, Washington, District of Columbia, \$2,606.76, March 8 - 12, 2008, to attend the National League of Cities Conference.

Valerie Abbott, Councilor, City Council, Washington, District of Columbia, \$2,720.72, March 8 - 13, 2008, to attend the National League of Cities Conference.

Martha Espy, Committee Assistant, City Council, Washington, District of Columbia, \$489.00, March 8 - 13, 2008, to attend the National League of Cities Conference.

**ITEM 37.**

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

**OLD AND NEW BUSINESS**

**REQUESTS FROM THE PUBLIC**

**PRESENTATIONS**

**ADJOURNMENT**

**\*\* - Attachments**

**P – Items of Permanent Operation**

(ph) – Public Hearing

**NOTE: The following matters were withdrawn:**

A Resolution revoking the Certificates of Public Necessity and Convenience to operate a horse-drawn carriage issued to Roy McKinney, d/b/a Five Points Carriage, 3467 Heather Lane, Birmingham, AL 35216.

Those properties declared by Resolution No. 266-08 on March 11, 2008 to be noxious and dangerous, whereon said weeds have been abated:

10.	23-27-4-05-08.000-RR	1204 KRIN AVE 35213	LOT 31 BLK 4 EASTWOOD GARDENS 3RD SECTOR
27.	23-20-3-04-10.000-RR	4229 Richard Arrington Jr Blvd N 35206	LOT 10 BLK 4 KINGSTON
33.	22-28-3-04-14.000-RR	448 4TH ST 35214	LOT 19 BLK 12 THOMAS
35.	22-32-4-12-05.000-RR	3001 PIKE RD 35208-2318	LOTS 1 & 2 BLK 10 SHADYSIDE
59.	30-12-4-06-16.000-RR	4932 Avenue I 35208	LOT 48 KINARDS ADD TO OAK HILLS PARK
60.	29-18-3-24-01.000-RR	1105 SOUTH GALE DR 35228	LOT 2 BLK 4 SECOND SECTOR GREEN ACRES PARK
65.	29-08-1-22-17.000-RR	1920 PRINCETON CT SW 35211	LOT 17 BLK 3 OAKWOOD ESTATES
67.	29-09-2-11-09.000-RR	536 FRANCES ST 35211	LOT 4 BLK 4 WEST END PLACE
82.	22-31-3-39-02.000-RR	2013 AVENUE I 35218	LOT 9 & E 10 FT LOT 10 BLK 20-I ENSLEY
93.	12-31-1-04-14.000-RR	904 HILLVIEW DR 35235	LOT 2 BLK 3 LEWIS 2ND ADD TO HUFFMAN GARDENS
94.	13-36-2-03-04.000-RR	949 ELIZABETH DR 35215	LOT 20 FIVE MILE CREEK ROAD 3RD ADD TO HUFFMAN
101.	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)
106.	29-02-3-41-01.000-RR	208 16TH AVE S 35205	LOT 3 BLK 3 ACE RLTY COS 1ST ADD TO BHAM
113.	29-02-3-10-03.000-RR	68 3RD AVE S 35205	LOTS 17 & 18 BLK 3 SESSIONS LD CO SUB OF BLKS 3-4 WALKER LAND COS ADD TO BHAM
122.	13-36-3-11-01.001-RR	348 ROBINSON DR 35215	LOT 7-B MARTHA A GASKINS SURVEY PB 207 PG 96 SEC 36 TP 16 R 2W
131.	22-34-1-27-11.000-RR	901 2ND ST W 35204	S 65 FT OF LOTS 9 & 10 BLK 50 SMITHFIELD (NORTH)
135.	30-02-2-06-30.000-RR	528 OREGON ST 35224	BEGIN AT THE NW COR OF LOT SAID PT BEING 130 FT S OF THE PT OF INTER OF THE NE COR OF LOT 16 FREEMANS ADD TO WYLAM & CONTINUED
144.	29-05-1-07-17.000-RR	2628 24TH ST W 35208	LOTS 19 & 20 BLK 62 BHAM-ENSLEY