

## **AGENDA**

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

**April 26, 2011 - 9:30 A.M.**

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

**INVOCATION: Reverend Stephen Jones, Pastor of Southside Baptist Church**

**PLEDGE OF ALLEGIANCE: Councilmember Carole Smitherman**

**ROLL CALL**

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: March 1 and 8, 2011**

**MINUTES NOT READY: March 15 – April 19, 2011**

**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**

**P(ph)**

**ITEM 1.**

An Ordinance “TO FURTHER AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2010-00117**) to change zone district boundaries from MXD Mixed Use District to R-3 Single Family District, filed by Joey Miller, representing the owner, Wisdom’s Way World Outreach Ministries, for property located at 1501 Daniel Payne Drive, and situated in the SE¼ of Section 17, Township 17 South, Range 3 West and in the NE¼ of Section 20, Township 17 South, Range 3 West, and the **hearing** of all interested parties. [**Second Reading**] (Submitted by Councillor Abbott, Chairperson, Planning and Zoning Committee) (Recommended “Q”R-3 by the Z.A.C. and the Planning and Zoning Committee (Held Over From 1/11/11 to 1/18/11; Deferred from 1/18/11 to 2/1/11; Deferred from 2/1/11 to 3/29/11; and Deferred from 3/29/11 to 4/26/11)\*\*

**CONSENT(ph)**

**ITEM 2.**

A Resolution relative to the application of T & J Food Mart LLC for a Lounge Retail Liquor Class II License to be used at **T & J Package Store**, 345 – 6<sup>th</sup> Avenue S.W. Suite B, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 3.**

A Resolution relative to the application of Williams Brothers Music Hall LLC for the transfer of a Special Retail Liquor License 160 to be used at **WorkPlay**, 500 – 23<sup>rd</sup> Street South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 4.**

A Resolution relative to the application of Gary Robertson for a Special Events License 140 to be used at **1<sup>st</sup> Annual Magic City Summer Jam Fest**, June 11, 2011 at the Alabama State Fairgrounds, 2331 Bessemer Road, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 5.**

A Resolution relative to the application of Yarbrough Festival Foodservice for a Special Events License 140 to be used at **Salsa Showdown**, May 28, 2011 at Pepper Place, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 6.**

A Resolution relative to the application of Yarbrough Festival Foodservice for a Special Events License 140 to be used at **Secret Stages**, May 13-14, 2011 in the Parking Lot at 2323 – 2<sup>nd</sup> Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 7.**

A Resolution relative to the application of Hooters of Trussville LLC for a Special Events License 140 to be used at **Hooters Swim Suit Contest**, May 21, 2011 at 1917 Edwards Lake Road, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 8.**

A Resolution relative to the application of Arthritis ad Rheumatism Foundation for a Special Events License 140 to be used at **Mud Bugs and Music**, May 14, 2011 at 115 Dunston Avenue, Birmingham, and the **hearing** of all interested parties. (Submitted by Councillor Austin, Chairman, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 9.**

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

2        23-20-1-25-15.000-RR; 4920 9TH CT N, LOT 14 BLK 2 G D STATION IN SE 1/4 OF SE 1/4 OF NE

3        22-31-4-10-08.000-RR; 1315 AVENUE R, LOT 3 PROPERTY OF THE T H DREWERY T M LYLES

- 4 23-21-1-14-07.000-RR; 133 57TH ST N, LOTS 1 & 2 BLK 3 O W WOOD SUR
- 5 29-06-2-26-08.000-RR; 2616 AVENUE J, LOTS 15-16 BLK 26-I ENSLEY 5TH ADD
- 6 22-25-2-06-09.000-RR; 1335 26TH ST N, S 50 FT OF N 550 FT OF W 190 FT OF BLK 43 BHAM RLTY CO 4TH ADD BEG AT A PT WHERE N ROW OF 14TH AVE N INT E ROW OF 26TH CONTINUED
- 7 29-04-4-10-15.000-RR; 417 11TH ST SW, P O B 150 FT N W OF THE N INTE R OF FULTON AVE S W & S W 11TH ST TH N W 40 FT ALONG S W 11T H ST TO ALLEY TH N E 130 FT AL CONTINUED
- 8 29-03-2-15-04.000-RR; 727 ALABAMA AVE SW, LOT 20 OF T R MCCARTY & A L SMITHS ADD TO WEST END
- 9 29-08-4-11-01.000-RR; 2001 PEARSON CT SW, LOT 1 BLK 4 GLENBORISS
- 10 30-21-2-02-31.000-RR; 1631 EDWARDS ST, P O B 1044 FT S S OF N E COR NW 1/4 SEC 21 T18S R4W TH S 85 FT S TH W 240 FT S TH N 85 FT S TH E 240 FT S TO P O B IN CONTINUED
- 11 23-14-1-19-98.000-RR; 809 79TH ST S, LOT 1 PINE HILL ADD TO HOWARD COLLEGE ESTATES
- 12 29-02-2-18-20.000-RR; 338 POWELL AVE S, LOT 10 HAMILTON COPELAND & FEAGAN SUR SHADYSIDE
- 13 30-21-2-02-32.000-RR; 1621 EDWARDS ST, POB 874 FT S OF NE COR OF THE NW1/4 SEC 21 TSP 18S R 4W TH S
- 14 29-16-4-18-05.000-RR; 2021 14TH PL SW, LOT 9 BLK 37 MASON CITY
- 15 29-02-2-22-06.000-RR; 40 3RD PL S, LOT 5 W P WEIR SUR
- 16 29-02-2-22-07.000-RR; 45 3RD ST ST, N 1/2 LOT 4 W P WEIR SUR
- 17 29-02-2-22-08.000-RR; 47 3RD ST S, S 1/2 LOT 4 W P WEIR SUR
- 18 29-03-4-19-06.000-RR; 125 3RD AVE SW, LOT 7 BLK 3 LEO KARPELES 1ST ADD
- 19 29-02-3-15-15.000-RR; 58 5TH AVE S, LOT 15 BURCHELLS SUR BLK 6 WALKER LAND CO ADD TO BHAM
- 20 22-26-1-16-15.000-RR; 1505 20TH ST N, LOT 5 J THAD MULLINS SUB DIV
- 21 22-26-1-16-14.000-RR; 1509 20TH ST N, LOT 4 J THAD MULLINS SUB DIV
- 22 23-19-3-14-22.000-RR; 3427 11TH AVE N, POB 10 FT NE OF INTER N MOST COR LOT 7 BLK 646 BHA
- 23 23-07-3-08-29.000-RR; 3656 43RD AVE N, LOT 13 BLK 6 M A HINES 1ST ADD TO HARRIMAN PARK

- 24 29-07-2-11-16.000-RR; 1416 43RD ST, LOT 16 BLK 5 BELVIEW HTS
- 25 22-23-4-30-09.000-RR; 1616 DRUID HILL DR, LOTS 15 & 16 CASEY ADD TO DRUID HILLS PLUS A TRACT P O B SW COR SD LOT 16 TH S 105 FT TH E 188 FT TO DRUID HILL DR CONTINUED
- 26 13-25-3-03-42.000-RR; 228 SAM PATE DR, LOT 1 BLK 12 VON DALES 5TH SEC 78/25
- 27 23-17-3-00-01.001-RR; ACROSS FROM 4001 EAST LAKE BLVD, BEG AT NE COR OF SW 1/4 SEC 17 TP 17 R 2W TH W 1965 FT TH SW 815 FT TH S 2240 FT TH SE 140 FT TH NE 230 FT TH SE 15 FT TH CONTINUED
- 28 29-17-3-15-04.000-RR; 1809 31ST ST SW, S 58 FT OF W 10 FT OF LOT 2 & S 58 FT OF LOTS 3 & 4 BLK 1 ORIGINAL TRACT PLEASANT VALLEY LAND & MANUFACTURING CO CONTINUED
- 29 22-13-4-36-10.000-RR; 3212 27TH CT N, LOT 20 BLK 2 WHITNEY-GAYLE & VANN ADD
- 30 22-13-4-16-15.000-RR; 3406 31ST AVE N, LOT 14 BLK 4 DOUGLASVILLE
- 31 22-13-3-01-68.000-RR; 2886 27TH CT N, E 10 FT LOT 39 AND LOT 40 BLK 3 MITCHELLS ADD TO NO BHAM
- 32 22-13-3-01-69.000-RR; 2882 27TH CT N, THE E 6 FT OF LOT 38 & THE W 20 FT OF LOT 39 BLK 3
- 33 22-13-3-01-70.000-RR; 2880 27TH CT N, W 24 FT OF LOT 38 BLK 3 SUR OF MICHELLS ADD TO NO
- 34 22-13-3-01-71.000-RR; 2874 27TH CT N, LOTS 36 & 37 BLK 3 MITCHELLS
- 35 22-13-3-01-72.000-RR; 2872 27TH CT N, THE E 27.8 FT OF LOT 35 BLK 3 MITCHELLS ADD TO N B
- 36 22-13-3-01-73.000-RR; 2870 27TH CT N, E 27.8 FT OF LOT 34 & W 2.2 FT OF LOT 35 BLK 3 MIT
- 37 22-13-3-01-74.000-RR; 2868 27TH CT N, E 2.5 FT LOT 32 & LOT 33 & W W 2.2 FT OF LOT 34 BL
- 38 22-13-3-01-75.000-RR; 2866 27TH CT N, E 2.5 FT OF LOT 31 & W 27.5 FT OF LOT 32 IN BLK 3
- 39 23-02-2-07-31.000-RR; 618 BRUNSON AVE, LOT 19 BLK 5 BEL AIR 1ST ADD
- 40 23-17-2-26-01.002-RR-01; NEXT TO 4010 40TH ST N, LOT 1-A RESUR OF LOT 1 & 2 BHAM ADD TO INGLENOOK 2ND SECT PG 224 PG 48
- 41 23-11-1-01-02.000-RR; 406 VALLEY RD, W 60 FT LOT 15 1ST ADD TO ROEBUCK SPRINGS

- 42 23-07-3-14-11.000-RR; 3641 42ND AVE N, LOT 4 BLK 6 HARRIMAN PARK
- 43 22-24-4-24-07.000-RR; 1328 29TH ST N, S 30 FT LOT 3 & N 20 FT LOT 2 BLK 30 BHAM RLTY COS
- 44 29-08-4-18-11.000-RR; 929 21ST ST SW, S 9 FT OF LOT 1 & N 44 FT OF LOT 2 BLK 4 MAPLEHURST 1ST ADD
- 45 29-08-4-18-10.000-RR; 933 21ST ST SW, S 6 FT LOT 2 & N 47 FT LOT 3 BLK 4 MAPLEHURST 1ST ADD
- 46 23-11-4-34-05.001-RR; NEXT TO 528 & 526 81ST ST S, LOT 18 BLK 34 SOUTH HGLD OF EAST LAKE
- 47 23-19-3-25-08.000-RR; 3525 NORWOOD BLVD, P O B 392 FT S NW OF SW INTER NORWOOD BLVD & 36TH ST N TH NW 89 FT ALG NORWOOD BLVD TH SW 162.7 FT TH SE 26 FT TH NE
- 48 30-35-2-27-07.000-RR; 6025 TAYLOR ST, LOTS 9 & 10 J H TAYLOR SUB
- 49 30-35-2-27-08.000-RR; 620 TAYLOR ST, LOT 11 J H TAYLOR SUB OF LOT 3 OWEN HARTLEY SUR 9/
- 50 29-04-3-12-01.000-RR; 1501 MONROE AVE, BLK H LARKWAY HOUSING CORP
- 51 29-04-3-08-02.000-RR; 1660 MONROE AVE, BLK C LARKWAY HOUSING CORP
- 52 29-04-3-11-01.000-RR; 1601 MONROE AVE, BLK E LARKWAY HOUSING CORP

**ITEM 10.**

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a building permit to **Harold Smith**, the owner or agent of the property located at 15 Morris Avenue, Birmingham, which was condemned by the Council February 15, 2011 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 and Councillor Roberson, Chairman, Public Improvements Committee) (Deferred from 3/22/11 to 4/26/11)

**ITEM 11.**

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a building permit to **Cedric Allen**, the owner or agent of the property located at 1031 Tuscaloosa Avenue, Birmingham, which was condemned by the Council February 15, 2011 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 and Councillor Roberson, Chairman, Public Improvements Committee) (Deferred from 3/22/11 to 4/26/11)

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

**ITEM 12.**

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” by appropriating \$500,000.00 to Mayor’s Office – Fair Park Track/Pool from revenue received from the Alabama High School Athletic Association agreement. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Director of Finance)\*\*

**CONSENT**

**ITEM 13.**

An Ordinance authorizing the Mayor to enter into an easement agreement whereby **Alabama Power Company** is allowed to enter upon City property leased to the Birmingham Zoo, 2630 Cahaba Road, to install, operate and maintain certain electrical facilities to relocate a power pole for the proposed extension of the service road in the maintenance area at the zoo. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)\*\*

**CONSENT**

**ITEM 14.**

A Resolution authorizing the Mayor to enter into a Construction Agreement with **the State of Alabama, acting by and through the Alabama Department of Transportation** for Project No. HPP-A188() Cahaba Road Transportation Enhancement in the City of Birmingham. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

CONSENT

**ITEM 15.**

A Resolution authorizing the Mayor to enter into a Supplemental Agreement Number 3 with **the State of Alabama, acting by and through the Alabama Department of Transportation** for Project No. HPP-1602(517) Improvements on 19<sup>th</sup> Street from I-59 to Tuxedo Junction, City of Birmingham. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

CONSENT

**ITEM 16.**

A Resolution authorizing the Mayor to enter into an Agreement whereby **American National Red Cross, LLC** is allowed to enter upon City right of way to install and maintain one (1) sign to be located within the right of way of 22<sup>nd</sup> Street South at a building located at 114 – 22<sup>nd</sup> Street South, Birmingham. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

CONSENT

**ITEM 17.**

A Resolution authorizing the Mayor to enter into a Memorandum of Understanding whereby **Oak Ridge Park Neighborhood Association** is allowed to enter upon City right of way to install and maintain one (1) neighborhood entrance sign within the right of way of 64<sup>th</sup> Place South. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

CONSENT

**ITEM 18.**

A Resolution authorizing the Mayor to accept funding from **the U.S. Department of Justice, the Bureau of Justice Assistance Bulletproof Vest Partnership Program** in the amount of \$26,019.23 and authorizing the Director of Finance to process expenditures up to \$26,019.23 which is the City's matching contribution for the Program. (Submitted by the Mayor) (Recommended by the Chief of Police)\*\*

**ITEM 19.**

A Resolution approving the consultant service agreement with **Anthony James Partners LLC**, a limited liability company of Delaware, in an amount not to exceed \$84,400.00, to provide expertise and professional services relating to the LED Video System at Fair Park Development, and authorizing the Mayor to execute the agreement and any other documents pertaining to this consultant service agreement. (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Acting Chief Assistant City Attorney)

CONSENT**ITEM 20.**

A Resolution approving the appointment of **Dynamic Civil Solutions, Inc.**, Birmingham, in an amount not to exceed \$27,800.00, inclusive of any reimbursable expenses, to provide surveying and engineering design services for the Lee Elementary School Access Improvements Project, and authorizing the Mayor to execute the appointment letter. [**Appropriated in the FY2011 Budget; PEP129CP 003683**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Planning, Engineering and Permits)

CONSENT**ITEM 21.**

A Resolution approving the proposal of **Swanson Services Corporation**, Denver, Colorado, to provide inmate commissary services for the Birmingham City Jail for a period of three (3) years with an option to extend the contract for two (2) additional terms of one (1) year and month to month thereafter with commission rate payable to the City, this being the most advantageous proposal submitted, and authorizing the Mayor to execute any necessary agreements. (Submitted by the Mayor) (Recommended by the Purchasing Agent, the Police Chief and the Director of Information Management Services) (Two Proposals Submitted)

CONSENT**ITEM 22.**

A Resolution approving the plans prepared by **the Alabama Department of Transportation**, designated as Project No. IM-I020 (329) Pavement Rehabilitation on I-20 from the Beginning of the Asphalt Pavement West of CR-74 (Kilgore Memorial Parkway) to SR-4 (US-78) and granting full use and access to the dedicated widths of any existing streets for the construction of said project and agreeing to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the project is being graded, drained, paved and otherwise improved. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)\*\*

CONSENT**ITEM 23.**

A Resolution approving the plans prepared by **the Alabama Department of Transportation**, designated as Project No. ST-037-I59-003, Slide Correction on I-59 Southbound Inside Shoulder, Just South of the I-65 Route Interchange in Downtown Birmingham and granting full use and access to the dedicated widths of any existing streets for the construction of said project and agreeing to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the project is being graded, drained, paved and otherwise improved. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)\*\*

**CONSENT****ITEM 24.**

A Resolution finding that the payment of \$1,000.00 to **First Ebenezer Baptist Church** to provide facility usage for the Liberty Highlands Neighborhood Association meetings constitutes a public purpose, authorizing the expenditure of the total amount of \$1,000.00 in City of Birmingham funds, which have been allocated to the Liberty Highlands Neighborhood Association, payable to First Ebenezer Baptist Church, for this purpose, and authorizing the Mayor to execute an agreement with First Ebenezer Baptist Church for this purpose. (Submitted by the Acting Chief Assistant City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**CONSENT****ITEM 25.**

A Resolution finding that the expenditure of \$3,000.00 from funds allocated to the Thomas Neighborhood Association on behalf of **Mt. Hebron Baptist Church Outreach Foundation, Inc.** for tutorial and mentoring to youth in the Thomas Neighborhood and surrounding communities, constitutes a public purpose, and authorizing the Mayor to execute an agreement with Mt. Hebron Baptist Church Outreach Foundation, Inc. for the provision of these goods and services. (Submitted by the Acting Chief Assistant City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**ITEM 26.**

A Resolution confirming the appointment of two (2) members to **the Birmingham Park and Recreation Board** one (1) term expiring October 8, 2012 and one (1) term expiring October 8, 2013. (Submitted by Councillor Parker, Chairperson, Parks, Recreation and Cultural Arts Committee) (Recommended by the Parks, Recreation and Cultural Arts Committee)

**CONSENT****ITEM 27.**

A Resolution determining that the building or structure located at 1710 – 34<sup>th</sup> Street (Duplex), 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 28.**

A Resolution determining that the building or structure located at 1504 – 20<sup>th</sup> 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 29.**

A Resolution determining that the building or structure located at 1712 – 34<sup>th</sup> 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 30.**

A Resolution determining that the building or structure located at 5217 Avenue P, 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 31.**

A Resolution fixing a special assessment in the amount of \$3,511.00 against the property located at 341 Avenue T Pratt City, Birmingham, for the cost incurred for the demolition of an unsafe building or structure (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 32.**

A Resolution fixing a special assessment in the amount of \$3,066.00 against the property located at 723 – 5<sup>th</sup> Street Pratt City, Birmingham, for the cost incurred for the demolition of an unsafe building or structure (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 33.**

A Resolution fixing a special assessment in the amount of \$8,444.00 against the property located at 504 Frances Street S.W., Birmingham, for the cost incurred for the demolition of an unsafe building or structure (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 34.**

A Resolution fixing a special assessment in the amount of \$4,139.11 against the property located at 211 – 59<sup>th</sup> Street South Wylam, Birmingham, for the cost incurred for the demolition of an unsafe building or structure (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT****ITEM 35.**

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a building permit to **Robert Paul Hollman**, the owner or agent of the property located at 4029 – 28<sup>th</sup> Way North, Birmingham, which was condemned by the Council March 15, 2011 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 and the Public Improvements Committee)

**ITEM 36.**

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a building permit to **Natasha Orr Givens**, the owner or agent of the property located at 1214 – 16<sup>th</sup> Street North, Birmingham, which was condemned by the Council May 31, 2005, 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, two (2) permits having been voided due to the lack of substantial repairs. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (No Recommendation by the Public Improvements Committee)

**CONSENT****ITEM 37.**

A Resolution accepting the lump sum bid of **Acton Flooring, Inc.**, Vestavia Hills, Alabama, in the amount of \$11,377.00, for City Hall 4<sup>th</sup> Floor Flooring Replacement, this being the lowest bid submitted meeting specifications, and authorizing the Mayor to execute the contract in accordance with said bid. [001\_049\_40200\_40229.511-022] (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (Three Bids Submitted)

**CONSENT****ITEM 38.**

A Resolution accepting and approving the bid of **Graybar Electric Company, Inc.**, Birmingham for the purchase of sign mounting hardware and steel traffic sign posts 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 City Stores Warehouse, this being the lowest bid submitted meeting specifications and/or 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. [Appropriated in the FY 2011 Budget; G/L Account: 001.152-003] (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Twelve Bids Submitted)

**CONSENT****ITEM 39.**

A Resolution accepting and approving the bid of **Swarco Industries, Inc.**, Columbia, Tennessee, for the purchase of glass spheres 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 City Stores Warehouse, this being the lowest bid submitted. [**Appropriated in the FY 2011 Budget; G/L Account: 001.152-003**] (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Twelve Bids Submitted)

**CONSENT****ITEM 40.**

A Resolution amending Resolution No. 407-09, adopted by the Council March 24, 2009, fixing a special assessment against various properties throughout the City for the abatement of noxious or dangerous weeds to remove the property located Next to 821 Houston Place, 22-20-1-06-12.000-RR- Account No. 88605 due to the property being assessed in error. (Submitted by the Acting Chief Assistant City Attorney) (Recommended by Councillor Roberson, Chairman, Public Improvement and Beautification Committee)

**CONSENT****ITEM 41.**

A Resolution amending Resolution No. 44-11, adopted by the Council January 18, 2011 which requested that a sign be placed on Sixth Street S.W. between Cotton Avenue S.W. and Tuscaloosa Avenue S.W. in honor of Rachel Arrington, to request that Sixth Street S.W. between Cotton Avenue S.W. and Tuscaloosa Avenue S.W. be renamed to **Rachel's Way** and that all necessary steps are taken by the appropriate departments to notify property owners, the postal service as well as any other entities to make this change. (Submitted and Recommended by Councillor Smitherman)

**CONSENT****ITEM 42.**

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

R. Scott Colson III, Assistant to the Mayor, Mayor's Office, \$1,208.16, March 15-18, 2011, to attend U.S. Youth Game Planning/Board Meetings in Cocoa Beach, Florida.

**CONSENT****ITEM 43.**

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

**CONSENT**

**ITEM 44.**

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

**ITEM 45.**

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

Linda Coleman, ADA Director, Mayor's Office, Las Vegas, Nevada, \$2017.00, May 8 – 12, 2011 to attend Americans with Disabilities Act National Symposium Conference..

Iris Kimbrough, Committee Assistant, City Council, Huntsville, Alabama, \$881.88, April 30 – May 2, 2011 to attend Alabama League of Municipalities Convention.

Cheryl Kidd, Council Administrator, City Council, Huntsville, Alabama, \$903.20, May 1 – 3, 2011 to attend Alabama League of Municipalities Convention.

Maxine Parker, Councilor, City Council, Huntsville, Alabama, \$946.16, May 1 – 3, 2011, to attend Alabama League of Municipalities Convention.

Kimberly Rafferty, Councilor, City Council, Huntsville, Alabama, \$347.64, May 1 – 3, 2011, to attend Alabama League of Municipalities Convention.

**ITEM 46.**

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:**

A Resolution revoking the Junk Dealer's Permit issued to Matthews Foreign Car Parts, 1221 – 2<sup>nd</sup> Avenue North, Birmingham, AL 35203.

Those properties declared by Resolution No. 389-11 on March 22, 2011 to be noxious and dangerous, whereon said weeds have been abated:

- 1 23-15-4-21-10.000-RR; 6910 6TH CT S, LOT 7 & NE 45 FT OF LOT 6 BLK 1 FLOYD DICKINSON SUB 30/33