

**REGULAR MEETING OF THE COUNCIL
CITY OF BIRMINGHAM, ALABAMA
CITY COUNCIL CHAMBERS – THIRD FLOOR CITY HALL
PRE-COUNCIL MEETING – 9:00 A.M.**

January 28, 2025 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

**INVOCATION: Major W. Burrell, Pastor, Peace Missionary Baptist Church,
Birmingham, AL**

PLEDGE OF ALLEGIANCE: Councilor Carol E. Clarke

ROLL CALL

MINUTES NOT READY: October 22, 2024 – January 21, 2025

COMMUNICATIONS FROM THE MAYOR

STATEMENT OF CONDUCT OF BUSINESS

All items designated as “Consent” are routine and non-controversial and will be approved by one motion. All items on the “Consent Agenda” will be announced by reading the Item Numbers only. No separate discussion of these items will be permitted unless a Councilmember or the Mayor requests the item be removed from the “Consent Agenda”. Additionally, a Citizen interested in addressing the Council with respect to an item on the “Consent Agenda” designated for “Public Hearing” (“ph”) may request the item be removed from the “Consent Agenda” to hold the hearing on the item. Any item(s) removed from the “Consent Agenda” will revert to its normal place on the Agenda Order of Business.

For remaining matters, all matters of permanent operation (“P”) will be read, and all Public Hearings (“ph”) will be announced.

CONSIDERATION OF CONSENT AGENDA

CONSIDERATION OF ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

CONSENT(ph)

ITEM 1.

A Resolution authorizing the abatement and removal of the following inoperable motor vehicle as a public nuisance existing on the following property and the costs of removal to be assessed against the registered owner of the vehicle, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

4-DOOR HYUNDAI SUV COLOR: WHITE TAG: UNKNOWN VIN: UNKNOWN
located at 3014 AVENUE C, 35218 Parcel ID Number 30-01-1-26-08.000-RR

CONSENT(ph)

ITEM 2.

A Resolution authorizing the abatement and removal of the following inoperable motor vehicle as a public nuisance existing on the following property and the costs of removal to be assessed against the registered owner of the vehicle, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

2-DOOR MITSUBISHI CAR UNDER TARP COLOR: SILVER TAG: UNKNOWN VIN:
UNKNOWN
located at 4319 5TH AVE, 35224 Parcel ID Number 30-02-1-02-08.000-RR

CONSENT(ph)

ITEM 3.

A Resolution authorizing the abatement and removal of the following inoperable motor vehicle as a public nuisance existing on the following property and the costs of removal to be assessed against the registered owner of the vehicle, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

4-DOOR CAR COLOR: SILVER TAG: UNKNOWN VIN: UNKNOWN
located at 4319 5TH AVE, 35224 Parcel ID Number 30-02-1-02-08.000-RR

CONSENT(ph)

ITEM 4.

A Resolution authorizing the abatement and removal of the following inoperable motor vehicle as a public nuisance existing on the following property and the costs of removal to be assessed against the registered owner of the vehicle, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

CADILLAC SEDAN UNDER CAR PORT COLOR: GRAY TAG: UNKNOWN VIN:
UNKNOWN
located at 929 44TH ST N, 35212 Parcel ID Number 23-20-3-02-04.000-RR

CONSENT(ph)

ITEM 5.

A Resolution authorizing the abatement and removal of the following inoperable motor vehicle as a public nuisance existing on the following property and the costs of removal to be assessed against the registered owner of the vehicle, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

CADILLAC SEDAN IN REAR COLOR: WHITE TAG: UNKNOWN VIN: UNKNOWN
located at 929 44TH ST N, 35212 Parcel ID Number 23-20-3-02-04.000-RR

CONSENT(ph)

ITEM 6.

A Resolution authorizing the abatement and removal of the following inoperable motor vehicle as a public nuisance existing on the following property and the costs of removal to be assessed against the registered owner of the vehicle, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

MITSUBISHI ECLIPSE IN REAR COLOR: SILVER TAG: UNKNOWN VIN: UNKNOWN
located at 929 44TH ST N, 35212 Parcel ID Number 23-20-3-02-04.000-RR

CONSENT(ph)

ITEM 7.

A Resolution authorizing the abatement and removal of the following inoperable motor vehicle as a public nuisance existing on the following property and the costs of removal to be assessed against the registered owner of the vehicle, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

CHEVROLET PICK-UP TRUCK IN REAR COLOR: TAN TAG: UNKNOWN VIN:
UNKNOWN
located at 929 44TH ST N, 35212 Parcel ID Number 23-20-3-02-04.000-RR

P (ph)

ITEM 8.

A Resolution assenting to the vacation of the following: 8,011 square feet of the right of way that is located parallel to and between 5th Avenue North and 6th Avenue N. and perpendicular to and between 14th Street North and 15th Street North, on behalf of **Hallmark ACQ, LLC**, owners, so that the owner can consolidate property, located at 1424 5th Avenue North, Birmingham, and the **hearing** of all interested parties, **Case No. SUB2024-00087. [Second Reading]** (Submitted by Councilor Moore, Chairperson, Community Development Committee) (Recommended by the Community Development Committee) (NOT Recommended by the Subdivision Committee of the Birmingham Planning Commission)**

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

P

ITEM 9.

An Ordinance approving the sale of a cemetery lot in the **Oak Hill Cemetery** known as Lot 0906, spaces 4, 5, and 6, to **Sam Parker and Claire Parker** for a purchase price of \$15,000.00, and authorizing the Mayor to execute a deed to convey such lot and to execute such other documents and instruments related to the sale of said cemetery lot as may be required to finalize the sale thereof. **[First Reading]** (Submitted by City Attorney) (Recommended by the Mayor and the Community Development Committee)**

P

ITEM 10.

An Ordinance, pursuant to Act 1969-916 of the Acts of Alabama, authorizing the Mayor to enter into an Interlocal Cooperation Agreement with the **Birmingham Water Works Board**, for the Birmingham Water Works Board to perform certain water sampling test services to include Organic Analysis, Inorganic Analysis, Wet Chemistry Analysis, and Microbiological Analysis on an as-requested basis, for a term of up to two (2) years. The total costs to be paid by the City under said Agreement shall not exceed \$89,660.00. **[First Reading] [G/L Account: 048-016.527-050]** (Submitted and Recommended by the Mayor)**

CONSENT

ITEM 11.

A Resolution authorizing the Mayor to execute any and all documents required for the City to complete a grant and accept all grant funds appropriated by the **Alabama Legislature FY2025 (ACT#2024-335)** in support of the Birmingham Police Department Athletics Youth Program in an amount not to exceed \$50,000.00 with no matching funds from the City and authorizing the Mayor to take any and all actions and execute such other documents as are appropriate and necessary in accordance with the terms of the grant. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 12.

A Resolution authorizing the Mayor to execute any and all documents required for the City to complete a grant and accept all grant funds appropriated by the **Alabama Legislature FY2025 (ACT#2024-335)** in support of the Birmingham Rapid Transit System (BRT) in an amount not to exceed \$200,000.00 with no matching funds from the City and authorizing the Mayor to take any and all actions and execute such other documents as are appropriate and necessary in accordance with the terms of the grant. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 13.

A Resolution authorizing the Mayor to execute any and all documents required for the City to complete a grant and accept all grant funds appropriated by the **Alabama Legislature FY2025 (ACT#2024-335)** in support of City Walk Maintenance in an amount not to exceed \$250,000.00 with no matching funds from the City and authorizing the Mayor to take any and all actions and execute such other documents as are appropriate and necessary in accordance with the terms of the grant. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 14.

A Resolution authorizing the Mayor to enter into a Right of Way Encroachment License Agreement whereby **Innovate Alabama, LLC**, is allowed to install one (1) blade sign, for the purpose of Innovate Alabama's headquarter location. The structure will project from exterior of the building located at 1320 – 1st Avenue, South, Birmingham. (Submitted by the Mayor) (Recommended by the Director of Capital Projects and the Community Development Committee)

CONSENT**ITEM 15.**

A Resolution authorizing the Director of Finance to pay **Caleb Jones (tenant)** \$30,450.00 for relocation housing payment, to Tract No. 7, Pratt Highway Bridge Replacement (Over Black Creek on Pratt Highway) Project No. STPBH-1602(519), located at 648 Pratt Highway, Birmingham. [**Project No. DCP157CP 02432A - Pratt Highway Bridge @ Morgan Street Grant Match and PEP035 GR 02432A – Pratt Highway Bridge @ Morgan Street Grant**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects and the Community Development Committee)

CONSENT**ITEM 16.**

A Resolution authorizing the Mayor to accept and expend the amount of \$5,000.00, as civil costs, from Shivsai Purav, LLC, agent for Relax Inn, a domestic corporation organized and existing pursuant to the laws of the State of Alabama, in the matter of *City of Birmingham v. Shivsai Purav, LLC*, in the Circuit Court of Jefferson County, bearing the case number CV-2024-903197, said funds to be used to assist the City of Birmingham in neighborhood revitalization. No matching funds are due from the City, and authorizing the Mayor to take all actions and to execute such other documents as are appropriate and necessary to accept and expend said funds on behalf of the City of Birmingham. [**G/L Account: 001-028-01600-534-013**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT**ITEM 17.**

A Resolution, pursuant to the provisions of §2-3-27 of the General Code of the City of Birmingham, 1980, as amended, authorizing the City Attorney, upon her recommendation to settle the matter of *Tameka Ivey and Alberta Owens vs. Kadarrius Jefferson and City of Birmingham, Alabama, et al.* Case No.: CV-2024-900611 Circuit Court of Jefferson County, Alabama and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this litigation in an amount not to exceed \$50,000.00. [**G/L Account: 001-028-01600-534**] (Submitted by the City Attorney) (Recommended by the Mayor) **

ITEM 18.

A Resolution appointing three (3) members to the **Public Park and Recreation Board of the City of Birmingham**, one term expiring July 16, 2026, one term expiring May 9, 2028 and one term expiring July 16, 2030. (Submitted by Councilor Moore, Chairman, Community Development Committee) (Recommended by the Community Development Committee)

CONSENT

ITEM 19.

A Resolution authorizing the Purchasing Agent to execute a contract extension without competitive bidding with **Hill’s Janitorial Service, Inc.**, for janitorial services at various City owned facilities: Birmingham Police Headquarters and precincts, Fire and Police Fitness Centers, Municipal Court Facilities, Negro Southern League Museum, and A.G. Gaston Motel, under the terms and conditions provided in the contract under Resolution No. 128-22, for a period not to exceed ninety (90) days from the date this resolution. (Submitted by the City Attorney) (Recommended by the Assistant Purchasing Agent)**

CONSENT

ITEM 20.

A Resolution accepting the lump sum bid of **McAbee Construction, Inc.**, 5724 21st Street, Tuscaloosa, Alabama, in the amount of \$1,817,000.00, for Highland Park Pro Shop – HVAC located at 3300 Highland Avenue, Birmingham, Alabama 35205, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with McAbee Construction, Inc. in substantially the form contained within the bid documents and in accordance with said bid, providing that the total compensation payable under that contract does not exceed the appropriation. [**Funding Source: DCP157CP 003965**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Bid Submitted)

CONSENT

ITEM 21.

A Resolution accepting the lump sum bid of **Syms Construction, Inc.**, Birmingham, Alabama, in the amount of \$942,785.00, for John McMahon Park- Harris Pool Repairs located at 2720 Avenue W, Birmingham, Alabama 35208, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with Syms Construction, Inc. in substantially the form contained within the bid documents and in accordance with said bid, providing that the total compensation payable under that contract does not exceed the appropriation. [**Funding Source: DCP157CP 003971**] (Submitted by the

Mayor) (Recommended by the Director of Capital Projects) (Two Bids Submitted)

CONSENT

ITEM 22.

A Resolution accepting the lump sum proposal of **Comfort Systems USA Mid-South, Inc.**, 3100 Richard Arrington Jr. Boulevard North, Birmingham, Alabama, 35203, in the amount of \$56,464.00, for the CrossPlex Pool Heater Repiping and Heating Boiler Repairs located at 2337 Bessemer Road, Birmingham, Alabama 35208, this being the lowest responsible and responsive proposal submitted, and authorizing the Mayor to enter into a contract with Comfort Systems USA Mid-South, Inc. in substantially the form contained within the proposal documents and in accordance with said proposal, providing that the total compensation payable under that contract not exceed the appropriation. **[Funding Source: DCP102CP 003999]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Proposal Received)

CONSENT

ITEM 23.

A Resolution accepting and approving the bid of **Dunn Construction**, Birmingham, for Asphalt (Plant Mix), as needed at the unit prices on file in the office of the Assistant Purchasing Agent, for a period of one (1) year, contingent upon Council approval, for the City of Birmingham Public Works Department, per the PACA Purchasing Cooperative, Bid #76-21. **[G/L Account: 001_049_40300_40395.513-004]** (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Director of Public Works)

CONSENT

ITEM 24.

A Resolution accepting and approving the bid of **Just Rite Printing**, Fultondale, Alabama for offset printing, copy services, and related items, as needed at the unit prices on file in the office of the Assistant Purchasing Agent, for a period of one (1) year, contingent upon Council approval, for the City of Birmingham Finance Department, per the PACA Purchasing Cooperative contract #20-23. **[G/L Account: 001_019_00090_00092.524-035]** (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Director of Finance)

CONSENT**ITEM 25.**

A Resolution accepting and approving the bid of **ODP Business Solutions, LLC**, Boca Raton, Florida, for office supplies, as needed at the unit prices on file in the office of the Assistant Purchasing Agent, for a period of eleven (11) months, contingent upon Council approval, for various City of Birmingham Departments, based on bid awarded contract by the State of Alabama, Master Agreement #MA230000003907. **[Appropriated for in the FY 2024-2025 Budget]** (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent)

CONSENT**ITEM 26.**

A Resolution approving the cooperative bid of **Stryker Sales, LLC**, Chicago, Illinois, for EMS Equipment as needed, at the unit prices on file in the office of the Assistant Purchasing Agent, for a period of one (1) year, for the Birmingham Fire and Rescue Department, in accordance with the Sourcewell Contract #041823-STY. **[Appropriated for in FY2024-2025 Budget; G/L Account: 001_022_17000_17400.524-025]** (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Fire Chief) **

CONSENT**ITEM 27.**

A Resolution accepting and approving the bid of **Tractor & Equipment Company**, Birmingham, for the purchase of CAT D8T Undercarriage Parts, as needed at the unit prices on file in the office of the Assistant Purchasing Agent, for a period of one (1) year, for the Equipment Management Department, this being the lowest bid submitted. **[Appropriated in FY 2024-2025 Budget; G/L Account: 001.151-004]** (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Director of Equipment Management) (One Bid Submitted)

CONSENT**ITEM 28.**

A Resolution approving payment to **Affordable Interior Systems, Inc.**, Leominster, Massachusetts, for furniture panels for upgrades of dorm rooms, in the amount of \$70,492.50, at unit prices on file in the office of the Assistant Purchasing Agent, in accordance with awarded contract by the State of Alabama, Master Agreement #MA220000002763, for the Fire Department. **[Appropriated in FY 2024-2025 Budget; G/L Account: 102_000.525-005; Project Account: FIR102CP 003974]** (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Fire Chief)

CONSENT**ITEM 29.**

A Resolution approving payment to **CraneWorks, Inc.**, Birmingham, for the purchase of rental equipment – Manlift/Knuckle/4WD/DSL/40-49 for eight (8) weeks in the amount of \$4,464.16, at the unit prices on file in the office of the Assistant Purchasing Agent, for the Birmingham Fire and Rescue Services Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated in FY 2024 - 2025 Budget; G/L Account: 001_022_18000_18200_18205.531-005**] (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Fire Chief)

CONSENT**ITEM 30.**

A Resolution approving payment to **J. W. Autobody and Collision**, Birmingham, in the amount \$635.00 for wreck repair on vehicle number 214351 and \$411.00, for wreck repair on vehicle number #183101, for a total of \$1,046.00, for the Equipment Management Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 31.**

A Resolution approving payment to **Paul Pierce Auto Paint and Body**, Birmingham, in the amount of \$2,694.50 for wreck repair on vehicle number 052212 for the Equipment Management Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 32.**

A Resolution approving payment to **The Hon Company, LLC**, Muscatine, Iowa, for the purchase of office furniture in the amount of \$3,185.46, at the unit prices on file in the office of the Assistant Purchasing Agent, for the Information Management Systems Department in accordance with bid contract awarded by the State of Alabama, Master Agreement #MA220000002845. [**Appropriated in FY 2024-2025 Budget; G/L Account: 001_037_99999.525-005**] (Submitted by the Mayor) (Recommended by the Assistant Purchasing Agent and the Director of Information Management Systems)

CONSENT

ITEM 33.

A Resolution approving the itemized expense account of an appointed official. (Submitted by the Mayor) (Recommended by the Director of Finance)**

CONSENT

ITEM 34.

A Resolution approving advanced expense accounts of an appointed and an elected official. (Submitted by the Mayor) (Recommended by the Director of Finance)**

CONSENT

ITEM 35.

A Resolution approving the advanced expense accounts of appointed officials. (Submitted by the Mayor) (Recommended by the Director of Finance)**

CONSENT

ITEM 36.

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

CONSENT

ITEM 37.

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

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT