

# TUSCALOOSA CITY COUNCIL MEETING SYNOPSIS

Tuesday, February 14, 2023

**CONVENED:** 6:00 p.m.

## **MEMBERS PRESENT**

Mayor Walt Maddox

President Pro Tem Tyner

Councilmembers Wilson, Howard, Crow, Faile and Lanier

## **ABSENT**

Councilmember Busby

**BUSINESS CONDUCTED:** All votes are unanimous unless otherwise indicated.

Approved minutes of previous meeting **(Ty/H)**

## **PROCLAMATIONS AND STATEMENTS BY MAYOR AND COUNCIL**

*Mayor Maddox announced the threat of severe weather on Thursday, February 16<sup>th</sup>. One tornado shelter will be open at the McDonald Hughes Center and possibly a second shelter will open at the Alberta School of Performing Arts. Councilmember Howard announced her town hall meeting to be rescheduled from February 16<sup>th</sup> to March 2<sup>nd</sup> due to the severe weather.*

## **AGENDA ITEM COMMENTS BY CITIZENS**

### **UNFINISHED BUSINESS**

*Councilmember Wilson made a motion to table for two weeks the resolution approving a gastropub as a conditional use for Druid City Social at 301 Greensboro Avenue (OCA 23-0045). Councilmember Lanier seconded the motion. President Pro Tem Tyner and Councilmembers Howard, Crow, and Faile voted "no" on the motion to table for two weeks. Councilmembers Wilson and Lanier voted "yes." The motion to table for two weeks failed.*

Denied a gastropub as a conditional use for Druid City Social at 301 Greensboro Avenue (OCA 23-0045) **(tabled on 1-31-23) (W/L; H, C, Ty, F – No; W, L – yes) (The applicant and applicant's counsel, Bryan Winter, was present to answer questions from the Council. No one else spoke in favor of or in opposition to the application).**

### **CONSENT AGENDA**

Approved items "a through c" on the consent agenda. **(Ty/L)**

- a) Set February 21st as the date for a public hearing on an application for a permit to construct and maintain a cart path at Legacy Point on Lake Tuscaloosa (OCA 23-0171).

- b) Set February 28th as the date for a public hearing to consider the revocation of the business license and the privilege to renew the business license of Bama Ride, LLC located at 4737 Harper Circle, Northport, Alabama (OCA 23-0081).
- c) Awarded competitive bid(s) for the purchase of crushed stone (Bid No. 9070-013123-1).

**PUBLIC HEARINGS**

Tabled for 60 days the demolition of the structure at 1500 McFarland Boulevard East. **(Ty/H; Barry Junkin with UD- Inspections gave a departmental report. Mr. Junkin stated it was his department’s recommendation to table the demolition. The property owner was not present to answer questions from the Council. The property owner’s representative was present to answer questions from the Council. No one spoke in favor or in opposition to the demolition). This item will next be heard on April 18, 2023.**

Ordered demolition of the structure at 6133 Birchwood Avenue. **(Ty/H, W - No; Barry Junkin with UD- Inspections gave a departmental report. Mr. Junkin stated it was his department’s recommendation to move forward with the demolition. The property owner was present to answer questions from the Council. No one spoke in favor or in opposition to the demolition).**

Set the cost of demolition of the structure at 2810 Elm Street and authorizing the filing of a lien. **(Ty/C; The property owner was not present to answer questions from the Council. No else spoke in favor or in opposition to the set cost of demolition and filing of a lien).**

Approved the ABC application of Home Package Store LLC for an alcohol license at Home Package Store; 1031 Skyland Boulevard Suite 1A, Tuscaloosa, AL, 35405: **(Antonius Mills with A&F- Revenue and Officer Champion with the Tuscaloosa Police Department each gave departmental reports. The applicant was present to answer questions from the Council. No one else spoke in favor of or in opposition to the application.)**

- 23-009 lounge retail liquor- class II (package) **(L/W)**

Approved the ABC application of Snak Group LLC for an alcohol license at Sunshine Food Mart 1; 4822 Skyland Boulevard E, Tuscaloosa, AL, 35405: **(Antonius Mills with A&F- Revenue and Officer Champion with the Tuscaloosa Police Department each gave departmental reports. The applicant was present to answer questions from the Council. No one else spoke in favor of or in opposition to the application.)**

- 23-010 (a) retail beer (off premises) **(W/H)**
- 23-010 (b) retail table wine (off premises) **(W/C)**

Adopted Ordinance No. 9338 adopting Zoning Amendment No. 1499 rezoning approximately 0.5 acres located at 1425 Hargrove Road East from BGO to RMF-1 (A23-1508/Z-31-22; Bill Edwards) **(introduced on 1-10-23) (C/W; Zach Ponds with UD-Planning gave a departmental report. The applicant was present to answer questions from the Council. No one else spoke in favor of or in opposition to the application).**

Adopted Ordinance No. 9339 adopting Zoning Amendment No. 1500 rezoning approximately 9.1 acres located North of Lake Tamaha, and south of 2700 Jack Warner Parkway from R-1 to BN (A23-1509/Z-34-22; Westervelt Investment Realty, Inc.) **(introduced on 1-10-23) (C/W; Zach Ponds with UD-Planning gave a departmental report. The applicant was present to answer questions from the Council. No one else spoke in favor of or in opposition to the application).**

Authorized Mayor to execute a waiver application form with the Alabama Historical Commission for Snow Hinton Park (OCA 23-0148). **(Ty/L; Tyler Vodopich with the Office of the City Engineer (“OCE”) gave a departmental report. No else spoke in favor of or in opposition to the application).**

Authorized Mayor to execute a waiver application form with the Alabama Historical Commission for Newtown Park (OCA 23-0148). **(W/C; Brett Blackburn with OCE gave a departmental report. No else spoke in favor of or in opposition to the application).**

#### **RESOLUTIONS AND ORDINANCES NOT OF A GENERAL NATURE OR PERMANENT OPERATION**

Established the legislative agenda of the City of Tuscaloosa for the 2023 session of the Alabama Legislature (A21-1621). **(Ty/L)**

Authorized the Mayor to execute an aviation hangar ground lease with Twin Hangar, LLC at the Tuscaloosa National Airport (A22-1441). **(W/L)**

Approved job class specifications for Development Review Manager (OCA 23-0164). **(L/W)**

Authorized amphitheater sponsorship contract with Tito’s Handmade Vodka (OCA 23-0110). **(W/C)**

Authorized disbursement from District 2 Improvement Funds for the Town Hall meeting refreshments; total: \$1,000.00 (OCA 23-0162). **(H/W)**

Authorized disbursement from District 6 Improvement Funds for Neighborhood Bridges; total: \$1,500.00 (OCA 23-0131). **(W/L)**

Authorized disbursement from District 6 Improvement Funds for the Kristen Amerson Foundation Donation; total: \$1,500.00 (OCA 23-0128). **(W/L)**

Authorized disbursement from District 6 Improvement Funds for the Backpack Connections Donation; total: \$1,500.00 (OCA 23-0129). **(W/L)**

Authorized disbursement from District 6 Improvement Funds for Caring Days Donation; total: \$1,500.00 (OCA 23-0130). **(W/L)**

Authorized the Mayor to execute Task Order Directive No. 4 with Thompson Engineering, Inc. for engineering and related services for the Martin Luther King Jr. Boulevard/Jack Warner Parkway Improvements Project; total not to exceed \$43,650.00 (A17-0445/2016.026). **(W/L)**

**ORDINANCES AND RESOLUTIONS OF A GENERAL NATURE OR PERMANENT OPERATION**

**FOR INTRODUCTION**

Introduced Zoning Amendment No. 1506 rezoning approximately 3.92 acres to be annexed into the City located at 9200 Highway 69 South within the existing Hillcrest Gardens Subdivision from R-1 to BN (OCA 23-0143/Z-03-23; Robb's Investments). **(L/H)**

Adopted Ordinance No. 9340 amending Section 19-178(f) of the Code of Tuscaloosa (A22-1456) **(introduction: C/W; unanimous: C/W)**.

Adopted Ordinance No. 9341 amending Exhibits "A" and "B" of Section 19-42/19-60(a) of the Code of Tuscaloosa for Development Review Manager (OCA 23-0163) **(introduction: L/W; unanimous: W/C)**.

Adopted Ordinance No. 9342 amending Section 21-27(a) and 21-27(c)(1) of the Code of Tuscaloosa (OCA 23-0020) **(introduction: L/W; unanimous: Ty/W)**.

Adopted Ordinance No. 9343 authorizing Amendment 8 to the Fiscal Year 2023 General Fund Budget (A22-1037) **(introduction: L/W; unanimous: C/W)**.

**FOR ADOPTION**

Set March 21<sup>st</sup> as the date for a public hearing to consider Zoning Amendment No. 1506 (OCA-23-0143/Z-03-23; Robb's Investments). **(L/C)**

**AUDITING ACCOUNTS**

Authorized the payment of bills; total: \$57,425.62. **(H/Ty)**

**OTHER MATTERS BROUGHT BEFORE THE COUNCIL**

**POLICY IMPLEMENTATION BY MAYOR:**

"Subject to the exercise of mayoral veto on ordinances of a general nature or permanent operation, all applicable departments are hereby ordered to otherwise implement council policy this date enacted."

**ADJOURNED 6:40 p.m. (Ty/L)**

Brandy P. Johnson  
City Clerk



Following each item of business are the initials of the Councilmember who introduced the item and the Councilmember who seconded the matter: W-Wilson, H-Howard, C-Crow, B-Busby, T-Tyner, F-Faile, L- Lanier. Only "No" votes are distinguished.

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: JPW III  
Requested: UD/Planning  
Presentation on: 1-31-2023  
Suspension of Rules: No

RESOLUTION

RESOLUTION APPROVING A GASTROPUB AS A CONDITIONAL USE  
FOR DRUID CITY SOCIAL 301 GREENSBORO AVENUE  
(OCA-23-0045)

WHEREAS, in accordance with Section 24-52 of the Code of Tuscaloosa, a gastropub is only permitted as a conditional use subject to review and approval by the City Council; and,

WHEREAS, Druid City Social has submitted an application for approval of a gastropub as a conditional use located at 301 Greensboro Avenue, Tuscaloosa, Alabama; and,

WHEREAS, conditional use criteria for the city council to consider include, but are not limited to: occupancy, hours of operation (bar/tavern only), kitchen hours of operation and bar hours of operation (gastropubs only), proximity to like establishments, public safety plan (security and lighting), and plan to reduce possible nuisances (parking, noise, crowding, and the like).

WHEREAS, 7 days notice of a public hearing before the City Council of Tuscaloosa to consider said tentative approval by this Council was duly given by publication in *The Tuscaloosa News*.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the application submitted by Druid City Social for approval of a Gastropub as a conditional use located at 301 Greensboro Avenue, Tuscaloosa, Alabama is hereby approved.

FUNDING REQUIRED:  Yes  No

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Introduced Tabled for 14 days  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading on 1/31/23  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled (w/ty - y)  
Amended \_\_\_\_\_  
Comments: [Signature]

By: \_\_\_\_\_  
Chief Financial Officer

Denied on  
2-14-23  
(City/H/F - yes;  
W/L - no) B - absent  
[Signature]  
City Clerk

[Signature]  
City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW

Requested: Properties Date: 02/7/23

Presentation on: 02/14/2023

Suspension of Rules: No

RESOLUTION

RESOLUTION SETTING DATE FOR HEARING ON APPLICATION FOR A  
PERMIT TO CONSTRUCT AND MAINTAIN A CART PATH AT LEGACY POINT  
ON LAKE TUSCALOOSA  
(OCA- 23-0171)

WHEREAS, Legacy Point Home Owners Association, has requested a permit to construct and maintain a cart path for better access to and from the community access lot at the Legacy Point Planned Unit Development on Lake Tuscaloosa as more particularly shown on the application; and,

WHEREAS, Section 18-68 of the Code of Tuscaloosa provides that a hearing shall be held on the issuance of a permit for commercial activity on Lake Tuscaloosa; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That a hearing shall be held on Tuesday, February 21, 2023 at 6:00 p.m. in the Council Chambers of City Hall, to consider the Legacy Point Home Owners Association's request for a permit to construct and maintain a cart path for improved access to and from the community lot on Lake Tuscaloosa as more particularly described on the application.

2. That the City Clerk publish a Notice of said public hearing at least one time in *The Tuscaloosa News*, a newspaper of general circulation in the City of Tuscaloosa, prior to the date of said hearing.

FUNDING REQUIRED:  Yes  No

COUNCIL ACTION

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Resolution \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Introduced \_\_\_\_\_  
Passed Adopted 2-14-23  
2<sup>nd</sup> Reading (Ty/L-y)(B-absent)  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled [Signature]  
Amended \_\_\_\_\_

By: \_\_\_\_\_

Chief Financial Officer

[Signature]  
City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW  
Requested: A&F/TPD Date: 01/31/2023  
Council Presentation on: 02/14/2023  
Suspension of Rules: No

RESOLUTION

RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER  
THE REVOCATION OF THE BUSINESS LICENSE AND THE PRIVILEGE  
TO RENEW THE BUSINESS LICENSE OF BAMA RIDE, LLC  
LOCATED AT 4737 HARPER CIRCLE NORTHPORT, ALABAMA  
(OCA-23-0081)

WHEREAS, Bama Ride, LLC at 4737 Harper Circle, Northport, Alabama, is licensed as Transportation – Low Speed Vehicle Taxicab Co. to do business in the City of Tuscaloosa.

WHEREAS, the Revenue Director has written to the Mayor and Council requesting a public hearing pursuant to Section 7-33(b) of the Code of Tuscaloosa for the possible revocation of the business license of Bama Ride, LLC and/or the privilege to renew the business license for Bama Ride, LLC due to complaints concerning Bama Ride, LLC having become a public nuisance and dangerous to the public safety, health, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that a public hearing is hereby set on Tuesday, February 28, 2022, at 6:00 p.m. to consider the possible revocation of the business license for Bama Ride, LLC, Account No. 126440 covering Transportation – Low Speed Vehicle Taxicab Co. and/or in the alternative, the revocation of the privilege to renew the business license.

FUNDING REQUIRED:  Yes  No

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By: \_\_\_\_\_  
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Introduced \_\_\_\_\_  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: \_\_\_\_\_

*Adopted 2-14-23  
(Ty/L-y)(B-absent)  
[Signature]  
City Clerk*

RESOLUTION

AWARDING COMPETITIVE BID(S) FOR THE PURCHASE, ETC. OF

CRUSHED STONE  
BID NO. 9070-013123-1

WHEREAS, heretofore, bids were opened and read for the purchase or lease of the above stated labor, service, work and/or materials, equipment, supplies or other personal property as more particularly stated in the invitation to bid, instruction to bidders and/or specifications of the City of Tuscaloosa, a Municipal Corporation; and,

WHEREAS, the said bids have been analyzed and reviewed by the appropriate department(s) to which the matter was referred by the City Council and recommendations as to award have been made thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that award based upon competitive bid for the following bid items is hereby made to:

Bunn Brothers Materials, Inc.

Bid Lines: 1, 1A, 2, 2A, 4, 4A, 5, 5A                      Various Prices

Martin Marietta

Bid Lines: 3, 3A    Various Prices

as the lowest responsible bidders taking into consideration where appropriate the qualities of the commodities, labor, service, etc. as above stated to be supplied or sold, conformity with specifications, the purpose for which required, the terms of delivery, transportation charges and dates of delivery where applicable; and the Mayor is authorized to execute appropriate contracts or related documents and the City Clerk is authorized to attest the same.

FUNDING REQUIRED:  Yes  No

10109070-3170  
\_\_\_\_\_  
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COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Introduced \_\_\_\_\_  
Passed Adopted 2-14-23  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous (Ty/L-y)(B-absent)  
Failed \_\_\_\_\_  
Tabled [Signature]  
Amended \_\_\_\_\_  
Comments: city clerk

By: Savannah Hounsby  
Chief Financial Officer on behalf of Carly Standridge

Prepared: Purchasing  
Requested: Purchasing  
Agenda: 02/14/23



RESOLUTION

RESOLUTION ORDERING DEMOLITION OF  
THE STRUCTURE AT 1500 McFARLAND BOULEVARD EAST


WHEREAS, pursuant to Ala. Code Section 11-53B-1 et seq. (1975), the appropriate municipal official of the City of Tuscaloosa has found that the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa at 1500 McFarland Boulevard East is unsafe to the extent that it is a public nuisance; and,

WHEREAS, all appropriate notifications and time periods, as stated in said statute, have been complied with by the appropriate municipal official in the person of the Chief Building Official with the Urban Development-Building Inspections Department for the City of Tuscaloosa; and,

WHEREAS, on the 14<sup>th</sup> day of February, 2023, the City Council of Tuscaloosa held a public hearing, at which time the Chief Building Official of the Urban Development-Building Inspections Department for the City of Tuscaloosa appeared and set forth reasons for his findings.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

1. That the City Council of Tuscaloosa finds the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa 1500 McFarland Boulevard East unsafe to the extent that it is a public nuisance; and,
2. That the aforementioned building, structure, part of the building or structure, party wall, or foundation, is hereby ordered demolished, pursuant to the terms and conditions of Ala. Code Section 11-53B-1 et seq. (1975), such action being an exercise of the City's police and/or regulatory powers.

Tabled for 60  
days on 2-14-23  
(Ty/H-y)(B-absent)  
This item will next be heard on  
4-18-23  
  
City Clerk

RESOLUTION

RESOLUTION ORDERING DEMOLITION OF  
THE STRUCTURE AT 6133 BIRCHWOOD AVENUE


WHEREAS, pursuant to Ala. Code Section 11-53B-1 et seq. (1975), the appropriate municipal official of the City of Tuscaloosa has found that the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa at 6133 Birchwood Avenue is unsafe to the extent that it is a public nuisance; and,

WHEREAS, all appropriate notifications and time periods, as stated in said statute, have been complied with by the appropriate municipal official in the person of the Chief Building Official with the Urban Development-Building Inspections Department for the City of Tuscaloosa; and,

WHEREAS, on the 14<sup>th</sup> day of February, 2023, the City Council of Tuscaloosa held a public hearing, at which time the Chief Building Official of the Urban Development-Building Inspections Department for the City of Tuscaloosa appeared and set forth reasons for his findings.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

1. That the City Council of Tuscaloosa finds the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa 6133 Birchwood Avenue unsafe to the extent that it is a public nuisance; and,
2. That the aforementioned building, structure, part of the building or structure, party wall, or foundation, is hereby ordered demolished, pursuant to the terms and conditions of Ala. Code Section 11-53B-1 et seq. (1975), such action being an exercise of the City's police and/or regulatory powers.

Adopted 2-14-23  
(Ty / H-y; B-absent)  
  
City Clerk

RESOLUTION

SETTING THE COST FOR DEMOLITION OF THE STRUCTURE AT  
2810 ELM STREET AND AUTHORIZING THE FILING OF A LIEN

WHEREAS, the person(s) last assessed for the property taxes at 2810 Elm Street is Mary Whitfield as recorded in Deed Book 1013, Page No. 0001; more particularly described as:

Lot No. Seven (7), Block 13 of Kaulton, Kaul Lumber Company's Survey, as recorded in Plat Book 7 at Pages 83 and 84 in the Probate Office of Tuscaloosa County, Alabama; reference to such map or plat is hereby made in aid of and as a part of this description.

WHEREAS, the building located on said property in the City of Tuscaloosa was demolished by city forces pursuant to Ala. Code Section 11-53B-1 et seq. (1975); and,

WHEREAS, on the 14<sup>th</sup> day of February 2023, a hearing was held to set the cost of demolishing the building in the amount of \$4,645.42 plus court costs in the amount of \$14.50, for a total cost of \$4,659.92 and,

WHEREAS, Section 11-53B-1 et seq. states that the cost of demolition, and court costs shall constitute a lien and shall be a superior lien to all other except for taxes.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

1. That the cost for the demolition of the building located at 2810 Elm Street and for court costs be, and it is hereby set at \$4,659.92, and the persons(s) last assessed for the property is Mary Whitfield as recorded in Deed Book 1013, Page No. 0001.
2. That the City Clerk shall file a certified copy of this resolution in the office of the Probate Judge of Tuscaloosa County, and the cost of demolition and court costs shall constitute a lien in the amount of \$4,659.92 against the property at 2810 Elm Street, as recorded in Deed Book 1013, Page No. 0001.

Adopted 2-14-23  
(Ty/C - y; B - absent)

  
City Clerk

RESOLUTION

RESOLUTION APPROVING APPLICATION OF  
HOME PACKAGE STORE LLC  
DBA HOME PACKAGE STORE  
FOR ABC LICENSE

Whereas, the Tuscaloosa City Council has approved the application of Home Package Store LLC dba Home Package Store for a Lounge Retail Liquor- Class II (Package) to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

Home Package Store LLC.  
dba Home Package Store  
1031 Skyland Blvd Suite 1A  
Tuscaloosa, AL 35405

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

That the Mayor and the City Clerk be, and they are hereby, authorized to certify this action of approval by the City Council on the application for approval of said license to be submitted to the State of Alabama Alcoholic Beverage Control Board.

**23-009**

Adopted 2-14-23  
(L/W-y; B-absent)

  
City Clerk

RESOLUTION

RESOLUTION APPROVING APPLICATION OF  
SNAK GROUP LLC  
DBA SUNSHINE FOOD MART 1  
FOR ABC LICENSE

Whereas, the Tuscaloosa City Council has approved the application Snak Group LLC dba Sunshine Food Mart 1 for a Retail Beer (Off Premises) to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

Snak Group LLC  
dba Sunshine Food Mart 1  
4822 Skyland Blvd E  
Tuscaloosa, AL 35405

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

That the Mayor and the City Clerk be, and they are hereby, authorized to certify this action of approval by the City Council on the application for approval of said license to be submitted to the State of Alabama Alcoholic Beverage Control Board.

**23-010 (a)**

Adopted 2-14-23  
(W/H-y; B-absent)  
BFT  
City Clerk

RESOLUTION

RESOLUTION APPROVING APPLICATION OF  
SNAK GROUP LLC  
DBA SUNSHINE FOOD MART 1  
FOR ABC LICENSE

Whereas, the Tuscaloosa City Council has approved the application of Snak Group LLC dba Sunshine Food Mart 1 for a Retail Table Wine (Off Premises) to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

Snak Group LLC  
dba Sunshine Food Mart 1  
4822 Skyland Blvd E  
Tuscaloosa, AL 35405

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

That the Mayor and the City Clerk be, and they are hereby, authorized to certify this action of approval by the City Council on the application for approval of said license to be submitted to the State of Alabama Alcoholic Beverage Control Board.

**23-010 (b)**

Adopted 2-14-23  
(W/C-y; B-absent)

  
City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW III/rd

Requested: Planning Com/UD Date: 11/21/2022

Council Presentation on: 01/10/2023

Suspension of Rules: No

ORDINANCE NO. 9338

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1499

(Approx. 0.5 acres located at 1425 Hargrove Road East—Bill Edwards)  
(BGO to RMF-1)  
(A23-1508/Z-31-22)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the Zoning Map of Tuscaloosa, adopted as a part of the Zoning Ordinance of Tuscaloosa be, and the same is hereby, amended and the following zoning classification is changed and established as follows:

Beg. Nw Corn Lt. 8, Cedar Knoll Sub, P.B. 6/62, Se 70', N 295', W 70' Alg. S Line  
Hargrove Rd. S 295' To P.O.B.

The above referenced property is presently zoned General Business-Officed District (BGO) to be zoned Multi-family Residential District (RMF-1)

DESCRIPTION APPROVED BY:

Zack Ponds

OFFICE OF URBAN DEVELOPMENT

FUNDING REQUIRED:  Yes  No

COUNCIL ACTION

Resolution	<u>Introduced 1-10-23</u>
Ordinance	<u>(Ty/L-y)</u>
Introduced	<u>(Ty/L-y)</u>
Passed	<u>[Signature]</u>
2 <sup>nd</sup> Reading	<u>[Signature]</u>
Unanimous	<u>[Signature]</u>
Failed	<u>[Signature]</u>
Tabled	<u>City Clerk</u>
Amended	<u>City Clerk</u>
Comments:	<u>City Clerk</u>

Adopted 2-14-23  
(C/W-y; B-absent)

[Signature]  
City Clerk

By: \_\_\_\_\_  
Chief Financial Officer

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: JPW III/rd

Requested: Planning Com/UD Date: 11/21/2022

Council Presentation on: 01/10/2023

Suspension of Rules: No

ORDINANCE NO. 9339

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1500

(Approx. 9.1 acres located North of Lake Tamaha, and south of  
2700 Jack Warner Parkway—Westervelt Investment Realty, Inc.)  
(R-1 to BN)  
(A23-1509/Z-34-22)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the Zoning Map of Tuscaloosa, adopted as a part of the Zoning Ordinance of Tuscaloosa be, and the same is hereby, amended and the following zoning classification is changed and established as follows:

A parcel of land located in the Southwest Quarter of Section 8 located in Township 21 South, Range 9 West, Huntsville Meridian, in Tuscaloosa County, Alabama, containing Nine and One Tenth (9.1) Acres, and being more particularly described as follows:

Start at an Iron Pipe accepted to mark the Southeast corner of said Section 8 and run North 65 degrees 35 minutes 56 seconds West (Assumed) for a distance of 4169.79 feet to the POINT OF BEGINNING; thence run North 79 degrees 52 minutes 25 seconds West for a distance of 459.86 feet to a point, said point lying on the East boundary of the railroad right-of-way; thence run North 12 degrees 24 minutes 37 seconds East for a chord distance of 478.97 feet along said right-of-way to a point, said point lying at the intersection of the East boundary of the railroad right-of-way and the South boundary of Jack Warner Parkway; thence run North 67 degrees 51 minutes 32 seconds East for a chord distance of 170.83 feet along the South boundary of Jack Warner Parkway to a point, said point lying on the South boundary of said right-of-way; thence run South 00 degrees 2 minutes 21 seconds East for a distance of 231.18 feet to a point; thence run North 80 degrees 31 minutes 37 seconds East for a distance of 654.91 feet to a point; thence run South 25 degrees 51 minutes 31 seconds East for a distance of 392.53 feet to a point; thence run South 77 degrees 42 minutes 17 seconds West for a distance of 640.51 feet to the POINT OF BEGINNING.

The above referenced property is presently zoned Single-Family Residential District (R-1) to be zoned Neighborhood Commercial District (BN)



DESCRIPTION APPROVED BY:

*Zach Ponds*

OFFICE OF URBAN DEVELOPMENT

FUNDING REQUIRED:  Yes  No

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By: \_\_\_\_\_

Chief Financial Officer

*Adopted 2-14-23  
(C/W-y; B-absent)*

*[Signature]*

*city clerk*

COUNCIL ACTION

Resolution \_\_\_\_\_

Ordinance Introduced 1-10-23

Introduced \_\_\_\_\_

Passed (LIC-y)

2<sup>nd</sup> Reading \_\_\_\_\_

Unanimous \_\_\_\_\_

Failed \_\_\_\_\_

Tabled *[Signature]*

Amended \_\_\_\_\_

Comments: City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH/cr

Requested: Projects Date: 2/7/23

Council Presentation: 2/14/23

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MAYOR TO EXECUTE A WAIVER APPLICATION FORM WITH THE ALABAMA HISTORICAL COMMISSION (OCA-23-0148)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the Mayor be, and is hereby, authorized to execute a waiver application form with the Alabama Historical Commission Committee on Alabama Monument Protection to relocate a monument in Snow Hinton Park as part of Park Renovation Projects, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED:  Yes  No

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By: \_\_\_\_\_  
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Introduced Adopted 2-14-23

Passed \_\_\_\_\_

2<sup>nd</sup> Reading (Ty/L-V; B-absent)

Unanimous \_\_\_\_\_


Failed BPJ

Tabled \_\_\_\_\_

Amended \_\_\_\_\_

Comments: City Clerk

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: SBH/cr  
Requested: Projects Date: 2/7/23  
Council Presentation: 2/14/23  
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MAYOR TO EXECUTE A WAIVER APPLICATION FORM WITH THE  
ALABAMA HISTORICAL COMMISSION  
(OCA-23-0148)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the Mayor be, and is hereby, authorized to execute a waiver application form with the Alabama Historical Commission Committee on Alabama Monument Protection to relocate a monument in Newtown Park as part of Park Renovation Projects, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED:  Yes  No

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By: \_\_\_\_\_  
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Introduced Adopted 2-14-23

Passed \_\_\_\_\_

2<sup>nd</sup> Reading (W/C-U; B-absent)

Unanimous \_\_\_\_\_

Failed \_\_\_\_\_

Tabled BPJ

Amended \_\_\_\_\_

Comments: City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH

Requested: Council Date: 02-07-23

Council Presentation: 02-14-2023

Suspension of Rules: No

## RESOLUTION

### RESOLUTION ESTABLISHING THE LEGISLATIVE AGENDA OF THE CITY OF TUSCALOOSA FOR THE 2022 SESSION OF THE ALABAMA LEGISLATURE (A21-1621)

WHEREAS, the 2023 Legislative Session for the State of Alabama will soon begin; and

WHEREAS, as with many local governments throughout the State of Alabama, the City of Tuscaloosa has certain unique requirements and challenges which, due to the lack of Home Rule in the State of Alabama, can only be addressed through legislative action; and

WHEREAS, it is therefore the desire of the City of Tuscaloosa to provide an agenda to the Tuscaloosa County Legislative Delegation for their information, indicating the types and kinds of legislation that may be needed by the City of Tuscaloosa in order to effectively address certain important local governing issues and to inform the Delegation of other legislation it supports or opposes.

WHEREAS, it is the City of Tuscaloosa's desire to monitor and respond, as appropriate, should legislative items be introduced, or become necessary to protect the City's financial, self-governance, or other interest.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That the City of Tuscaloosa considers the following to be legislative issues which are significant to the citizens of Tuscaloosa and therefore request support or opposition, as the case may be, of the Tuscaloosa County Legislative Delegation of such legislation during the upcoming 2023 session. Moreover, the Mayor, Council President, and City Attorney are authorized to take such additional positions on proposed legislation as necessary to protect the City's interest.

#### Legal Administration

##### **1. Make Tort Liability Limits Clearly Applicable to "Individual Capacity" Suits against Municipal Employees**

Unlike the State of Alabama, which has sovereign immunity from any tort claim for money damages, municipalities are liable for torts committed by their employees acting in the line and

scope of employment. Such claims against municipalities are limited by law to \$100,000 per person per occurrence and \$300,000 in the aggregate. It has long seemed well-settled that the Legislature expressly intended to include these same liability limits to claims against municipal employees as well.

However, recent lawsuits and court decisions have called into question the applicability of the statutory liability limits to claims against municipal employees in their "individual capacities." This leaves individual municipal employees exposed to personal liability for judgments in excess of the liability caps. Compounding the problem, certain insurance companies, taking note of this legal trend, have begun including special endorsements in their municipal liability policies that limit the company's exposure for "individual capacity" claims to the amount of the statutory caps. This means that even if the municipality purchases insurance with much higher coverage limits, the individual employees are only protected for the first \$100,000/\$300,000 of any court judgment. In order to allow public servants to perform their duties without risk to their private assets, it is imperative that the statutory caps be made clearly applicable to municipal employees in both their official and individual capacities for claims that arise out the line and scope of employment with the municipality.

## **2. Supports Amendment to Appeal Procedure for Zoning Board of Adjustment**

The City supports amending Alabama Code §11-52-81 to clarify appeal procedures and to read as follows:

"Any party aggrieved by virtue of any final judgment or decision of such board of zoning adjustment may appeal therefrom by filing an appeal in circuit court in the county where the board convenes within 15 days of any such final judgment or decision of the board. In case of such appeal such board shall cause a transcript of the proceedings in the action to be certified to the court to which the appeal is taken within 30 days of filing of the appeal, and the appeal shall be tried de novo."

## **3. Supports Authorization of Submission of Bids by Means of Secure Electronic Delivery**

The City supports specific statutory authorization to allow for submission of public works contract bids and documentation by means of secure electronic delivery.

## **4. Supports Legislation Authorizing Satisfaction of State Publication Requirements by Electronic Means**

The City supports legislation that will establish authorization for local governments to satisfy publication requirements by the use of websites maintained for that purpose.

## Public Safety

### **1. Supports Legislation Modernizing Alcohol Licensing and Alabama Beverage Control Laws and Regulations**

The City supports legislation creating a hybrid alcohol license classification to cover emerging business practices of combined restaurant/bar/lounges, revisions to types of licenses for retail establishments that serve alcohol as an ancillary business as well as modernizing Alabama Beverage Control Laws and Regulations regarding emergency orders to allow municipal regulations regarding age restrictions and geographic area restrictions.

### **2. Supports Authorization for Community Paramedicine and Allowing Mid-level Providers Ability to Bill for Services and Funding**

The City supports legislation that authorizes community paramedicine programs and allows mid-level providers the ability to bill for services rendered as well as provide for funding through appropriate mechanisms.

### **3. Supports an Amendment to Act 2011-660**

The City supports an amendment to Act 2011-660 to expand the definition of “indigent treatment” to allow more flexibility in the funding allocation especially for mental health services.

### **4. Supports requirements that local law enforcement be notified when a person on supervised release absconds**

The City supports legislation that would require local law enforcement be notified when any person, including a juvenile, who is on electronic monitoring or other supervised release removes their monitoring device or otherwise absconds from supervision.

### **5. Supports legislation allowing the City to convert members of the Police and Fire Pension Plan to the Retirement Systems of Alabama**

The City supports legislation to authorize the City of Tuscaloosa to join the Employees’ Retirement System of Alabama for its police and firefighter employees and transfer assets and liabilities of the existing Tuscaloosa Police and Firefighters Retirement Plan to the Employees’ Retirement System of Alabama as set forth in Chapter 27 of Title 36, Code of Alabama 1975.

## Urban Development

### **1. Civil Enforcement Legislation**

The City supports legislation authorizing minor infractions such as parking and code violations in the City of Tuscaloosa, Alabama, as a civil violations; providing certain procedures to be followed by the City Enforcement Officers; providing that the owner of the vehicle or property is presumptively liable for a civil violation and the payment of a civil fine, but providing procedure to contest liability; providing for jurisdiction in the Tuscaloosa Municipal Court over the civil violations and allowing appeals to the Tuscaloosa County Circuit Court; creating a cause of action for any person held responsible for payment of the civil fine against the person who was actually responsible for illegally parking the vehicle.

### **2. Supports Lake Tuscaloosa Extra Territorial Zoning**

It is undeniable that Lake Tuscaloosa is Tuscaloosa County's greatest natural resource. Completed in 1970, the Lake consists of 5,885 acres with a full pool capacity of 400 billion gallons of water and a withdrawal capability of 200 million gallons per day. The Lake serves a critical role as the primary source of drinking water for the vast majority of the population of Tuscaloosa County. Ninety-four percent (94%) of the entire volume of drinking water in the County comes from Lake Tuscaloosa. In addition, the Lake also functions as a major public recreational center for many residents and visitors. Over the last several decades, there has been significant residential and commercial development in and around the Lake, most of it outside the corporate limits of the City. Studies indicate that development is impacting the water quality of Lake Tuscaloosa. Therefore, it is imperative that there be some land use regulation around the Lake in order to preserve and protect it from pollution and degradation.

It is anticipated that this would be a Class 4 municipal bill applying to any municipality owning a body of impounded water used primarily but not exclusively as a water supply with a surface area equal to or in excess of 200 acres. Any covered municipality should be allowed by ordinance adopted within ninety (90) days of the effective date to become a participating municipality. The bill would authorize a participating municipality to adopt zoning laws, ordinances, and regulations outside its corporate limits to extend up to 1,000 feet from the acquisition line of the reservoir.

## Revenue and Fiscal Policy

### **1. Supports adequately funding the State General Fund budget ("Unfunded Mandates")**

The City supports legislation requiring adequate funding by the State General Fund for criminal corrections, mental health systems, transportation, and maintenance, and the

Department of Forensic Sciences, and opposes legislation that would pass financial burdens to local governments without accompanying state funding.

**2. Opposes Drug Sales Exemption from Gross Receipts for Determination of Business Licenses**

In the event a bill is re-introduced this session to exempt gross receipts of drug sales from the amount of gross receipts used to determine a pharmacy's business license, the City wishes to express its concern and opposition to such efforts. Pharmacy sales of prescription medication is currently exempt from sales taxes, as it should be, and therefore exemption of drug sales from business licensing would undermine the City's revenues and regulatory authority in an unwarranted manner.

**3. Supports Revisions to the Simplified Sellers Use Tax**

The City supports revisions to the Simplified Sellers Use Tax to equitably collect and allocate internet tax revenues.

**4. Supports regulation of retail store tax valuations**

The City supports legislation that would dissuade or prohibit stores like Lowe's and other Big Box retail stores from valuing their property on its current use rather than its value on the open market.

**5. Supports Relief from Municipal Sales Tax on Grocery Items**

The City supports legislation that would allow municipalities to voluntarily determine if municipal sales taxes should be collected on grocery items.

### **Infrastructure**

**1. Opposes Legislation Adverse to the City's Water and Sewer Operations**

The City produces over eight (8) billion gallons of water a year serving over 45,000 households and other customer units. The City also provides water to eight (8) rural water systems in the County. Yet, the City's water rates are the lowest of any of the thirteen (13) suppliers in the County. The City also has an extensive sanitary sewer system consisting of over 500 miles of mains and a wastewater plant that treats an average of 18 million gallons of wastewater a day. The viability of the City's water and sewer system is critical to the welfare of the City of Tuscaloosa.



It is therefore imperative that we be vigilant regarding any legislation that could adversely impact the City's ability to continue to provide these vital services.

**2. Opposes Legislation that Bans Biosolid Application as Fertilizer/Soil Amendments**

The City opposes any legislation that would ban treated sewage biosolids being applied as fertilizer or soil amendments.

**3. Support Legislation to Require the Alabama Department of Transportations to Update Signage on State and Federal Highways When a Street is Renamed for a Fallen Hero.**

The City supports legislation that would require the Alabama Department of Transportation to update highway signage when a municipality renames a street in honor of a police officer or member of the armed services killed in the line of duty.

**Council Requested**

**1. Support Legislation to move the City of Tuscaloosa's Municipal Election Date to the Third Tuesday of May beginning in May of 2025.**

The City supports legislation that would move the City of Tuscaloosa's municipal election from the first Tuesday in March to the third Tuesday in May beginning with the election scheduled to take place in 2025.

FUNDING REQUIRED:  Yes  No

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By: \_\_\_\_\_  
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance Adopted 2-14-23  
Introduced (Ty/L-y; B-absent)  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled [Signature]  
Amended \_\_\_\_\_  
Comments: City Creek

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: TDB

Requested: Projects: Date 2/14/23

Presentation on: 2/14/23

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AVIATION HANGAR GROUND LEASE  
WITH TWIN HANGAR, LLC AT THE TUSCALOOSA NATIONAL AIRPORT  
(A22-1441)

**NOW THEREFORE BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL** that the Mayor  
be and is hereby authorized to execute an aviation hangar ground lease with Twin Hangar, LLC  
at the Tuscaloosa National Airport.

FUNDING REQUIRED:  Yes  No

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By: \_\_\_\_\_

Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Introduced \_\_\_\_\_

Passed \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

Unanimous \_\_\_\_\_

Failed \_\_\_\_\_

Tabled \_\_\_\_\_


Amended \_\_\_\_\_

Comments: \_\_\_\_\_

Adopted 2-14-23  
(w/L-y; B-absent)

BPJ  
City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW

Requested: Admin. Date: 02/07/2023

Presentation on: 02/14/2023

Suspension of Rules: No

RESOLUTION

RESOLUTION APPROVING JOB CLASS SPECIFICATIONS  
FOR DEVELOPMENT REVIEW MANAGER  
(OCA-23-0164)

WHEREAS, pursuant to Alabama Act 2006-233 the Human Resources Department shall develop and submit to the City Council for approval by resolution job class specifications for all jobs in the City to be a representative of the duties, activities, and qualifications.

WHEREAS, the Human Resources Department has submitted the following job specifications for Development Review Manager to the Administration Committee and the Administration Committee has recommended the Development Review Manager Job Class Specifications be submitted to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the job specifications for Development Review Manager (Job Code 7004 dated February 2023), is hereby approved.

FUNDING REQUIRED:  Yes  No

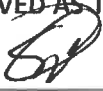
COUNCIL ACTION

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By: \_\_\_\_\_  
Chief Financial Officer

Resolution \_\_\_\_\_  
Ordinance Adopted 2-14-23  
Introduced (L/W-y; B-absent)  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous [Signature]  
Failed \_\_\_\_\_  
Tabled City Clerk  
Amended \_\_\_\_\_  
Comments: \_\_\_\_\_

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: OT/hh

Requested: Amp. Date: 02/14/2023

Council Presentation: 02/14/2023

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING AMPHITHEATER SPONSORSHIP CONTRACT  
WITH TITO'S HANDMADE VODKA  
(OCA-23-0110)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor be, and he is hereby, authorized to execute a Sponsorship Agreement with Tito's Handmade Vodka, subject to the approval of the Office of the City Attorney, for a term of 3 years for sponsorship rights at the Tuscaloosa Amphitheater, by, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED:  Yes  No

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By: \_\_\_\_\_  
Chief Financial Officer

**COUNCIL ACTION**

Resolution \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Introduced \_\_\_\_\_  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: Adopted 2-14-23  
(WIC-y; B-absent)

  
City Clerk

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: SBH/cr

Requested: Finance Date: 2/14/23

Council Presentation: 2/14/23

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING DISBURSEMENT FROM DISTRICT 2 IMPROVEMENT FUNDS FOR THE TOWN HALL MEETING REFRESHMENTS (OCA-23-0162)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Councilmember for Tuscaloosa City Council District 2 has requested that the amount to not exceed \$1,000.00 be designated for the Town Hall meeting refreshments, for District 2 Improvement Fund, by, and as an act for, and on behalf of the City of Tuscaloosa.

FUNDING REQUIRED:  Yes  No

10104050-99902

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By: Savannah Hornsby  
Chief Financial Officer

on behalf of Carly Standridge

COUNCIL ACTION

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Introduced \_\_\_\_\_

Passed \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

Unanimous \_\_\_\_\_

Failed \_\_\_\_\_

Tabled \_\_\_\_\_

Amended \_\_\_\_\_

Comments: \_\_\_\_\_

*Adopted 2-14-23  
(H/W-y; B-absent)*  
*[Signature]*  
*City Clerk*

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH/cr

Requested: Finance Date: 2/7/23

Council Presentation: 2/14/23

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING DISBURSEMENT FROM DISTRICT 6 IMPROVEMENT FUNDS FOR THE  
NEIGHBORHOOD BRIDGES  
(OCA-23-0131)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Councilmember for Tuscaloosa City Council District 6 has requested that the amount of \$1,500.00 be designated for the Neighborhood Bridges, from the District 6 Improvement Fund, by, and as an act for, and on behalf of the City of Tuscaloosa.

FUNDING REQUIRED:  Yes  No  
10104050-99906

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By: Savannah Hornsby  
Chief Financial Officer  
on behalf of Carly Standridge

COUNCIL ACTION

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Introduced Adopted 2-14-23

Passed \_\_\_\_\_  
2<sup>nd</sup> Reading (WIL-Y; B-absent)

Unanimous \_\_\_\_\_

Failed \_\_\_\_\_

Tabled \_\_\_\_\_

Amended \_\_\_\_\_

Comments: City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH/cr

Requested: Finance Date: 2/7/23

Council Presentation: 2/14/23

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING DISBURSEMENT FROM DISTRICT 6 IMPROVEMENT FUNDS FOR THE  
KRISTEN AMERSON FOUNDATION DONATION  
(OCA-23-0128)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Councilmember for Tuscaloosa City Council District 6 has requested that the amount of \$1,500.00 be designated for the Kristen Amerson Foundation Donation, from the District 6 Improvement Fund, by, and as an act for, and on behalf of the City of Tuscaloosa.

FUNDING REQUIRED:  Yes  No

10104050-99906

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By: Savannah Hornby

Chief Financial Officer

on behalf of Carly Standridge

COUNCIL ACTION

Resolution \_\_\_\_\_

Ordinance \_\_\_\_\_

Introduced Adopted 2-14-23

Passed \_\_\_\_\_

2<sup>nd</sup> Reading (w/L-y; B-absent)

Unanimous \_\_\_\_\_

Failed \_\_\_\_\_

Tabled [Signature]

Amended \_\_\_\_\_

Comments: City Clerk



APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH/cr  
Requested: Finance Date: 2/7/23  
Council Presentation: 2/14/23  
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING DISBURSEMENT FROM DISTRICT 6 IMPROVEMENT FUNDS FOR THE  
BACKPACK CONNECTIONS DONATION  
(OCA-23-0129)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Councilmember for Tuscaloosa City Council District 6 has requested that the amount of \$1,500.00 be designated for the Backpack Connections Donation, from the District 6 Improvement Fund, by, and as an act for, and on behalf of the City of Tuscaloosa.

FUNDING REQUIRED:  Yes  No

10104050-99906  
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By: Savannah Hornsby  
Chief Financial Officer  
on behalf of Carly Standridge

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Introduced \_\_\_\_\_  
Passed Adopted 2-14-23  
2<sup>nd</sup> Reading (WIL-Y; B-absent)  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled [Signature]  
Amended \_\_\_\_\_  
Comments: City Clerk



APPROVED AS TO FORM

[Signature]  
Office of the City Attorney

Prepared By: SBH/cr  
Requested: Finance          Date: 2/7/23  
Council Presentation: 2/14/23  
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING DISBURSEMENT FROM DISTRICT 6 IMPROVEMENT FUNDS FOR THE  
CARING DAYS DONATION  
(OCA-23-0130)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Councilmember for Tuscaloosa City Council District 6 has requested that the amount of \$1,500.00 be designated for the Caring Days Donation, from the District 6 Improvement Fund, by, and as an act for, and on behalf of the City of Tuscaloosa

FUNDING REQUIRED:  Yes  No  
10104050-99906  
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By: Savannah Hornsby  
Chief Financial Officer  
on behalf of Carly Standridge

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Introduced Adopted 2-14-23  
Passed (W/L-Y; B-absent)  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous [Signature]  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended City Clerk  
Comments: \_\_\_\_\_

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SEM/hh  
Requested: Projects Date: 02/07/2023  
Council Presentation: 02/14/2023  
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE TASK ORDER DIRECTIVE NO. FOUR  
WITH THOMPSON ENGINEERING, INC.  
FOR ENGINEERING AND RELATED SERVICES FOR THE  
MARTIN LUTHER KING JR. BOULEVARD/JACK WARNER PARKWAY  
IMPROVEMENTS PROJECT  
(A17-0445/ 2016.026)

BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL that the Mayor be, and is hereby, authorized to executed Task Order Directive No. 4 with Thompson Engineering, Inc. to provide professional engineering services for the Martin Luther King Jr. Boulevard/Jack Warner Parkway Improvements Project for the Newton Park at MLK Blvd and 7<sup>th</sup> Street, in an amount not to exceed \$43,650.00 and the City Clerk is authorized to attest the same.

FUNDING REQUIRED:  Yes  No

22240250-16004  
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By: Savannah Hornsby  
Chief Financial Officer  
on behalf of Carly Standridge

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance Adopted 2-14-23  
Introduced \_\_\_\_\_  
Passed (W/L-Y; B-absent)  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous [Signature]  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended City Clerk  
Comments: \_\_\_\_\_

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: JPW/rd

Requested: Planning Com/UD Date: 01/18/23

Council Presentation on: 02/14/2023

Suspension of Rules: No

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1506  
(OCA-23-0143/Z-03-23)

(Approx. 3.92 acres to be annexed into the City located at 9200 Highway 69 South,  
within the existing Hillcrest Gardens Subdivision –  
Petitioner: Robb's Investments)  
(R-1 to BN)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the Zoning Map of Tuscaloosa, adopted as a part of the Zoning Ordinance of Tuscaloosa be, and the same is hereby, amended and the following zoning classification is changed and established as follows:

A tract or parcel of land that is part of the East half of the Northwest quarter of Section 23, Township 22 South, Range 10 West, Tuscaloosa County, Alabama, containing three and ninety-two hundredths (3.92) acres, more or less, and being more particularly described as follows:

As a POINT OF COMMENCEMENT, start at the Southeast corner of the Southeast quarter of the Northeast quarter of said Section 23; thence run in a Westerly direction and along the South boundary line of the North half of said Section 23 for a distance of 2498.10 feet, more or less; thence with a deflection angle right of 97°12', run in a Northerly direction for a distance of 712.80 feet, more or less; thence with a deflection angle left of 90°01', run in a Westerly direction for a distance of 221.14 feet, more or less, to the a point lying on the West right-of-way margin of Alabama Highway No. 69, said right-of-way being 250 feet in width; thence along the same bearings in a Westerly direction for a distance of 27.00 feet to the POINT OF BEGINNING of the herein described parcel; thence along the same bearings in a Westerly direction for a distance of 233.07 feet, more or less, to the Southeast corner of Lot 17 of Hillcrest Gardens, Phase III as recorded in Plat Book 2005, Page 70 in the Probate Office of Tuscaloosa County, Alabama; thence with an interior angle left of 89°57', run in a Northerly direction along the East boundary of said Lot 17 and across the end of Wisteria Drive, having a 50-foot right-of-way, for a distance of 149.64 feet, more or less, to a point at the East end of the North right-of-way of said Wisteria Drive; thence

with an interior angle left of 270°00', run Westerly along the North right-of way of said Wisteria Drive a distance of 3.70 feet, more or less, to the southeast corner of Lot 25 of Hillcrest Gardens, Phase III; thence with an interior angle left of 89°47', run in a Northerly direction along the East boundary of said Lot 25 for a distance of 98.65 feet, more or less, to the Northeast corner of said Lot 25; thence with an interior angle left of 270°19', run Westerly along the North boundary of said Lot 25 for a distance of 69.16 feet, more or less, to the Southeast corner of Lot 28 of Hillcrest Gardens Phase III; thence with an interior angle left of 90°02' run Northerly along the East boundary of Lots 28, 29, and 30 of Hillcrest gardens Phase III for a distance of 161.54 feet, more or less, to the Northeast corner of said Lot 30 of Hillcrest Gardens Phase III, said point also being the Southwest corner of Lot 33 of Hillcrest Gardens Phase IV as recorded in Plat Book 2004, Page 243 in the Probate Office of Tuscaloosa County, Alabama; thence with an interior angle left of 90°00', run Easterly along the South boundary of said Lot 33 for a distance of 53.83 feet, more or less, to the Southeast corner of said Lot 33; thence with an interior angle left of 270°14' run Northerly direction along the East boundary of said Lot 33 and across the Eastern end of Periwinkle Drive, having a 50-foot right-of-way, for a distance of 150.21 feet, more or less, to a point at the Eastern end of the North right-of-way of said Periwinkle Drive; thence with an interior angle left of 270°00', run Westerly along the North right-of way of said Periwinkle Drive a distance of 9.31 feet, more or less, to the Southeast corner of Lot 42 of Hillcrest Gardens, Phase III; thence with an interior angle left of 89°45' run in a Northerly direction along the East boundary of said Lot 42 for a distance of 100.04 feet, more or less, to a point; thence with an interior angle left of 89°59', run in a Easterly direction for a distance of 259.96 feet, more or less, to a point; thence with an interior angle left to the chord of 90°16', run in a Southerly direction for a distance of 660.19 feet, more or less, to the POINT OF BEGINNING of the herein described parcel, forming an interior closure angle of 89°44'.

The above property to be annexed into the City under the original zoning of Single-Family Residential District (R-1) to be zoned Neighborhood Commercial District (BN).

BE IT FURTHER ORDAINED that pursuant to Ala Act 2009-629 this Zoning prior to the effective date of the annexation of the subject property shall be null and void by operation of law unless the described property is annexed within 180 days of the initiation of the annexation proceedings.

DESCRIPTION APPROVED BY:

*Zack Ponds*

OFFICE OF URBAN DEVELOPMENT

2-14-23 introduced: L/H  
B-absent

*[Signature]*  
City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW

Requested: Admin Comte Date: 02/07/2023

Council Presentation on: 02/14/2023

Suspension of Rules: No

ORDINANCE NO. 9340

AN ORDINANCE AMENDING SECTION 19-178(f)  
OF THE CODE OF TUSCALOOSA  
(A22-1456)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That Section 19-178 of the Code of Tuscaloosa be and is hereby amended to add subsection (f) to read as follows:

**"Sec. 19-178. Injury or illness on the job.**

- (f) **Tuscaloosa fire rescue training. Firefighters who are participating in off-duty training approved pursuant to department policy shall receive worker's compensation benefits the same as an on-duty employee for any injury that occurs during the department approved training."**

FUNDING REQUIRED:  Yes  No

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 \_\_\_\_\_  
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 \_\_\_\_\_

By: \_\_\_\_\_  
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_  
 Ordinance \_\_\_\_\_  
 Introduced Adopted 2-14-23  
 Passed \_\_\_\_\_  
 2<sup>nd</sup> Reading (intro:clw; unanimous:clw)  
 Unanimous B-absent  
 Failed [Signature]  
 Tabled \_\_\_\_\_  
 Amended \_\_\_\_\_  
 Comments: City Clerk

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: JPW

Requested: Admin Date: 2-7-23

Council Presentation: 2-14-23

Suspension of Rules: No

ORDINANCE NO. 9341

AN ORDINANCE AMENDING EXHIBITS "A" AND "B" OF SECTION 19-42/19-60(a) OF THE CODE OF TUSCALOOSA DEVELOPMENT REVIEW MANAGER (OCA-23-0163)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA that Section 19-42 of the Code of Tuscaloosa be, and the same is hereby, amended as follows:

SECTION ONE. That Exhibit "A" Job Classification List-Pay Grade Order and Exhibit "B," Job Classification List-Alphabetical Order of Section 19-42 "Adoption of Exhibits," be, and the same are hereby, amended to add the following job classification pay grade and/or job classification titles as follows:

Job Code	Title	Pay Grade
7004	Development Review Manager	34

SECTION TWO. That Sec. 19-60(a) defining exempt employees pursuant to the Fair Labor Standard Act is hereby amended to add the following:

Development Review Manager

FUNDING REQUIRED:  Yes :  No:

COUNCIL ACTION

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\_\_\_\_\_  
\_\_\_\_\_

Resolution Adopted 2-14-23  
Ordinance (intro: L/W)  
Introduced unanimous: w/c  
Passed B-absent)  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed BPA  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: City Clerk

By: \_\_\_\_\_  
Chief Financial Officer

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: JPW

Requested: Admin. Comt Date: 02/07/2023

Council Presentation on: 02/14/2023

Suspension of Rules: No

ORDINANCE NO. 9342

AN ORDINANCE AMENDING SECTION 21-27(a)  
AND 21-27(c)(1) OF THE CODE OF TUSCALOOSA  
(OCA-23-0020)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA that Section 21-27(a) and 21-27(c)(1) of the Code of Tuscaloosa are hereby amended as follows:

**SECTION ONE.** That Section 21-27 entitled "Special event permit" subsection (a) "Definitions", be amended to replace the definition of "Director" falling in the correct alphabetical order and reading as follows:

**"Sec. 21-27. - Special event permit.**

- (a) Definitions. [For the purpose of this section, the following terms shall have the meanings ascribed to them unless the context clearly indicates otherwise:]

*Director.* The **arts and entertainment** director or his/her designee."

**SECTION TWO.** That Section 21-27 of the Code of Tuscaloosa entitled "Special event permit" subsection (c) "Application" subsection (1) be amended to read as follows:

**"Sec. 21-27. - Special event permit.**

- (c) *Application.*

- (1) A person seeking issuance of a special event permit shall file an application during regular business hours with the **director** or his/her designee."

FUNDING REQUIRED:  Yes  No

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\_\_\_\_\_

By: \_\_\_\_\_  
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 2-14-23  
 Ordinance (intro: L/W  
 Introduced unanimous: Ty (w)  
 Passed \_\_\_\_\_  
 2<sup>nd</sup> Reading B-absent  
 Unanimous \_\_\_\_\_  
 Failed BPH  
 Tabled \_\_\_\_\_  
 Amended City Clerk  
 Comments: \_\_\_\_\_



APPROVED AS TO FORM

Office of the City Attorney

Prepared By: HE  
Requested: FC 02/07/23  
Presentation on: 02/14/23  
Suspension of Rules: NO

ORDINANCE NO. 9343

AMENDING THE FISCAL YEAR 2023 GENERAL FUND BUDGET  
(AMENDMENT 8 – FY23 GF BUDGET)  
(A22-1037)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2023 General Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

REVENUE			
Department	Account	Current Budget	Amended Budget
Fire	Insurance Proceeds	\$0	\$(48,000)
<b>Net Revenues</b>			<b>\$(48,000)</b>

EXPENDITURE			
Department	Account	Current Budget	Amended Budget
Transfer	Transfer to PSCF	\$936,001	\$984,001
<b>Net Expenditures</b>			<b>\$48,000</b>

FUNDING REQUIRED:  Yes  No  
FY23 General Fund

By: Savannah Horvath  
Chief Financial Officer  
on behalf of Carly Standridge

COUNCIL ACTION  
Resolution Adopted 2-14-23  
Ordinance \_\_\_\_\_  
Introduced (Intro: LIW  
Passed unanimous: c/w)  
2<sup>nd</sup> Reading B-absent  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: City Clerk



APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW III/rd

Requested: Planning Com/UD Date: 01-18-2023

Council Presentation on: 02/14/2023

Suspension of Rules: No

RESOLUTION

RESOLUTION FIXING DAY FOR PUBLIC HEARING TO CONSIDER ADOPTION OF AMENDMENT TO THE ZONING ORDINANCE OF TUSCALOOSA AMENDMENT NO. 1506 (OCA-23-0143 / Z-02-23)

(Approx. 3.92 acres to be annexed into the City located at 9200 Highway 69 South, within the existing Hillcrest Gardens Subdivision – Petitioner: Robb’s Investments) (R-1 to BN)

WHEREAS, a certain amendment to the Zoning Ordinance of Tuscaloosa, being an amendment to the Zoning Map and a change in zoning classification, has been prepared in ordinance form, and this day introduced before the City Council; and,

WHEREAS, it is desired to hold a public hearing to consider the adoption of said amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

1. That a public hearing to consider the adoption of said proposed amendment to the Zoning Ordinance of the City of Tuscaloosa be held in the Council Chamber of the City Hall, at 6 o'clock, p.m., on Tuesday, March 21, 2023 and at such time and place all persons who desire shall have an opportunity of being heard in opposition to, or in favor of, the adoption of said amendment.

2. That prior to adoption, the City Clerk shall cause to be published the proposed ordinance, further amending the Zoning Ordinance of the City of Tuscaloosa, Alabama, which was this day introduced before the City Council of Tuscaloosa, being Zoning Amendment No.1506 in full for one insertion and an additional insertion of a synopsis of the proposed ordinance, one week after the first insertion, which synopsis shall refer to the date and name of the newspaper in which the proposed ordinance was first published together with a notice stating the time and place where the public hearing will be held. Both such insertions shall be at least 15 days in advance of its passage and in a newspaper of general circulation published within the municipality, or if no such newspaper then in four conspicuous places within the municipality, together with a notice stating the time and place that the ordinance is to be considered by the city council and stating further that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such ordinance.

Adopted 2-14-23  
(LIC-Y; B-absent)  
BPJ  
City Clerk

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

That the Chief Financial Officer be, and he is hereby, authorized to draw vouchers on municipal funds in the amounts shown, payable to the identified individuals/organizations for the purposes stated, and the Mayor and City Clerk are authorized to sign said vouchers:

Conshata Adams <i>River Market Event Rental Refund</i>	\$667.26
Tuscaloosa County Parking & Transit Authority <i>50% and 20% Operating Expenses for the Intermodal Facility: January 2023</i>	\$5,570.18
Blue Cross Blue Shield of Alabama <i>Access2Day Health January 2023.</i>	\$51,054.84

TRAVEL AND TRAINING

Jonathan R. Brown (TPD)  
*Transportation expenses; Glynco, GA - Digital Photography for Law Enforcement \$133.34*

Adopted 2-14-23  
(H/Ty-y; B-absent)

  
City Clerk

TOTAL: \$57,425.62  
Prepared: City Clerk  
Requested: Accounting & Finance  
Agenda: 2-14-2023