

# TUSCALOOSA CITY COUNCIL MEETING SYNOPSIS

Tuesday, February 28, 2023

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

## MEMBERS PRESENT

Mayor Walt Maddox

President Pro Tem Tyner

Councilmembers Wilson, Howard, Crow, Busby, Faile and Lanier

## ABSENT

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

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

## PROCLAMATIONS AND STATEMENTS BY MAYOR AND COUNCIL

*Councilor Howard invited the public to her town hall meeting scheduled for this Thursday, March 2<sup>nd</sup>, at the McDonald Hughes Center at 6 p.m. Councilor Wilson invited the public to his town hall meeting on March 9<sup>th</sup> at the New Heights Community Resource Center at 5:30 p.m.*

## AGENDA ITEM COMMENTS BY CITIZENS

## UNFINISHED BUSINESS

## CONSENT AGENDA

Approved items "a and b" on the consent agenda. **(W/L)**

- a) Authorizing payment to Alabama Municipal Insurance Corporation for multiple claims; total: \$6,040.65 (22-001, 22-0419, 22-0189, 22-0387).
- b) Authorizing request for street lighting system modifications.

## PUBLIC HEARINGS

Tabled for six (6) months the revocation of the business license of Bama Ride, LLC located 4737 Harper Circle, Northport, Alabama (OCA-23-0081). **(Ty/L; The applicant was not present to answer questions from the Council. No one else spoke in favor of or in opposition license revocation)**  
*Please note: This item will next be heard on August 29, 2023.*

Adopted Ordinance No. 9345 by adopting Zoning Text Amendment No. 1502 amending the text of the Zoning Ordinance for Chapter 24, Sections 24-91, 24-371 and 24-372 pertaining to short term rental amendments (OCA-23-0067). **(W/L; 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 amendment).**

Adopted Ordinance No. 9346 by adopting Zoning Amendment No. 1503 rezoning approximately 1.5 acres located at 3507 McGee Road from BN to ML (OCA-23-0071/Z-35-22; Michael Jones). **(L/B; 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 amendment).**

Adopted Ordinance No. 9347 by adopting Zoning Amendment No. 1504 rezoning approximately 9.46 acres located at 800 27th Street from RM-3 to RMF-1 (OCA-23-0072/Z-01-23; Al Cabaniss). **(L/Ty; 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 amendment).**

Approved the ABC application of Vera Cruz Mexican Grill II LLC for an alcohol license at Vera Cruz Mexican Grill II in Tuscaloosa; 1301 McFarland Blvd NE, Tuscaloosa, AL, 35406: **(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.)**

- 23-016 restaurant retail liquor. **(Ty/W)**

Approved the ABC application of Druid City Brewing Company LLC for an alcohol license at Druid City Brewing Company in Tuscaloosa; 700 14<sup>th</sup> Street, Tuscaloosa, AL, 35401: **(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.)**

- 23-017 manufacturer license. **(Ty/C)**

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

Approved the ABC application of J &S Bartending LLC Event for a special events retail license (less than 7 days) at the 26th Annual BBQ and Blue Jeans (23-018; 4922 McWrights Ferry Road; Tuscaloosa: 35406). **(Ty/W)**

Approved the ABC application of J &S Bartending LLC Event for a special events retail license (less than 7 days) at the Druid City Arts Festival 2023 (23-019; 2106 6th Street; Tuscaloosa: 35401). **(C/W)**

Approved the job class specifications for Director of Construction Management (OCA-23-0235). **(W/L)**

Authorized an amendment to the City's agreement and Authorized the Mayor to execute the amended agreement with the Salvation Army under the City's 2021 Emergency Solutions Grants Program (OCA-23-0196). **(L/W)**

Authorized the Office of Community and Neighborhood Services to make budget and program changes to the 2019 through 2023 Lead Hazard Abatement Program (local amendment) (OCA-23-0210). **(W/L)**

Authorized an amendment to the City's agreement and authorized the Mayor to execute the amended agreement with San Inc., d.b.a. Turning Point under the City's 2021 Emergency Solutions Grants Program (OCA-23-0197). **(L/W)**

Authorized the City of Tuscaloosa to join the State of Alabama and other local governments as participants in certain opioid settlements (OCA-21-0292). **(W/L)**

Authorized a professional services contract with TTL, Inc. for the Northridge Road Slope Repair Project; total not to exceed \$85,218.00 (OCA-23-0200/OCE 2023.005). **(C/W)**

Authorized the Mayor to execute Amendment No. 3 to Task Order Directive No. 2 with Volkert, Inc. for professional engineering and related services for Lift Station 21 Equalization Tank and Pump Station Improvements Project; total increase amount of \$100,000.00 (A19-0395/OCE 2018.026.001). **(C/B)**

Authorized the Mayor to execute Task Order Directive 2 with Thompson Engineering, Inc. for McWright's Ferry Road on North River to Rice Mine Road Improvements Project; total not to exceed \$2,908,185.00 (A17-0444/ OCE 2016.125). **(C/W)**

Authorized a memorandum of understanding with the University of Alabama Department of Telecommunication and Film; total per show for screens only: \$500/ total per show for full crew: \$2,000.00 (OCA 23-0191). **(C/L)**

Authorized the Chief Financial Officer to draw drafts for the Juanita Drive Phase II Improvements Project Property Acquisitions; total: \$13,900.00 (A20-0095). **(L/W)**

Authorized a contract with Axon Enterprise, LLC and declared a bid law exemption pursuant to Alabama Code § 41-16-51(a)(15); total: \$194,518.80 (OCA-23-0226). **(L/C)**

Awarded competitive bids for the purchase of mulch and pine straw (Bid No. 9071-022023-2). **(C/L)**

Authorized Amendment 5 to the Fiscal Year 2023 General Fund Reserve for Future Improvements Fund Budget (A98-0470). **(W/L)**

Authorized Amendment No. 1 to the resolution to establish the budget for the 2022 B Warrant Series (A22-0697). **(Ty/L)**

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

Introduced Zoning Amendment No. 1508 rezoning approximately 1.15 acres located at 1717 18<sup>th</sup> Place and 1805 Queen City Avenue from R-3 to BN (OCA 23-0238/Z-06-23; Davey Bishop). **(C/L)**

Introduced Zoning Amendment No. 1509 rezoning approximately 15.4 acres located at and around 3101 Martin Luther King Jr. Boulevard from MG and R-3 to I (OCA 23-0243/Z-04-23; City of Tuscaloosa). **(W/L)**

Adopted Ordinance No. 9348 by amending Section 3-31 of the Code of Tuscaloosa (A22-1388). **(intro: L/Ty; unanimous: Ty/L)**

Adopted Ordinance No. 9349 by amending Section 7-33(a)(4) of the Code of Tuscaloosa pertaining to revocation of license or privilege to obtain a license (OCA-23-0202). **(intro: L/Ty; unanimous: Ty/L)**

Adopted Ordinance No. 9350 by amending Exhibits "A" and "B" of Section 19-42/19-60(a) of the Code of Tuscaloosa regarding Water and Sewer and Construction, Facilities and Grounds job classifications (OCA-23-0234). **(intro: W/H; unanimous: Ty/L)**

Adopted Ordinance No. 9351 by establishing a hiring/retention bonus and a referral bonus for Tuscaloosa Police officers (OCA-23-0219). **(intro: C/W; unanimous: Ty/H)**

Adopted Ordinance No. 9352 by reappointing Ricky J. McKinney as presiding Municipal Court Judge (A22-1370). **(intro: W/L; unanimous: Ty/W)**

#### **FOR ADOPTION**

Set April 4<sup>th</sup> as the date for a public hearing to consider Zoning Amendment No. 1508 (OCA-23-0238/Z-06-23; Davey Bishop). **(Ty/L)**

Set April 4<sup>th</sup> as the date for a public hearing to consider Zoning Amendment No. 1509 (OCA-23-0243/Z-04-23; City of Tuscaloosa). **(L/C)**

#### **AUDITING ACCOUNTS**

Authorized the payment of bills; total: \$55,779.89. **(B/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 6:27 p.m. (Ty/H)**

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

SD  
Office of the City Attorney

Prepared By: CJE/rd

Requested: OCA

Presentation on: 02-28-2023

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT TO  
ALABAMA MUNICIPAL INSURANCE CORPORATION  
(22-0001, 22-0419, 22-0189, 22-0387)

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

That the Chief Financial Officer be, and he is hereby, authorized to draw a draft on the General Fund in the amount of \$6,040.65 and the Mayor and City Clerk are hereby authorized to execute the same, payable to Alabama Municipal Insurance Corporation for deductibles on the following claim(s):

Jeanette Ivory (Est of Jecciara Keshae Burrell)	\$ 2,500.00
Kayla Simms	\$ 698.10
Cecilia Rice (The Nut Shop)	\$ 342.55
Amy Dayton/Dylan Wood	\$ 2,500.00

Special Handling Check Request – Please return check to the Office of the City Attorney for additional processing.

FUNDING REQUIRED:  Yes  No

10104081-3060  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: Carly Standing  
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 2-28-23  
 Ordinance \_\_\_\_\_  
 Introduced (w/l-y)  
 Passed \_\_\_\_\_  
 2<sup>nd</sup> Reading [Signature]  
 Unanimous \_\_\_\_\_  
 Failed \_\_\_\_\_  
 Tabled City Clerk  
 Amended \_\_\_\_\_  
 Comments: \_\_\_\_\_

RESOLUTION

RESOLUTION AUTHORIZING REQUEST FOR  
STREET LIGHTING SYSTEM MODIFICATIONS

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

That the City Clerk be, and she is hereby, authorized to request Alabama Power Company to make the following modification to the street lighting system within the corporate limits of the City:

LED (Cobra Head)

5,200-7,200 INITIAL LUMENS INSTALL

One (1) at 5620 Jug Factory Road

LED (Cobra Head)

5,200-7,200 INITIAL LUMENS INSTALL

One (1) at 2605 20<sup>th</sup> Street

One (1) at 2627 20<sup>th</sup> Street

One (1) at 2639 20<sup>th</sup> Street

Adopted 2-28-23  
(W/L -y)

  
City Clerk

Prepared: City Clerk  
Requested: Office of City Engineer  
Agenda: 2/28/2023

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: JPW  
Requested: Revenue/TPD  
Council Presentation on: 02/28/2023  
Suspension of Rules: No

RESOLUTION

RESOLUTION REVOKING THE BUSINESS LICENSE OF  
BAMA RIDE, LLC LOCATED AT 4737 HARPER CIRCLE,  
NORTHPORT, ALABAMA  
(OCA-23-0081)

WHEREAS, Bama Ride, LLC located at 4737 Harper Circle, Tuscaloosa, Alabama, is licensed to do business as Transportation – Low Speed Vehicle Taxicab Co. in the City of Tuscaloosa account #126440 for calendar year 2022-2023; and,

WHEREAS, the City of Tuscaloosa Police Department has received numerous complaints from the public and responded to numerous calls concerning Bama Rides, LLC utilizing drivers without the proper chauffeur license. These complaints concern Bama Ride, LLC having become a public nuisance and dangerous to the public safety, health, and welfare; and,

WHEREAS, the City Council by resolution on February 7, 2023 set a public hearing to consider the possible revocation of the business license of Bama Ride, LLC and the owner was given at least 10 days' notice of the hearing; and,

WHEREAS, at the hearing, evidence was presented to establish that Bama Ride, LLC was the subject of numerous warnings and citations for using low speed taxicab drivers not licensed by the city as follows:

1. Officer Howard Davidson observed Caroline Green on 10/8/22 driving a Bama Ride cart without a chauffeur license. Green was given a verbal warning and told to return the cart to storage and to not drive the cart again without a chauffeur license. Officer Davidson also warned the owner Landon Vaughn by phone to not allow drivers of his carts without a chauffeur license.
2. Officer Davidson observed Brady Freeman driving a Bama Ride cart on 11/19/22 without a chauffeur license. A ticket was issued to Brady Freeman for driving a low speed taxicab without chauffeur licenses which was adjudicated on 1/11/23 in the Tuscaloosa Municipal Court. A ticket was also written for owner Landon Vaughn on 11/21/22 for allowing Brady Freeman to drive a Bama Ride cart without a chauffeur license which is pending in the Tuscaloosa Municipal Court.
3. On 11/26/22, Caroline Green sent an application for a chauffeur license for Brady Freeman. Officer Howard contacted Landon Vaughn and advised that Brady Freeman would

not be approved for a chauffeur license because he smelled strongly of marijuana when he was issued a citation on 11/19/22.

4. On 12/4/22 Brady Freeman was driving a Bama Ride cart and was involved in an accident with another vehicle on McCorvey Drive at 2<sup>nd</sup> Avenue and Freeman was ejected from the cart. A citation was written to Brady Freeman for again driving a Bama Ride cart without a Chauffeur License and a ticket was written for Landon Vaughn for allowing Brady Freeman to drive without a Chauffeur License. Both tickets are pending in the Tuscaloosa Municipal Court Note the Brady Freeman and Landon Vaughn are cousins.

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

1. The taxpayer or license applicant, or its agent or employee, violated a provision of municipal ordinance, relating to the license, business, business premises, or business activity to which the license or application pertains.

2. The taxpayer or license applicant, or its agent or employee, violates, aids in violating, or knowingly allows to be violated any criminal ordinance of the city or any criminal law of the state.

3. The activity to which the license, license application, or license renewal pertains is offensive, injurious, and dangerous to the public health, safety, and welfare to the extent that the licensed premises or licensed activity is a public nuisance.

4. The taxpayer or license applicant fails to meet qualification, criteria, or credentialing standards under state or municipal law required in order to engage in the kind of business to which the license relates.

5. That pursuant to Code of Tuscaloosa Section 7-33, as amended, the following business licenses issued by the City of Tuscaloosa to Bama Ride, LLC Account No. 126440 covering Transportation – Low Speed Vehicle Taxicab Co. is revoked and the privilege to renew the licenses is hereby revoked.

6. That the Police Department, the Office of the City Attorney and Revenue Department are authorized and directed to take appropriate enforcement action in the event the Licensee continues or attempts to continue business activities as Bama Ride, LLC.

FUNDING REQUIRED:  Yes  No

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

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

COUNCIL ACTION <sup>2-28-23</sup>

Resolution Tabled for 6 months  
Ordinance \_\_\_\_\_  
Introduced (Ty/L-y)  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous BPH  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended City Clerk  
Comments: This will next be heard on 8-29-23



APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: JPW/rd  
Requested: Planning Com/UD Date 1/17/23  
Council Presentation: 1/24/2023  
Suspension of Rules: No

ORDINANCE NO. 9345

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1502

Amendment to Text of the Zoning Ordinance for Chapter 24,  
Sections 24-91, 24-371 and 24-372  
Pertaining to Short-Term Rental Amendments  
(OCA-23-0067)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, that the text of the Zoning Ordinance of Tuscaloosa, adopted by Ordinance No. 1754 on October 3, 1972 be, and the same is hereby amended as follows:

**SECTION ONE.** That Section 24-91 – Special exceptions, items (35.5) through (35.8) be and the same is hereby amended to read as follows:

**“Sec. 24-91. – Special exceptions.**

*(35.5) Short-term rental of dwelling*

**PRIMARY**

- a. Property must be within the city limits.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.
- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.
- g. **The standards of Section 10.8-13, Noise in residential districts, shall be adhered to.**

**DISCRETIONARY**

- a. **The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.**

- b. **The board may consider whether or not short-term rental is the primary or accessory use of the dwelling.**
- c. **The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the number of nearby short-term rental licenses, topography, access, etc.).**
- d. **At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.**
- e. **The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.**
- f. **The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.**
- g. **In cases of renewal, the board may consider the number of verified complaints, violations, and other departures from code that a property has experienced.**

*(35.6) Short-term rental of dwelling, historic district*

**PRIMARY**

- a. Property must be part of a locally designated historic district as defined in Section 24-221 and Chapter 20, Article II, Division 1.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.
- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.
- g. **The standards of Section 10.8-13, Noise in residential districts, shall be adhered to.**

**DISCRETIONARY**

- a. **The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.**

- b. **The board may consider whether or not short-term rental is the primary or accessory use of the dwelling**
- c. **The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the number of nearby short-term rental licenses, topography, access, etc.).**
- d. **At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.**
- e. **The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.**
- f. **The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.**
- g. **In cases of renewal, the board may consider the number of verified complaints, violations, and other departures from code that a property has experienced.**

*(35.7) Short-term rental of dwelling, more than forty-five (45) nights per calendar year*

**PRIMARY**

- a. **Property must be within the city limits of Tuscaloosa.**
- b. **A dwelling must be located on the site, able to be occupied.**
- c. **All building and fire codes must be met.**
- d. **No commercial events, such as concerts, weddings, or other large events are permitted.**
- e. **No on-site signage shall be permitted promoting or identifying the short-term rental.**
- f. **A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.**
- g. **The standards of Section 10.8-13, Noise in residential districts, shall be adhered to.**

**DISCRETIONARY**

- a. **The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.**

- b. **The board may consider whether or not short-term rental is the primary or accessory use of the dwelling.**
- c. **The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the number of nearby short-term rental licenses, topography, access, etc.).**
- d. **At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.**
- e. **The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.**
- f. **The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.**
- g. **In cases of renewal, the board may consider the number of verified complaints, violations, and other departures from code that a property has experienced.**

*(35.8) Short-term rental of dwelling, condominium, or multifamily exceeding license cap*

**PRIMARY**

- a. **Property must be within the city limits of Tuscaloosa.**
- b. **A dwelling must be located on the site, able to be occupied.**
- c. **All building and fire codes must be met.**
- d. **No commercial events, such as concerts, weddings, or other large events are permitted.**
- e. **No on-site signage shall be permitted promoting or identifying the short-term rental.**
- f. **A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.**
- g. **The standards of Section 10.8-13, Noise in residential districts, shall be adhered to.**

**DISCRETIONARY**

- a. **The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.**

- b. The board may consider whether or not short-term rental is the primary or accessory use of the dwelling.
- c. The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the number of nearby short-term rental licenses, topography, access, etc.).
- d. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.
- e. The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.
- f. The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.
- g. In cases of renewal, the board may consider the number of verified complaints, violations, and other departures from code that a property has experienced.

**SECTION TWO.** That Article XXII. – SHORT TERM RENTALS, Sections 24-371 through 24-372, be and the same is hereby amended to read as follows:

**“ARTICLE XXII. – SHORT TERM RENTALS**

**Sec. 24-371. Applicability.**

- A. Property affected by this article.
  - 1. All property located within the corporate limits of the city.
- B. Additional Tourist Overlay (TO) District established:
  - 1. TO Downtown-Campus District.
    - a. Generally, its boundaries are described as: south of the centerline of the Black Warrior River, west of the centerline of McFarland Boulevard East, the northern right-of-way line of 15<sup>th</sup> Street, east of the centerline of TY Rogers Jr. Avenue, thence northward from this point to the centerline of **Nicks Kids Avenue**, north of the centerline of Stillman Boulevard, east of the centerline of 29<sup>th</sup> Avenue, thence northward from this point to the centerline of the Black Warrior River.

**Sec. 24-372. Permitted and conditional uses.**

*A. Permitted uses:*

1. Within the TO Downtown-Campus District, short-term rental of dwellings is permitted by right, subject to the following provisions:
  - a. A dwelling must be located on the site, able to be occupied.
  - b. All building and fire codes must be met.
  - c. No commercial events, such as concerts, weddings, or other large events are permitted.
  - d. Occupancy is limited to the number of available parking spaces. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property **and shall be counted based on the required number of spaces per applicable codes at the time of the construction or substantial reconstruction of the dwelling.**
  - e. The short-term rental shall adhere to all parking regulations as outlined in Article IX of the Zoning Ordinance.
  - f. The short-term rental shall comply with all applicable sign regulations as outlined in Article X of the Zoning Ordinance.
  - g. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.
  - h. No dwelling unit shall be used as a short-term rental in excess of forty-five (45) nights per calendar year.
  - i. Condominiums and apartment buildings will be limited to a license cap of one hundred fifty (150), **and documentation from the condominium association or property manager will be required to issue a license.**
  - j. Before a business license can be renewed for short-term rental, the owner shall submit to an audit **by City staff** to determine the number of nights which the owner as rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed **for a period of not less than one (1) year from the date of expiration.**
  - h. **The short-term rental shall comply with the provisions of Section 10.8-13, Noise in residential districts.**
2. **Outside of the TO Downtown-Campus District, short-term rental of condominium and apartment buildings is permitted by right, subject to the following provisions:**

- a. **A dwelling must be located on the site, able to be occupied.**
- b. **All building and fire codes must be met.**
- c. **No commercial events, such as concerts, weddings, or other large events are permitted.**
- d. **Occupancy is limited to the number of available parking spaces. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property and shall be counted based on the required number of spaces per applicable codes at the time of the construction or substantial reconstruction of the dwelling.**
- e. **The short-term rental shall adhere to all parking regulations as outlined in Article IX of the Zoning Ordinance.**
- f. **The short-term rental shall comply with all applicable sign regulations as outlined in Article X of the Zoning Ordinance.**
- g. **The short-term rental shall comply with the provisions of Section 10.8-13, Noise in residential districts.**
- h. **A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.**
- i. **No dwelling unit shall be used as a short-term rental in excess of forty-five (45) nights per calendar year.**
- j. **Condominiums and apartment buildings will be limited to a license cap of one hundred (100).**
- k. **Documentation from the condominium association or property manager will be required to issue a license.**
- l. **Before a business license can be renewed for short-term rental, the owner shall submit to an audit by City staff to determine the number of nights which the owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed for a period of not less than one (1) year from the date of expiration.**

**B. Conditional uses:**

- 1. **Within property part of a locally designated historic district as defined in Section 24-221 and Chapter 20, Article II, Division 1, the zoning board of adjustment may, as a special exception subject to the primary and discretionary warrants for the use as outlined in Section 24-91, approve the short-term rental of a dwelling subject to the following:**
  - a. **Approvals will be granted on a probationary status for one (1) year, not to exceed thirty (30) nights in the year unless otherwise**

specified by the Zoning Board of Adjustment. After an initial approval by the Zoning Board of Adjustment, the owner shall submit to an audit by Urban Development Staff of any verified complaints and violations. If there have been no verified complaints and violations, the business license can be administratively renewed for short-term rental without any changes to the limits placed on the number of adults and vehicles assigned to the approval, though the nights per year may be increased to the maximum allowed by code. If there have been verified complaints and violations, the owner shall re-apply to the Zoning Board of Adjustment for a special exception prior to the license being renewed.

- b. Before a business license can be renewed for short-term rental, the owner shall submit to an audit **by City staff** to determine the number of nights which the owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed **for a period of not less than one (1) year from the date of expiration.**

- 2. Outside of the TO Downtown-Campus District and for property inside the city limits, the zoning board of adjustment may, as a special exception subject to the primary and discretionary warrants for the use as outlined in Section 24-91, approve the short-term rental of a dwelling subject to the following:

- a. **Approvals will be granted on a probationary status for one (1) year, not to exceed thirty (30) nights in the year unless otherwise specified by the Zoning Board of Adjustment. After an initial approval by the Zoning Board of Adjustment, the owner shall submit to an audit by Urban Development Staff of any verified complaints and violations. If there have been no verified complaints and violations, the business license can be administratively renewed for short-term rental without any changes to the limits placed on the number of adults and vehicles assigned to the approval, though the nights per year may be increased to the maximum allowed by code. If there have been verified complaints and violations, the owner shall re-apply to the Zoning Board of Adjustment for a special exception prior to the license being renewed.**
- b. Before a business license can be renewed for short-term rental, the owner shall submit to an audit **by City staff** to determine the number of nights which the owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not



be renewed for a period of not less than one (1) year from the date of expiration.

3. Condominiums and apartments will be limited to a license cap of one hundred fifty (150) inside the TO Downtown Campus District **and one hundred (100) outside the TO Downtown-Campus District**. The zoning board of adjustment may, as a special exception subject to the primary and discretionary warrants for the use as outlined in Section 24-91, approve the short-term rental of a dwelling within an apartment or condominium that would exceed the license cap subject to the following:
  - a. **Approvals will be granted on a probationary status for one (1) year, not to exceed thirty (30) nights in the year unless otherwise specified by the Zoning Board of Adjustment. After an initial approval by the Zoning Board of Adjustment, the owner shall submit to an audit by Urban Development Staff of any verified complaints and violations. If there have been no verified complaints and violations, the business license can be administratively renewed for short-term rental without any changes to the limits placed on the number of adults and vehicles assigned to the approval, though the nights per year may be increased to the maximum allowed by code. If there have been verified complaints and violations, the owner shall re-apply to the Zoning Board of Adjustment for a special exception prior to the license being renewed.**
  - b. Before a business license can be renewed for short-term rental, the owner shall submit to an audit **by City staff** to determine the number of nights which the owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed **for a period of not less than one (1) year from the date of expiration.**

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA that the provisions of this ordinance shall become effective immediately upon the approval and publication as provided by law.

APPROVED:

*Zack Ponds*

OFFICE OF URBAN DEVELOPMENT

*Adopted 2-28-23  
(W/L-y)*

*Introduced on 1-24-23  
(W/B-y; L-absent)*

*[Signature]*  
City Clerk

*[Signature]*  
City Clerk

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: JPW III/rd

Requested: Planning Com/UD Date: 12/19/2022

Council Presentation on: 1/24/2023

Suspension of Rules: No

ORDINANCE NO. 9346

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1503

(Approx. 1.5 acres located at 3507 McGee Road—Petitioner: Michael Jones)  
(BN to ML)  
(OCA-23-0071/Z-35-22)

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 South Half of the Southeast Quarter of the Southwest Quarter of Section 27, Township 21 South, Range 9 West in Tuscaloosa County, Alabama and being more particularly described as follows:

All of Lot 4 of The Resurvey of Lot 3 of McKenzie Johnson Subdivision and Adjacent Lands as recorded in the Probate Office of Tuscaloosa County in Plat Book 1999 at Page 69.

Said parcel contains 1.51 acres, more or less.

The above referenced property is presently zoned Neighborhood Commercial District (BN) to be zoned Light Industrial District (ML).

DESCRIPTION APPROVED BY:

Zach Ponds

OFFICE OF URBAN DEVELOPMENT

Adopted 2-28-23  
(LIB-y)  
Introduced on 1-24-23  
(W/Ty-y; L-absent)  
[Signature]  
City Clerk  
[Signature]  
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: 01/24/2023

Suspension of Rules: No

ORDINANCE NO. 9347

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1504

(Approx. 9.46 acres located at 800 27<sup>th</sup> Street--Petitioner: Al Cabaniss)  
(RM-3 to RMF-1)  
(OCA-23-0072/Z-01-23)

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:

Part E ½ - SW ¼ - SE ¼  
Sec. 26, T 21 S, R 10 W  
TUSCALOOSA COUNTY, ALABAMA

A part of the East Half of the Southwest Quarter of the Southeast Quarter (E ½ - SW ¼ - SE ¼ ) of Section 26, Township 21 South, Range 10 West, in Tuscaloosa County, Alabama, said Parcel being more particularly described as follows:

As a POINT OF COMMENCEMENT, Start at an iron pipe monumenting the Northeast corner of Lot 1 of Shalimar, as recorded in Plat Book 10 at Page 67, in the Probate Office of Tuscaloosa County, Alabama, thence run in a Westerly direction and along the North Boundary of said Lot 1 for a distance of 107.0' to the POINT OF BEGINNING: thence with a deflection angle of 90° 31' to the left, run in a Southerly Direction for a distance of 119.37' to a point lying on the South Boundary of said Lot 1: thence with a deflection angle of 87°06'28" to the right, run in a Westerly direction for a distance of 720.68' to an iron pipe found: thence with an interior angle to the left of 88°11'43", run in a Northerly direction for a distance of 366.06' to a point: thence with an interior angle to the left of 91°48'51", run in an Easterly direction for a distance of 8.00' to an iron pipe found: thence with an interior angle to the left of 272°22'58", run in a Northerly direction for a distance of 243.44' to an iron pipe found monumenting the Northwest corner of the property herein described, and also the Southwest

corner of Lot 30 The Downs, as recorded in Plat Book 6 at Page 25, in the Probate Office of Tuscaloosa County, Alabama: thence with an interior angle to the left of 87°20'33", run in an Easterly direction and along the South Boundaries of Lots 30, 31, 32, 33 and 34, The Downs, for a distance of 657.67' to a point, said point being the Northeast corner of the property herein described, and said point also lying on the West Boundary of Lot 6, Shalimar: thence with an interior angle to the left of 93°26'56", run in a Southerly direction and along the West Boundaries of Lots 6, 5, 4, 3, and 2, Shalimar, for a distance of 486.45' to the Northwest corner of Lot 1 Shalimar: thence with an interior angle to the left of 267°34'52", run in an Easterly direction for a distance of 20.60' to the POINT OF BEGINNING, forming an interior angle of closure of 92°08'09", said parcel containing approximately 9.46 acres, more or less.

The above referenced property is presently zoned Residential Multi-family District (RM-3) to be zoned Multi-family Residential District (RMF-1).

DESCRIPTION APPROVED BY:

*Zack Ponds*

OFFICE OF URBAN DEVELOPMENT

FUNDING REQUIRED:  Yes  No

COUNCIL ACTION

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

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

*Adopted 2-28-23  
 (LIT y-y)*

*Introduced 1-24-23  
 (w/Ty; L-absent)*

*[Signature]  
 City Clerk*

*[Signature]  
 City Clerk*

RESOLUTION

RESOLUTION APPROVING APPLICATION OF  
VERA CRUZ MEXICAN GRILL II LLC  
DBA VERA CRUZ MEXICAN GRILL  
FOR ABC LICENSE

Whereas, the Tuscaloosa City Council has approved the application of Vera Cruz Mexican Grill II LLC dba Vera Cruz Mexican Grill II for Restaurant Retail Liquor to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

Vera Cruz Mexican Grill II LLC  
dba Vera Cruz Mexican Grill II  
1301 McFarland Blvd NE  
Tuscaloosa, AL 35406

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.

**23-016**

Adopted 2-28-23  
(Ty/W-y)

  
City Clerk

RESOLUTION

RESOLUTION APPROVING APPLICATION OF  
DRUID CITY BREWING COMPANY LLC  
DBA DRUID CITY BREWING COMPANY  
FOR ABC LICENSE


Whereas, the Tuscaloosa City Council has approved the application Druid City Brewing Company LLC dba Druid City Brewing Company for a Manufacturer to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

Druid City Brewing Company LLC  
dba Druid City Brewing Company  
700 14<sup>th</sup> Street  
Tuscaloosa, AL 35401

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.

**23-017**

Adopted 2-28-23  
(TylC-y)  
  
City Clerk

RESOLUTION

RESOLUTION APPROVING APPLICATION OF  
J & S BARTENDING LLC  
EVENT AT 26<sup>TH</sup> ANNUAL BBQ AND BLUE JEANS  
FOR ABC LICENSE

Whereas, the Tuscaloosa City Council has approved the application of J & S Bartending LLC Event at 26th Annual BBQ and Blue Jeans for a Special Events Retail (7 Days or Less) to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

J & S Bartending LLC  
Event at 26th Annual BBQ and Blue Jeans  
4922 McWrights Ferry Road  
Tuscaloosa, Al. 35406

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.

**23-018**

Adopted 2-28-23  
(Ty/W-y)  
BPT  
City Clerk

RESOLUTION

RESOLUTION APPROVING APPLICATION OF  
J & S BARTENDING LLC  
EVENT AT DRUID CITY ARTS FESTIVAL 2023  
FOR ABC LICENSE


Whereas, the Tuscaloosa City Council has approved the application of J & S Bartending LLC Event at Druid City Arts Festival 2023 for a Special Events Retail (7 Days or Less) to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

J & S Bartending LLC  
Event at Druid City Arts Festival 2023  
2106 6th Street  
Tuscaloosa, Al. 35401

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.

**23-019**

Adopted 2-28-23  
(C/W-Y)  
  
City Clerk



APPROVED AS TO FORM

Office of the City Attorney

Prepared By: JPW

Requested: Admin. Date: 2/21/2023

Presentation on: 2/28/2023

Suspension of Rules: No

RESOLUTION

RESOLUTION APPROVING JOB CLASS SPECIFICATIONS  
FOR DIRECTOR OF CONSTRUCTION MANAGEMENT  
(OCA-23-0235)

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 Director of Construction Management to the Administration Committee and the Administration Committee has recommended the 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 Director of Construction Management (Job Code 2024 (dated February 2023), is hereby approved.

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 2-28-23  
(W/L-Y)  
BPH  
City Clerk

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: OT/LH

Requested: CD CMTE Date: 02/21/22

Council Presentation: 02/28/22

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING AN AMENDMENT TO THE CITY'S AGREEMENT & AUTHORIZING THE MAYOR TO EXECUTE THE AMENDED AGREEMENT WITH THE SALVATION ARMY UNDER THE CITY'S 2021 EMERGENCY SOLUTIONS GRANTS PROGRAM (OCA-23-0196)

WHEREAS, on January 12, 2022, the City entered into an agreement with The Salvation Army for 2021 Emergency Solutions Grant (ESG) funds to administer Emergency Shelter, Homeless Prevention and Rapid Re-Housing; and

WHEREAS, the budget of the contract needs to be amended to redistribute the funds (\$113,750.00), at the request of The Salvation Army, in the categories of Rapid Re-Housing and Homeless Prevention.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TUSCALOOSA, ALABAMA, that the City Council of Tuscaloosa does hereby approve the budget amendment under its agreement with The Salvation Army under the City's 2021 Emergency Solutions Grant per the following:

Amendment 1

Program Year: 2021

Current Activity/Line Item: Rapid Re-Housing

Current Activity Description: Provide relocation and stabilization services and short-and/or medium-term rental assistance

Current Activity Funding Amount: \$12,000.00

Amendment Funding Amount Change: \$9,525.00


Amendment Reasoning: Agency requested amendments to reallocate line items based on need

New Activity/Line Item: Homeless Prevention

New Activity Description: Provide prevention assistance and services including the payment of rent and utilities

New Activity Reallocation: \$9,525.00

ESG Eligible Citation: 24 CFR Part 576.103– Homeless Prevention

Adopted 2-28-23  
(LW-y)  
  
City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: OT/LH

Requested: CD CMTE Date: 02/21/22

Council Presentation: 02/28/22

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING THE OFFICE OF COMMUNITY AND NEIGHBORHOOD SERVICES TO  
MAKE BUDGET AND PROGRAM CHANGES TO THE 2019 THROUGH 2023 LEAD HAZARD  
ABATEMENT PROGRAM (LOCAL AMENDMENT)  
(OCA-23-0210)

WHEREAS, the City of Tuscaloosa has the legal authority to apply for Federal Assistance from the U.S. Department of Housing and Urban Development (HUD); Office of Lead Hazard Control and Healthy Homes, and

WHEREAS, the City of Tuscaloosa has the institutional, managerial, and financial capability (including funds to pay the non-Federal share of program costs) to plan, manage and complete the Federal programs.


NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TUSCALOOSA, ALABAMA, that the City Council of Tuscaloosa does hereby approve the budget and program amendments under its **HUD OLHCHH Grant # ALLHB0729-19**:

Amendment # 5

Community & Neighborhood Services has received a twelve month extension to spend our HUD OLHCHH Grant # ALLHB0729-19 due to the COVID epidemic. Our new end date will be June 30, 2024. We will make line-item changes to reflect the additional time, but there will be no additional funds awarded for the extension.

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

That the City of Tuscaloosa does hereby authorize the budget and program changes to the 2019 through 2023 Lead Hazard Abatement Program (HUD OLHCHH Grant # ALLHB0729-19) via Local Amendment under City of Tuscaloosa's Citizen Participation Plan.

Adopted 2-28-23  
(WIL-y)  
  
City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: OT/LH

Requested: CD CMTE Date: 02/21/22

Council Presentation: 02/28/22

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING AN AMENDMENT TO THE CITY'S AGREEMENT & AUTHORIZING THE MAYOR TO EXECUTE THE AMENDED AGREEMENT WITH SAN, INC, d.b.a. TURNING POINT UNDER THE CITY'S 2021 EMERGENCY SOLUTIONS GRANTS PROGRAM (OCA-23-0197)

WHEREAS, on January 14, 2022, the City entered into an agreement with San Inc. d.b.a. Turning Point for 2021 Emergency Solutions Grant (ESG) funds to administer Emergency Shelter, Homeless Prevention and Rapid Re-Housing; and

WHEREAS, the budget of the contract needs to be amended to redistribute the funds (\$43,000.00), at the request of Turning Point, in the categories of Rapid Re-Housing and Homeless Prevention.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TUSCALOOSA, ALABAMA, that the City Council of Tuscaloosa does hereby approve the budget amendment under its agreement with Turning Point under the City's 2021 Emergency Solutions Grant per the following:

Amendment 1

Program Year: 2021

Current Activity/Line Item: Homeless Prevention

Current Activity Description: Provide prevention assistance and services including the payment of rent and utilities

Current Activity Funding Amount: \$6,000.00

Amendment Funding Amount Change: \$2,428.14

Amendment Reasoning: Agency requested amendments to reallocate line items based on need

New Activity/Line Item: Rapid Re-Housing

New Activity Description: Provide relocation and stabilization services and short-and/or medium-term rental assistance

New Activity Reallocation: \$2,428.14

ESG Eligible Citation: 24 CFR Part 576.104– Rapid Re-Housing

Adopted 2-28-23  
(L/W-y)  
BPH  
City Clerk

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: CLH/cmh  
Requested: OCA Date: 2/28/2023  
Council Presentation: 2/28/2023  
Suspension of Rules: No

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF TUSCALOOSA TO JOIN THE STATE OF ALABAMA AND OTHER LOCAL GOVERNMENTS AS PARTICIPANTS IN CERTAIN OPIOID SETTLEMENTS (OCA File No. 21-0292)

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Alabama, and the City of Tuscaloosa, Alabama;

WHEREAS, the City of Tuscaloosa has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Alabama and some Alabama local governments have filed lawsuits against opioid manufacturers, distributors, and retailers ("Opioid Litigation");

WHEREAS, the State of Alabama has entered into settlement agreements with Walmart, Teva, Allergan, CVS, and Walgreens, and their related entities, which include the claims for the State of Alabama's local governments, and the City of Tuscaloosa finds the terms of the settlement agreements acceptable and in the best interest of the community;

WHEREAS, the State of Alabama has proposed Settlement Sign-On Agreements to the local governments and the City of Tuscaloosa finds the terms of the Sign-On Agreements acceptable and in the best interest of the community;

WHEREAS, the Settlement Agreements and Sign-On Agreements detail the allocation of settlement funds, which the City of Tuscaloosa finds acceptable and in the best interest of the community;

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL,

Section 1. That the City of Tuscaloosa finds that participation in the Settlement Agreements and Sign-On Agreements are in the best interest of the City of Tuscaloosa and its citizens because such a plan would ensure an effective structure for the commitment of settlement funds to abate and seek to resolve the opioid epidemic.

Section 2. That the City of Tuscaloosa hereby expresses its support for the Settlements and allocation and use of settlement funds as generally described in the Settlement Agreements and Sign-On Agreements.

Section 3. That the City Attorney is hereby expressly authorized to execute Settlement Sign-On Agreements and any formal agreements necessary to implement the Settlements and plan for the allocation and use of Settlement Funds.

Section 4. That the City Attorney is hereby expressly authorized to execute any formal agreements and related documents evidencing the City of Tuscaloosa's agreement to the settlement of claims and litigation specifically related to Walmart, Teva, Allergan, CVS, and Walgreens.

Section 5. That the City Attorney is authorized to take such other action as necessary and appropriate to effectuate the City of Tuscaloosa's participation in the Settlements.

Section 6. This Resolution is effective upon adoption, the welfare of the City of Tuscaloosa, Alabama requiring it.

FUNDING REQUIRED:  Yes  No

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

Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 2-28-23  
Ordinance \_\_\_\_\_  
Introduced (W/L-4)  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading [Signature]  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled City Clerk  
Amended \_\_\_\_\_  
Comments: \_\_\_\_\_

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: SEM  
Requested: Projects Date: 02/21/2023  
Council Presentation: 02/28/2023  
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT  
WITH TTL, INC. FOR  
NORTHRIDGE ROAD SLOPE REPAIR PROJECT  
(OCA-23-0200/OCE# 2023.005)

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

That the Mayor is authorized to execute a Professional Services Contract with TTL, Inc. for the Northridge Road Slope Repair Project in an amount not to exceed \$85,218.00, 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

20309030-23005

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By: Carly Handberg  
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance Adopted 2-28-23  
Introduced \_\_\_\_\_  
Passed (CLW-y)  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: City Clerk

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: SEM/hh  
Requested: Projects Date: 02/21/2023  
Council Presentation: 02/28/2023  
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 3  
TASK ORDER DIRECTIVE NO. 2 WITH VOLKERT, INC.  
PROFESSIONAL ENGINEERING AND RELATED SERVICES FOR  
LIFT STATION 21 EQUALIZATION TANK AND PUMP STATION IMPROVEMENTS PROJECT  
(OCA A19-0395/OCE FILE 2018.026.001)

WHEREAS, heretofore the City of Tuscaloosa and the professional engineering firm of Volkert, Inc. entered into a Master Agreement and Task Order Directives (TODs) for engineering and related services for the Lift Station 21 Equalization Tank and Pump Station Improvements Project; and,

WHEREAS, the purpose of this Amendment No. 3 to Task Order Directive No. 2 is to increase the maximum cost for Task Order Directive No. 2 from \$642,545.00 to \$742,545.00, reflecting an increase of \$100,000.00 for additional construction testing and related services necessary to complete this phase of the project.

WHEREAS, the additional purpose of this Amendment No. 3 to Task Order Directive No. 2 is to increase the Contract duration from 12 months to 29 months.

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

That the Mayor, be and he is hereby, authorized to execute, by and as an act for and on behalf of the City of Tuscaloosa, Amendment No. 3 to Task Order Directive No. 3 that will increase the contract duration from 12 months to 29 months and also increase the maximum cost for Task Order Directive No. 2 from \$642,545.00 to \$742,545.00 (being an increase of \$100,000.00) for additional construction testing and related services necessary to complete this phase of the project; and the City Clerk is authorized to attest the same.

FUNDING REQUIRED:  Yes  No

COUNCIL ACTION

61540350-18026

62240280-18026

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By: Carly Handig  
Chief Financial Officer

Resolution Adopted 2-28-23  
Ordinance \_\_\_\_\_  
Introduced (C/B-y)  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous BAH  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended City Clerk  
Comments: \_\_\_\_\_



APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: SEM  
Requested: Projects Date: 02/21/2023  
Council Presentation: 02/28/2023  
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE TASK ORDER DIRECTIVE 2 WITH THOMPSON ENGINEERING, INC. FOR MCWRIGHT'S FERRY ROAD ON NORTH RIVER TO RICE MINE ROAD IMPROVEMENTS PROJECT (A17-0444/2016.125)

WHEREAS, heretofore the City of Tuscaloosa and the professional engineering firm of Thompson Engineering, Inc. entered into a Master Agreement and Task Order Directives (TODs) for engineering and related services for the McWright's Ferry Road on North River to Rice Mine Road Improvements Project; and,


WHEREAS, the purpose of Task Order Directive 2 is to include Basic Engineering Services During Construction, Advanced Services During Construction, and Construction Testing for a total not to exceed cost of \$2,908,185.00 for Task Order Directive No. 2.

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


That the Mayor, be and he is hereby, authorized to execute, by and as an act for and on behalf of, the City of Tuscaloosa, Task Order Directive 2 with Thompson Engineering, Inc. for scope of services and fees that include Basic Engineering Services During Construction, Advanced Services During Construction, and Construction Testing for a total not to exceed cost of \$2,908,185.00; and the City Clerk be, and is, hereby authorized to attest the same.

FUNDING REQUIRED:  Yes  No  
22240290-16099


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By:   
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance Adopted 2-28-23  
Introduced \_\_\_\_\_  
Passed (CLW-y)  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled  \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: City Clerk

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: OT/hh  
Requested: Projects Date: 02/21/2023  
Council Presentation on: 02/28/2023  
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH THE UNIVERSITY OF ALABAMA DEPARTMENT OF TELECOMMUNICATION AND FILM (OCA-23-0191)

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

The Mayor is authorized to execute that memorandum of understanding now before the Council with the University of Alabama Department of Telecommunication and Film whereby City gives the University consent for students to perform in-house production duties at the Tuscaloosa Amphitheater for certain events, on an as-needed basis and as called upon by the City, for a fee of \$500.00 per show for screens only, and \$2,000.00 per show for full crew. The term of this memorandum of understanding shall be for three (3) years from the date of execution, 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

50114042-3595  
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By:   
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance \_\_\_\_\_  
Introduced Adopted 2-28-23  
Passed (CIL-y)  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: City Clerk

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: TDB/cmh

Requested: OCA Date 02/28/2023

Presentation on: 02/28/2023

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DRAW DRAFT FOR THE JUANITA DRIVE PHASE II IMPROVEMENTS PROJECT PROPERTY ACQUISITIONS (A20-0095)

BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL that the Chief Financial Officer be, and is hereby, authorized to draw draft to the following for the stated amounts for payment of property acquisitions:

Juanita Drive Phase II Improvements Project Property Acquisition Account Number 22817162-19012

<u>Tract</u>	<u>Payee</u>	<u>Amount</u>
22A	Gloria J. Michael	\$2,570.00
30A	Cottage Court I, LLC	\$6,571.00
35A	Bobby E., Jr. and Fretta N. Ward	\$1,852.00
45A	Larry Tucker	\$2,907.00

FUNDING REQUIRED:  Yes  No

22817162-19012

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By: Carly Standridge  
Chief Financial Officer

COUNCIL ACTION:

Resolution Adopted 2-28-23  
Ordinance (LIW-y)  
Introduced \_\_\_\_\_  
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: SEM/hh  
Requested: TPD Date: 02/28/2023  
Council Presentation: 02/28/2023  
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CONTRACT WITH AXON ENTERPRISE, INC.  
AND DECLARING A BID LAW EXEMPTION  
PURSUANT TO ALA. CODE § 41-16-51(a)(15)  
(OCA-23-0226)

WHEREAS, the City of Tuscaloosa desires to contract with Axon Enterprise, Inc. in the amount of \$194,518.80 for hardware, software, licenses and related equipment for the City of Tuscaloosa Police Department; and,

WHEREAS, the City Council finds and declares this contract is exempt from competitive bidding requirements pursuant to the following authority: ALA. CODE §41-16-51(a)(15).

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

1. That the Mayor is authorized to execute a contract with Axon Enterprise, Inc. in the amount of \$194,518.80 for hardware, software, licenses and related equipment for the City of Tuscaloosa Police Department.
2. That the City Council finds and declares that the above contract is exempt from the competitive bidding requirements of the Alabama Bid Law pursuant to the following authority: ALA. CODE § 41-16-51(a)(15) Contractual services and purchases of products related to, or having an impact upon, security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or infrastructures.

FUNDING REQUIRED:  Yes  No  
70101000-22512  
101-51316

By: Carly Handberg  
Chief Financial Officer

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance Adopted 2-28-23  
Introduced (LIC-4)  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: City Clerk

RESOLUTION

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

MULCH AND PINE STRAW (rebid)

BID NO. 9071-022023-2

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:

KYKENKEE

Bid Line 1: Mulch

\$16.00/per yard

SWIFT STRAW

Bid Line 4: Pine Straw - Bundled

\$7.85/per bundle

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

10109044-3170

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\_\_\_\_\_

By: [Signature]  
Chief Financial Officer

On behalf of Carly Samardge

Prepared: Purchasing  
Requested: Purchasing  
Agenda: 02/28/23

COUNCIL ACTION

Resolution \_\_\_\_\_  
Ordinance Adopted 2-28-23  
Introduced (CIL-4)  
Passed \_\_\_\_\_  
2<sup>nd</sup> Reading [Signature]  
Unanimous [Signature]  
Failed \_\_\_\_\_  
Tabled City Clerk  
Amended \_\_\_\_\_  
Comments: \_\_\_\_\_

APPROVED AS TO FORM



Prepared By: HE  
Requested: 02/21/2023  
Presentation on: 02/28/2023  
Suspension of Rules: No

RESOLUTION

AMENDING THE FISCAL YEAR 2023 GENERAL FUND RESERVE FOR FUTURE IMPROVEMENTS FUND BUDGET  
(AMENDMENT 5 - FY23 GFRFFI BUDGET)  
(A98-0470)

WHEREAS, the Council has determined to re-establish the GFRFFI for Fiscal 2023. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the resolution previously enacted by the City Council designating a specific amount of the City of Tuscaloosa's General Fund Reserve Fund for Future Improvement (GFRFFI) as encumbered for certain designated public improvement and special projects of the General Fund Department in the stated amount for expenditures in the fiscal year, including continuing encumbrances of unexpended reserve funds in the stated amounts for those projects previously designated in prior years and confirmed therein, be further amended by the language and/or by the addition or subtraction in the amounts as indicated herein. Unless subsequently amended or repealed, any unexpended funds designated or amended herein or previously designated shall remain encumbered through Fiscal 2023.

That a net total of \$33,096,756 of the City of Tuscaloosa's General Fund Reserve Fund be budgeted and encumbered for General Fund Improvement and special projects or programs of the City of Tuscaloosa.

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:

EXPENSES			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
Fire Station #6	500,000	(85,218)	414,782
Northridge Road Stabilization	-	85,218	85,218
NET EXPENDITURES		-	-
NET CHANGE		-	-

All prior resolutions designating funds for the Reserve for Future Improvement Fund and any amendments thereto be and the same are hereby repealed to the extent of any conflict with the provisions hereof. The City Council reserves the right to amend, modify and/or repeal this resolution or any provision hereof, depending upon change of circumstances, market fluctuation, unforeseen conditions or the demands upon the City's finances.

FUNDING REQUIRED: Yes  No   
Fund 203 - General Fund RFFI

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By: Carly Standley  
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 2-28-23  
Ordinance (W/L-4)  
Introduced \_\_\_\_\_  
Passed \_\_\_\_\_  
2nd Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed \_\_\_\_\_  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: City Clerk



APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: HE

Requested: FC 02/21/2023

Presentation on: 02/28/2023

Suspension of Rules: No

**RESOLUTION**

**AMENDMENT NO. 1 TO THE RESOLUTION TO ESTABLISH BUDGET  
FOR 2022 B WARRANT SERIES  
(A22-0697)**

WHEREAS, the City of Tuscaloosa anticipates the issuance of approximately \$37,653,403 of bonds through the 2022-B Warrant Series and wishes to establish a budget for said issuance.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that, upon the issuance of the 2022-B Warrant Series, the budget for said series shall be as follows:

<b>FUNDING SOURCES</b>	<b>AMOUNT</b>
Warrant Proceeds – 2022-B Series	\$37,653,403
<b>TOTAL FUNDING</b>	<b>\$37,653,403</b>

<b>PROJECT</b>	<b>AMOUNT</b>
SS Manhole #6978 Repair	\$5,000,000
Water Meter Upgrades/AMI	\$3,500,000
Digester Mixing Upgrades	\$700,000
Brooksdale Drive SS Improvements	\$700,000
Lift Station 22	\$500,000
Ed Love Plant Raw Water	\$19,500,000
Lift Station 15 & 42	\$400,000
Garner Road CIPP Line	\$4,300,000
<b>LS 21 EQ Tank &amp; Pump Station Improvements</b>	<b>\$67,962.25</b>
<b>Contingency - 2022-B (WS)</b>	<b>\$2,985,441</b>
<b>TOTAL</b>	<b>\$37,653,403</b>

FUNDING REQUIRED:  Yes  No

2022-B Warrant Series \_\_\_\_\_  
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By: *Carly Standing*  
Chief Financial Officer

COUNCIL ACTION

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

Adopted 2-28-23  
(ty/L-y)  
*[Signature]*  
City Clerk



APPROVED AS TO FORM

Office of the City Attorney

Prepared By: JPW III/rd

Requested: Planning Com/UD Date: 02/20/2023

Council Presentation on: 02/28/2023

Suspension of Rules: No

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1508

(Approx. 1.15 acres located at 1717 18<sup>th</sup> Place and  
1805 Queen City Avenue—Petitioner: Davey Bishop)  
(R-3 to BN)  
(OCA-23-0238/Z-06-23)

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:

Lots 10, 11, 12, 13, 14, 15, and 16 Block 2 Ormond's Addition, a map or plat of which is recorded in Plat Book 1, at Page 166 in the Probate Office of Tuscaloosa County, Alabama.

The above referenced property is presently zoned Residential District (R-3) 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

COUNCIL ACTION

Resolution introduced: (C/L)  
Ordinance 2-28-23  
Introduced \_\_\_\_\_  
Passed [Signature]  
2<sup>nd</sup> Reading \_\_\_\_\_  
Unanimous \_\_\_\_\_  
Failed City Clerk  
Tabled \_\_\_\_\_  
Amended \_\_\_\_\_  
Comments: \_\_\_\_\_

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: JPW III/rd  
Requested: Planning Com/UD Date: 02/20/2023  
Council Presentation on: 02/28/2023  
Suspension of Rules: No

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1509

(Approx. 15.4 acres located at and around 3101  
Martin Luther King Jr. Boulevard—Petitioner: City of Tuscaloosa)  
(MG and R-3 to I)  
(OCA-23-0243/Z-04-23)

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:

PARCEL 1

(Presently zoned R-3 to be zoned I)

A parcel of land, being all of Lots 4 through 22 of Block 1, Kaulton Subdivision, as recorded in the Tuscaloosa County, Alabama Office of Probate in plat book, 7, at page 83, being located in the Northwest quarter of the Northwest quarter of Section 34, Township 21 South, Range 10 West, Tuscaloosa County, Alabama, containing four (4) acres, more or less, and being more particularly described as follows:

As a POINT OF BEGINNING of the herein described parcel, start at the intersection of the East right-of-way of Martin Luther King, Jr. Blvd and the South right-of-way of Ash Street; thence run in a southerly direction and along the East right-of-way of Martin Luther King, Jr. Blvd for a distance of 188 feet, more or less; thence with an interior angle right of 106°19', run in an easterly direction and along the curving South boundary of said Lots 4 through 22 for a chord distance of 1149 feet, more or less; thence with an interior angle right of 71°58', run in a northerly direction and along the West right-of-way of 29<sup>th</sup> Avenue for a distance of 153 feet, more or less, to the South right-of-way of Ash Street; thence with an interior angle right of 109°45', run in a westerly direction and along the curving South right-of-way of Ash Street for a chord distance of 1,155 feet, more or less, to the POINT OF BEGINNING of the herein described parcel.

**PARCEL 2**

(Presently zoned MG to be zoned I)

A parcel of land, being part of Block 1, Kaulton Subdivision, as recorded in the Tuscaloosa County, Alabama Office of Probate in plat book, 7, at page 83, and unplatted land, all being located in the Northwest quarter of the Northwest quarter of Section 34, Township 21 South, Range 10 West, Tuscaloosa County, Alabama, containing fifteen (11) acres, more or less, and being more particularly described as follows:

As a POINT OF COMMENCEMENT, start at the intersection of the East right-of-way of Martin Luther King, Jr. Blvd and the South right-of-way of Ash Street; thence run in a southerly direction and along the East right-of-way of Martin Luther King, Jr. Blvd for a distance of 188; more or less, to the POINT OF BEGINNING of the herein described parcel; thence continue in a southerly direction and along the East right-of-way of Martin Luther King, Jr. Blvd for a distance of 915 feet, more or less; thence with an interior angle right of  $90^{\circ}28'$ , run in an easterly direction and along the boundary of Shelton State Community College property for a distance of 107 feet, more or less; thence with an interior angle right of  $88^{\circ}59'$ , run in a northerly direction and along the boundary of Shelton State Community College property for a distance of 190 feet, more or less; thence with an interior angle right of  $270^{\circ}37'$ , run in an easterly direction and along the boundary of Shelton State Community College property for a distance of 623 feet, more or less; thence with an interior angle right of  $111^{\circ}20'$ , run in a northeasterly direction and along the boundary of Shelton State Community College property for a distance of 274 feet, more or less; thence with an interior angle right of  $254^{\circ}27'$ , run in an easterly direction and along the boundary of Shelton State Community College property for a distance of 282 feet, more or less; thence with an interior angle right of  $82^{\circ}27'$ , run in a northerly direction for a distance of 178 feet, more or less, to the Southeast corner of Lot 22 of Block 1 of said Kaulton Subdivision; thence with an interior angle right of  $108^{\circ}02'$ , run in a westerly direction and along the curving South boundary of Lots 4 through 22 of Block 1 of said Kaulton Subdivision for a chord distance of 1149 feet, more or less, to the POINT OF BEGINNING of the herein described parcel.

The above referenced property is presently zoned General Industrial District (MG) and Residential District (R-3) to be zoned Institutional District (I).

DESCRIPTION APPROVED BY:

**Zach Ponds**

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OFFICE OF URBAN DEVELOPMENT

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: \_\_\_\_\_

2-28-23

Introduced: (W/L)

  
City Clerk

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: JPW

Requested: Admin Comte Date: 2/21/2023

Council Presentation on: 2/28/2023

Suspension of Rules: No

ORDINANCE NO. 9348

AN ORDINANCE AMENDING SECTION 3-31  
OF THE CODE OF TUSCALOOSA  
(A22-1388)

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

That Section 3-31 of the Code of Tuscaloosa be amended to read as follows:

**“Sec. 3-31. Expansion of on-premises licensed establishments.**

- (a) *Definitions.* As used in this section, the following terms shall have the respective meanings ascribed to them:

*Expand or enlarge the license premises:* The occupation or the addition of any area or space which results in an increase in the size or occupancy of the premises in which any activity, pursuant to or in conjunction with the sale of alcoholic liquor or beverages, is conducted.

*On-premises alcohol licensee:* Any person operating pursuant to a license from the state alcoholic beverage control board to engage in the business of on-premises sale of any alcoholic beverages.

- (b) *Permit required; application, issuance, denial.* It shall be unlawful for any on-premises alcohol licensee to expand or enlarge the licensed premises unless a permit for such enlargement or expansion is first obtained as follows:
- (1) Application to expand or enlarge such license premises shall first be made to the revenue division of the accounting and finance department of the city, and shall show in words and figures and, where required, by map or drawing, the exact extent of the proposed expansion or enlargement, either in size or occupancy of the premises.
  - (2) On receiving such application, the revenue division shall cause the same to be submitted to the office of urban development, fire marshal, police department and county health department, and shall deliver the request to the city clerk for action by the governing body.

- (3) The governing body shall set a time for public hearing and, without undue delay, give notice of public hearing to consider said application by publication one time in a newspaper regularly published in the city, inviting any person who desires to be heard either in favor of or in opposition to the granting of the permit to be present and to be heard.
- (4) The governing body may deny the permit, after notice and hearing, on a finding that the expansion or enlargement will adversely affect the public health, welfare or safety of the community. The board shall consider all pertinent factors, including, but not necessarily limited to, the following: Whether or not the enlargement or expansion will cause or contribute to additional annoyance or disturbance because of:
  - a. Additional noise;
  - b. Additional traffic congestion or hazard;
  - c. Additional parking requirements;
  - d. Additional litter or debris;
  - e. The proposed increase in building occupancy is unsafe.
  - f. Licensee's past history for violations and criminal activity on the premises."

Intro: L/TY  
 Man: Ty IL  
 [Signature]  
 City COUNCIL ACTION

FUNDING REQUIRED:  Yes  No  
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By: \_\_\_\_\_  
 Chief Financial Officer

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

APPROVED AS TO FORM

[Signature]  
Office of the City Attorney

Prepared By: SBH  
Requested: Admin 2/21/2023  
Presentation on: 02/28/2023  
Suspension of Rules: No

ORDINANCE NO. 9349

ORDINANCE AMENDING SECTION 7-33(a)(4) OF THE  
CODE OF TUSCALOOSA PERTAINING TO REVOCATION OF LICENSE OR PRIVILEGE TO OBTAIN A  
LICENSE  
(OCA-23-0202)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA that Section 7-33(a)(4) of the  
Code of Tuscaloosa is amended to read as follows:

**“Sec. 7-33. - Revocation of license or privilege to obtain a license.**

- (4) Any application, affidavit, return, or other document filed by or on behalf of the taxpayer or applicant with the revenue department contains false or misleading information or an omission of a material fact. **Any application, affidavit, or document or any statement or presentation made before any board, committee, commission, or council meeting of the City of Tuscaloosa to obtain any special conditions, zoning exception, alcohol license or other City approval required to operate the licensed business that contains false or misleading information or an omission of a material fact.**

*Adopted 2-28-23  
intro: LITY  
w/ran: Ty/L*

FUNDING REQUIRED:  Yes  No

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By: \_\_\_\_\_  
Finance Director

**COUNCIL ACTION**  
*[Signature]*  
 Resolution \_\_\_\_\_  
 Ordinance \_\_\_\_\_  
 Introduced \_\_\_\_\_  
 Passed \_\_\_\_\_  
 2<sup>nd</sup> Reading \_\_\_\_\_  
 Unanimous \_\_\_\_\_  
 Failed \_\_\_\_\_  
 Tabled \_\_\_\_\_  
 Amended \_\_\_\_\_  
 Comments: \_\_\_\_\_

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW

Requested: Admin Date: 2-21-23

Council Presentation: 2-28-23

Suspension of Rules: No

ORDINANCE NO. 9350

AN ORDINANCE AMENDING EXHIBITS "A" AND "B" OF SECTION 19-42/19-60(a) OF THE CODE OF TUSCALOOSA W&S AND CF&G

(OCA-23-0234)

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
2024	Director of Construction Management	44

**SECTION TWO.** 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 change the **job title** for IPS Technician as follows:

Job Code	Title	Pay Grade
7083	OTS Technician	18

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

Director of Construction Management

  
City Clerk

intro: W/H  
unan: Ty/L  
Adopted 2-28-23



APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: JPW

Requested: Admin Comte Date: 2/21/2023

Council Presentation on: 02/28/2023

Suspension of Rules: No

ORDINANCE NO. 9351

AN ORDINANCE ESTABLISHING A HIRING / RETENTION BONUS AND A  
REFERRAL BONUS FOR TUSCALOOSA POLICE OFFICERS  
(OCA- 23-0219)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA that a hiring / retention bonus and a referral bonus for Tuscaloosa Police officers is hereby established as follows:

(a.) Hiring /retention bonus.

City of Tuscaloosa Police Patrol Officers hired after March 1, 2023 shall be eligible for a hiring / retention bonus of \$5,000.00 to be paid as follows:

- a. \$2,000 paid after completion of the probationary period of employment.
- b. \$1,500 paid after completion of the second year of employment.
- c. \$ 1,500 paid after completion of the third year of employment.

(b) Referral bonus.


Current city employees shall be eligible for a \$2,500.00 recruitment bonus for actively recruiting a Tuscaloosa Police Patrol Officer. The referral bonus shall not be paid until the police patrol officer successfully completes the probationary period of employment. Employees whose job duties involve the hiring of police officers will not be eligible.

(c) Administrative rules.

The City of Tuscaloosa Human Resources Department is authorized to implement rules for the administration of the hiring / retention bonus and the referral bonus.

(d) Expiration

That the hiring / retention bonus and the referral bonus shall expire February 28, 2025 unless otherwise renewed by the City Council.

  
City Clerk

intro: CIW  
Unan: Ty/H  
Adopted 2-28-23

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: SBH/cr  
Requested: Jud. App. Comm  
Council Presentation: 2/28/23  
Suspension of Rules: NO

ORDINANCE NO. 9352

AN ORDINANCE REAPPOINTING RICKY J. MCKINNEY  
PRESIDING MUNICIPAL COURT JUDGE  
(A22-1370)

WHEREAS, the City Council by Ordinance No. 6370 adopted on September 3, 2002, established the position of full time Municipal Court Judge and created the City of Tuscaloosa Judicial Appointment Committee for the purpose of nominating to the City Council the most qualified candidate for the position of full time Municipal Court Judge; and,

WHEREAS, Ricky J. McKinney was appointed presiding Municipal Judge by Ordinance No. 8764 adopted on January 15, 2019 for a four (4) year term; and,

WHEREAS, the City of Tuscaloosa Judicial Appointment Committee, recommended Ricky J. McKinney on February 17, 2023 for reappointment pursuant to Section 10-4(f)(5) of the Code of Tuscaloosa.

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

1. That Rickey J. McKinney is hereby reappointed Presiding Municipal Court Judge of the Tuscaloosa Municipal Court for a term of four (4) years with an annual salary of \$127,089.87.
2. That the Presiding Municipal Court Judge shall perform all the essential functions outlined in the job classification title for Municipal Court Judge.
3. That the Presiding Municipal Court Judge is eligible for the same benefits as other full time City of Tuscaloosa employees, including but not limited to health insurance coverage, annual vacation and illness leave (AVAIL), serious accident and illness leave (SAIL) and retirement through Retirement Systems of Alabama (RSA).
4. That pursuant to Ala. Code §12-14-33 (1975) the salary of the Presiding Municipal Court Judge shall be increased proportionately to a general increase in compensation of all or substantially all City employees.

  
City Clerk

intro: W/L  
man: Ty/W  
Adopted 2-28-23

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW III/rd

Requested: Planning Com/UD Date: 02/20/2023

Council Presentation on: 02/28/2023

Suspension of Rules: No

## RESOLUTION

### RESOLUTION FIXING DAY FOR PUBLIC HEARING TO CONSIDER ADOPTION OF AMENDMENT TO THE ZONING ORDINANCE OF TUSCALOOSA AMENDMENT NO. 1508

(Approx. 1.15 acres located at 1717 18<sup>th</sup> Place and  
1805 Queen City Avenue—Petitioner: Davey Bishop)  
(R-3 to BN)  
(OCA-23-0238/Z-06-23)

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, April 4, 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.1508 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 2-28-23  
(Ty/L-y)

  
City Clerk

APPROVED AS TO FORM

  
Office of the City Attorney

Prepared By: JPW III/rd  
Requested: Planning Com/UD Date: 02/20/2023  
Council Presentation on: 02/28/2023  
Suspension of Rules: No

RESOLUTION

RESOLUTION FIXING DAY FOR PUBLIC HEARING TO CONSIDER ADOPTION OF  
AMENDMENT TO THE ZONING ORDINANCE OF TUSCALOOSA  
AMENDMENT NO. 1509

(Approx. 15.4 acres located at and around 3101  
Martin Luther King Jr. Boulevard—Petitioner: City of Tuscaloosa)  
(MG and R-3 to I)  
(OCA-23-0243/Z-04-23)

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, April 4, 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.1509 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 2-28-23  
(LIC-y)

  
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:

Blue Cross Blue Shield of Alabama <i>Dental Insurance</i>	\$54,273.75
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TRAVEL AND TRAINING

Chip Cates (CNS) <i>Transportation and lodging expenses; Seattle, WA – Program Manager School</i>	\$1,506.14
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Adopted 2-28-23  
(B/Ty-y)

  
City Clerk

TOTAL: \$55,779.89  
Prepared: City Clerk  
Requested: Accounting & Finance  
Agenda: 2-28-2023

Copies of bill documentation are on file in the Office of the City Clerk and are available for review upon request.