

TUSCALOOSA CITY COUNCIL MEETING SYNOPSIS

Tuesday, March 19, 2024

CONVENED: 6:00 p.m.

MEMBERS PRESENT

President Pro Tem Tyner
Councilmembers Howard, Crow, Busby, Faile and Lanier

ABSENT

Mayor Walt Maddox
Councilmember Wilson

BUSINESS CONDUCTED: All votes are unanimous unless otherwise indicated.

Approved minutes of previous meeting **(F/B)**

PROCLAMATIONS AND STATEMENTS BY MAYOR AND COUNCIL

Councilmember Howard entered the meeting at 6:03 p.m.

President Pro Tem Tyner presented a proclamation celebrating Tuscaloosa's Business Opportunity Program, formerly known as Tuscaloosa Builds, 10-year anniversary.

Councilmember Busby invited citizens to the Gauntlet this Saturday at Sokol Park.

AGENDA ITEM COMMENTS BY CITIZENS

Loretta Lynn, Marvin Lucas, and Patrick Franthom spoke in favor of keeping the pedestrian bridge.

UNFINISHED BUSINESS

Withdrew a professional services agreement with Duncan Coker Associates, P.C. for professional engineering and related services for Veterans Memorial Parkway pedestrian bridge demolition project: total: \$217,300.00 (OCA-24-0144/OCA Project No. 2024.007.001). **(Ty/H)**

Adopted Ordinance No. 9484 by adopting Zoning Amendment No. 1520 rezoning approximately 9.5 acres located at 202 25th Avenue NE from R-2 to R-4 (Mike Hicks; OCA-24-0042/ Z-16-23) (introduced 1-23-24, tabled 2-20-24). **(L/H; Zach Ponds with UD-Planning gave a departmental report. The applicant was present to answer questions from the Council. No one else spoke for or against the petition).**

CONSENT AGENDA

Approved items “a through f” on the consent agenda. **(L/H)**

- a) Declared property surplus and authorized its disposal.
- b) Authorized Change Order No. 1 for the Snow Hinton Park – Site Improvements Project (OCA-23-0682/ OCE: 2020.021.001).
- c) Authorized the Mayor to execute Change Order No. 20240029 to the agreement with N. Harris Computer Corporation for professional services related to CityView software; total: \$5,850.00 (A17-1216).
- d) Authorized payment to TC Fencing LLC in settlement of a claim; total: \$1,150.00 (OCA-23-0189).
- e) Authorized payment to Spire in settlement of a claim; total: \$279.86 (OCA-24-0317).
- f) Authorized the request for street lighting system modification.

PUBLIC HEARINGS

Ordered demolition of the structure at 2804 16th Street. **(L/C; Virgil Williams with UD- Inspections gave a departmental report. Mr. Williams stated it was his department’s recommendation to move forward with the demolition. The property owner was not present to answer questions from the Council. No one spoke in favor or in opposition to the demolition.)**

Ordered demolition of the structure at 1214 Veterans Memorial Parkway. **(L/C; Virgil Williams with UD- Inspections gave a departmental report. Mr. Williams stated it was his department’s recommendation to move forward with the demolition. The property owner was not present to answer questions from the Council. No one spoke in favor or in opposition to the demolition.)**

Conducted the 1st of 3 public hearings in the process of approving the renaming of 18th Avenue East to Peramsetty Avenue between 13th Street East and Veterans Memorial Parkway (OCA-24-0100). **(L/H; No one spoke in favor of or in opposition to the proposed street renaming.)** *Please note: this item is not for adoption and requires two additional public hearings to be held 3-26-24 and 4-9-24.*

RESOLUTIONS AND ORDINANCES NOT OF A GENERAL NATURE OR PERMANENT OPERATION

Authorized the Chief of Police to execute a memorandum of understanding with the Tuscaloosa County Sheriff’s Office (OCA-24-0234). **(B/C)**

Approved job class specifications for various city departments (OCA-24-0225). **(L/H)**

Authorized permissive use agreement with Party Down, LLC, dba Casual Class Bar Services (OCA-24-0020). **(L/C)**

Authorized the second amendment to the resolution previously adopted by the City Council on February 7, 2023 entitled “Resolution approved an application for a permit to construct a pier for commercial use” (OCA-23-0087). **(C/L)**

Authorized a professional services contract with Garner & Associates Engineering for Sokol Park North Lighting Project; total: not to exceed \$30,000.00 (OCA-23-1290/ OCE#2021.003.002). **(L/C)**

Authorized a minor public works contract with Central Alabama Asphalt & Construction Company, LLC; total: \$44,835.00 (OCA-24-0254/ OCE: 2024.006.001). **(B/L)**

Authorized a minor public works contract with I.A.T.S.E. Local 78; total: \$7,568.80 (OCA-24-0130). **(B/L)**

Authorized a disbursement from district 7 improvement funds for Paul W. Bryant High School and the Housing Authority of Tuscaloosa Alabama; total: \$2,000.00 (OCA-24-0279). **(L/B)**

Authorized the Mayor to execute an agreement with Indian Rivers Behavioral Health for Municipal Mental Health Court (OCA-24-0296). **(L/C)**

Authorized the first amendment to Task Order Directive No. Two to the master agreement with Barge Design Solutions, Inc. for professional design services for Snow Hinton Park Renovation Phase One; total amended compensation: \$534,270.00 (A22-0473/ 2020.021.001). **(L/H)**

Authorized the purchase of equipment/supplies/services; total: \$2,720.00 (Amphitheater repairs and maintenance). **(L/B)**

Authorized the purchase of equipment/supplies/services from CSPIRE; total \$45,988.44 (IT; Palo Alto Firewalls (2)). **(L/H)**

Authorized the purchase of equipment/supplies/services; total: \$25,933.84 (Fire Station #5 Imp & Maint). **(B/H)**

ORDINANCES AND RESOLUTIONS OF A GENERAL NATURE OR PERMANENT OPERATION

FOR INTRODUCTION

Introduced Zoning Amendment No. 1523 rezoning approximately 3.3 acres located at 9601 Highway 69 South from R-1 to BN (Graves Watkins; OCA-24-0320/Z-22-23). **(C/L)**

Adopted Ordinance No. 9485 by annexing approximately 1.58 acres located at 11201 Watermelon Road to the corporate limits of the City of Tuscaloosa; Isaac Shane Falls (AN-01-24/ OCA-24-0322). **(intro: C/L; unanimous: C/L)**

Adopted Ordinance No. 9486 by amending exhibits "A" and "B" of Section 19-42 of the Code of Tuscaloosa various city departments (OCA-24-0223) **(intro: L/H; unanimous: Ty/C)**

Adopted Ordinance No. 9487 by amending Chapter 13, 16, and chapter 19 of the Code of Tuscaloosa (OCA-23-1193) **(intro: L/H; unanimous: Ty/H)**

Adopted Ordinance No. 9488 by appointing Marty Hamner to the Zoning Board of Adjustments
(intro: B/C; unanimous: B/H)

Adopted Ordinance No. 9489 by appointing members as delegates for the Alabama League of
Municipalities Annual Business Meeting **(intro: B/L; unanimous: H/L)**

Adopted Ordinance No. 9490 by adopting Amendment No. 9 to the FY 2024 General Fund Budget
(A22-1037) **(intro: L/B; unanimous: C/H)**

FOR ADOPTION

Set April 16th as the date for a public hearing to consider Zoning Amendment 1523 (Graves
Watkins; OCA-2-0320/ Z-22-23). **(C/L)**

AUDITING ACCOUNTS

Authorized the payment of bills; total: \$26,766.26 **(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 6:44 p.m. (C/L)

Brandy P. Johnson
City Clerk



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

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hdh
Requested: Projects Date: 02/27/2024
Council Presentation: 03/05/2024
Suspension of Rules: No

RESOLUTION

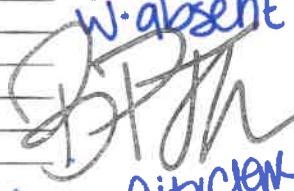
RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH
DUNCAN COKER ASSOCIATES, P.C. FOR PROFESSIONAL ENGINEERING AND RELATED SERVICES
FOR VETERANS MEMORIAL PARKWAY PEDESTRIAN BRIDGE DEMOLITION PROJECT
(OCA-24-0144/OCE Project No. 2024.007.001)

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

That the Mayor be, and he is hereby, authorized to execute a contract for engineering and related services with Duncan Coker Associates, P.C. for the Veterans Memorial Parkway Pedestrian Bridge Demolition Project in an amount not to exceed \$217,300.00, 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
20309030-23023

By: Carlye Fraudt
Chief Financial Officer

Withdrawn
3/19/24
(T/H-Y)
w-absent

City Clerk

Tabled for 2 weeks
on 3/5/24
(3/19/24) (F/W-Y)

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

City Clerk

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW III/rd

Requested: Planning Com/UD Date: 10/16/2023

Council Presentation on: 01/23/2024

Suspension of Rules: No

ORDINANCE NO. 9484

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1520

(Approx. 9.5 acres located at 202 25th Avenue NE—

Petitioner: Mike Hicks)

(R-2 to R-4)

(OCA-24-0042/Z-16-23)

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:

A parcel of land located in the northwest quarter of the southwest quarter of Section 17, Township 21 South, Range 9 West and being more particularly described as follows:

COMMENCE at a 1" pipe found at the northwest corner of said northwest quarter of the southwest quarter of Section 17; thence run South 00 degrees, 31 minutes, 03 seconds East along the west boundary of said quarter-quarter 463.53 feet to a capped rebar found (Sentell) at the POINT OF BEGINNING; thence run North 84 degrees, 59 minutes, 04 seconds East 847.73 feet to a capped rebar found (Sentell); thence run South 3 degrees, 46 minutes, 41 seconds West 100.80 feet to a capped rebar found (Sentell); thence run South 88 degrees, 01 minutes, 41 seconds East 112.45 feet to a capped rebar set; thence run South 88 degrees, 13 minutes, 14 seconds East 151.14 feet to a capped rebar found (Sentell); thence run North 85 degrees, 23 minutes, 55 seconds East 177.58 feet to a capped rebar set on the west right-of-way of 25th Avenue East, a 50 foot wide right-of-way; thence run South 01 degrees, 13 minutes, 06 seconds East along said right-of-way 55.60 feet to a capped rebar set on the north right-of-way of the CSX Railroad, said right-of-way being measured 50 feet from centerline; thence run South 70 degrees, 40 minutes, 29 seconds West along said right-of-way 192.21 feet to a capped rebar set; thence run South 70 degrees, 57 minutes, 32 seconds West along said right-of-way 883.66 feet to a capped rebar

set; thence run South 70 degrees, 57 minutes, 32 seconds West along said right-of-way 273.31 feet to a capped rebar set at the southeast corner of Lot 15, Block D, Kennedy Park No. 2, as recorded in the Probate Office of said County in Plat Book 13 at Page 138; thence run North 00 degrees, 33 minutes, 04 seconds West along the east boundary of said Lot 100.93 feet to a capped rebar set at the northeast corner of said Lot; thence run North 00 degrees, 28 minutes, 37 seconds West along the east boundary of said Kennedy Park No. 2 a distance of 366.46 feet to the POINT OF BEGINNING.

Said parcel containing 9.14 acres, more or less.

The above referenced property is presently zoned Residential District (R-2) to be zoned Moderate Density Residential District (R-4).

DESCRIPTION APPROVED BY:




OFFICE OF URBAN DEVELOPMENT

FUNDING REQUIRED: Yes No

By: _____

Chief Financial Officer

introduced 1/23/24
Tabled until 3/19/24 on 2/20/24 (Ty/B-y)
(L/W-y) (Ty-Absent)
COUNCIL ACTION
Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

Adopted 3/19/24
(L/H-y)
(W. Absent)

City Clerk

RESOLUTION

RESOLUTION DECLARING PROPERTY
SURPLUS AND AUTHORIZING ITS DISPOSAL

WHEREAS, the Purchasing Agent has reported to the City Council that certain equipment from various departments is surplus and no longer needed for municipal purposes, and he has requested permission to dispose of the same in the manner stated.

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

That the following item(s) from the listed department(s) be declared surplus and no longer needed for municipal purposes and the Purchasing Agent is authorized to dispose of the same in the manner stated.

AUCTION

POLICE	
ITEM(S)	CITY ID NO.
Observation Tower	5253
GCC Laser Pro Engraver	N/A
(3) Tool Boxes	N/A
Electric Air Compressor (100 gal)	N/A
8X8 Conex	N/A
Assorted HMMWV Parts	N/A
Wing Inflatable P58 Boat w/ Yamaha Motor	10089
Float-On Corp Boat Trailer	10110
Polartherm HDU-43 Duct Heater Mobile	N/A
(2) 30K Generator MEP805B	N/A
Hunter Force Match Tire and Wheel Balancer	N/A

URBAN DEVELOPMENT	
ITEM(S)	CITY ID NO.
2018 Ford F-150	2776

Adopted 3/19/24
(L/H →) (w. absent)


City Clerk

Requested: Accounting & Finance
Prepared: Accounting & Finance
Agenda: 03/19/2024

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hdh
Requested By: Projects Date: 03/05/2024
Council Presentation on: 03/19/2024
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE
SNOW HINTON PARK – SITE IMPROVEMENTS PROJECT
(OCA-23-0682/OCE: 2020.021.001)

WHEREAS, heretofore, as a result of competitive bidding or as otherwise authorized by the Alabama Competitive Bid Law, Ala. Code §41-16-50, et seq. (1975) and/or Ala. Code §39-2-1, et seq. (1975), the City of Tuscaloosa awarded a contract for the above-referenced project to John Plott Company, Inc. and,

WHEREAS, it has been determined that a change order to the above-referenced contract is necessary for the following reasons:

Value engineering reductions in scope and additional design per festival requirements.

as set forth in the C.O. and accompanying documents); and,

WHEREAS, the Architect, the Engineer for the project, or the City's representative, as the case may be, have/has certified to the Council as per the attached change order request, that said change order is:

- a. Minor change of a total monetary value less than required for competitive bidding.
- b. Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.
- c. Emergency arising during the course of work.
- d. Change or alternates provided for in the original bidding where there is no difference in price of the Change Order from the original best bid on the Alternate.
- e. Change of relatively minor terms not contemplated when the plans and specifications were prepared and the project was bid, and which are in the public interest and do not exceed ten (10) percent of the Contract Price.

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

1. That the Mayor be, and he is hereby, authorized to execute that certain change order now before the Council for the above stated project in the **DEDUCT** amount of **(\$510,584.37)** (Change Order Cost), time 0 (Calendar day extension of time), and for the reasons so stated, by and as an act for and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

2. That the Architect or Engineer or Owner's representative, as the case may be, shall implement this change order and properly document the same pursuant to all applicable contract documents.

FUNDING REQUIRED: Yes No
10802040-20021
22240270-20021

By: Bucky Scheff
Chief Financial Officer

COUNCIL ACTION
Resolution _____
Ordinance Adopted 3/19/24
Introduced (LH-V)(W-absent)
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: CITY CLERK

APPROVED AS TO FORM

DB
Office of the City Attorney

Prepared By: SEM/hdh
Requested: Projects Date: 03/05/2024
Council Presentation: 03/19/2024
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER 20240029
TO THE AGREEMENT WITH N. HARRIS COMPUTER CORPORATION
FOR PROFESSIONAL SERVICES RELATED TO CITYVIEW SOFTWARE
(A17-1216)

BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL that the Mayor be, and is hereby, authorized to execute on behalf of the City of Tuscaloosa, Change Order 20240029 to the Agreement between the City of Tuscaloosa and N. Harris Computer Corporation, modifying the scope of services for CityView software to include Azure Active Directory for an additional cost of \$5,850.00, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
20304030-17525

By: Buffy Schmitt
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance (C/H-Y) (W. absent)
Introduced _____
Passed _____
2nd Reading _____
Unanimous [Signature]
Failed _____
Tabled _____
Amended _____
Comments: city clerk

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CJE/rd
Requested by: OCA
Council Presentation: 03/19/2024
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT TO
TC FENCING LLC IN SETTLEMENT OF CLAIM
(OCA-23-0189)

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

That the Chief Financial Officer be, and she is hereby, authorized to draw a draft on the General Fund, and the Mayor and City Clerk are hereby authorized to execute the same, in the amount of \$1,150.00, payable to TC Fencing LLC for reimbursement of expenses related to a fencing project at #3 Pinehurst on or about November 3, 2022.

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

FUNDING REQUIRED: Yes No

10104081-3060

By: Bucky Samuels
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance Adopted 3/19/24
Introduced (L.H. Y)(W. ROSEN)
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: CITY CLERK

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CJE/rd
Requested: OCA
Council Presentation: 03-19-2024
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT TO
SPIRE IN SETTLEMENT OF CLAIM
(OCA-24-0317)

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

That the Chief Financial Officer be, and she is hereby, authorized to draw a draft on the Water and Sewer Fund, and the Mayor and City Clerk are hereby authorized to execute the same, in the amount of \$279.86, payable to Spire for damage caused to a gas line at 2504 39th Street on February 6, 2024.

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

FUNDING REQUIRED: Yes No

60104081-3060

By: Beky Schaefer
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance (LH-V) (W-absent)
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended City Clerk
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 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 DECORATIVE COLONIAL
4,001 – 5,500 INITIAL LUMENS INSTALL
Twelve (12) Springer Circle URD
(no upfront cost)

FUNDING REQUIRED: Yes No

By: _____

Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance (411.7)(W-968)ML
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended City Clerk
Comments: _____

RESOLUTION

RESOLUTION ORDERING DEMOLITION OF
THE STRUCTURE AT 2804 16th Street


WHEREAS, pursuant to Ala. Code Section 11-53B-1 et seq. (1975), the appropriate municipal official of the City of Tuscaloosa has found that the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa at 2804 16th Street is unsafe to the extent that it is a public nuisance; and,

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

WHEREAS, on the 19th day of March 2024, the City Council of Tuscaloosa held a public hearing, at which time the Chief Building Official of the Urban Development-Building Inspections Department for the City of Tuscaloosa appeared and set forth reasons for his findings.

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

1. That the City Council of Tuscaloosa finds the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa 2804 16th Street unsafe to the extent that it is a public nuisance; and,
2. That the aforementioned building, structure, part of the building or structure, party wall, or foundation, is hereby ordered demolished, pursuant to the terms and conditions of Ala. Code Section 11-53B-1 et seq. (1975), such action being an exercise of the City's police and/or regulatory powers.

Adopted 3/19/24
(L.C. Y) (W. absent)

CITY CLERK

RESOLUTION

RESOLUTION ORDERING DEMOLITION OF
THE STRUCTURE AT 1214 Veterans Memorial Parkway

WHEREAS, pursuant to Ala. Code Section 11-53B-1 et seq. (1975), the appropriate municipal official of the City of Tuscaloosa has found that the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa at 1214 Veterans Memorial Parkway is unsafe to the extent that it is a public nuisance; and,


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

WHEREAS, on the 19th day of March 2024, the City Council of Tuscaloosa held a public hearing, at which time the Chief Building Official of the Urban Development-Building Inspections Department for the City of Tuscaloosa appeared and set forth reasons for his findings.

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

1. That the City Council of Tuscaloosa finds the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa 1214 Veterans Memorial Parkway unsafe to the extent that it is a public nuisance; and,
2. That the aforementioned building, structure, part of the building or structure, party wall, or foundation, is hereby ordered demolished, pursuant to the terms and conditions of Ala. Code Section 11-53B-1 et seq. (1975), such action being an exercise of the City's police and/or regulatory powers.

Prepared: City Clerk
Requested: Urban Development-Building Inspections
Agenda: 3-19-2024

Adopted 3/19/24
(4c.4) (w. absent)

City Clerk

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW/rd

Requested: Public Safety Cmte Date: 2/27/2024

Council Presentation: 04/09/2024

Suspension of Rules: No

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RENAMING OF 18TH AVENUE EAST TO PERAMSETTY AVENUE
BETWEEN 13TH STREET EAST AND VETERANS MEMORIAL PARKWAY
(OCA-24-0100)

WHEREAS, public hearings have been held on March 19, 2024, March 26, 2024, and April 9th, 2024 as required by Sec. 21-2(b) of the Code of Tuscaloosa to consider the renaming of 18th Avenue East to Peramsetty Avenue between 13th Street East and Veterans Memorial Parkway in honor of Dr. Ramesh Peramsetty; with Peramsetty Avenue being the honorary street name.


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

That 18th Avenue East from Veterans Memorial Parkway to 13th Street East be renamed as Peramsetty Avenue in honor of Dr. Ramesh Peramsetty with Peramsetty Avenue being the honorary street name.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution: 1st Hearing only
Ordinance: 3/19/24
Introduced: _____
Passed: (4H-4) (w. absent)
2nd Reading: _____
Unanimous: 
Failed: _____
Tabled: _____
Amended: City Clerk
Comments: _____

APPROVED AS TO FORM

IB
Office of the City Attorney

Prepared By: KK/ cwe
Requested: TPD Date: 03/19/24
Council Presentation: 03/19/24
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE TUSCALOOSA COUNTY SHERIFF'S OFFICE (OCA-24-0234)

BE IT RESOLVED that the Chief of Police is authorized to execute a memorandum of understanding with the Tuscaloosa County Sheriff's Office related to data sharing.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION
Resolution Adopted 3/19/24
Ordinance _____
Introduced (BLC-y) (W. 95896)
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended CITY CLERK
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW

Requested: Admin. Date: 3/5/2024

Presentation on: 3/19/2024

Suspension of Rules: No

RESOLUTION

RESOLUTION APPROVING JOB CLASS SPECIFICATIONS
VARIOUS CITY DEPARTMENTS
(OCA-24-0225)

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 Behavioral Intervention Team Case Coordinator, Behavioral Intervention Team Manager, and Economic Development Manager 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 Behavioral Intervention Team Case Coordinator (Job Code 5030 dated March 2024), Behavioral Intervention Team Case Manager (Job Code 5031 dated March 2024), and Economic Development Manager (Job Code 7002 dated March 2024) are hereby approved.

FUNDING REQUIRED: Yes No

COUNCIL ACTION

By: _____
Chief Financial Officer

Resolution Adopted 3/19/24
Ordinance (L/H-Y) (W-absent)
Introduced _____
Passed _____
2nd Reading 
Unanimous _____
Failed _____
Tabled City Clerk
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: OT/hdh
Requested: Projects Date: 03/05/2024
Council Presentation: 03/19/2024
Suspension of Rules: NO

RESOLUTION


RESOLUTION AUTHORIZING PERMISSIVE USE AGREEMENT WITH PARTY DOWN, LLC, DBA
CASUAL CLASS BAR SERVICES
(OCA-24-0020)

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

That the Mayor is authorized to execute a three (3) year permissive use agreement with Party Down, LLC d/b/a Casual Class Bar Services to set out beverage prices and other terms and considerations at the Tuscaloosa River Market, subject to the approval of the Office of the City Attorney, by, and as an act for, an on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION
Resolution Adopted 3/19/24
Ordinance _____
Introduced (LIC-V) (w. absent)
Passed _____
2nd Reading 
Unanimous _____
Failed _____
Tabled _____
Amended city clerk
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW

Requested: Projects Date: 2-27-2024

Presentation on: 03-5-2024

Suspension of Rules: No

RESOLUTION

SECOND AMENDED RESOLUTION PREVIOUSLY ADOPTED
BY THE CITY COUNCIL ON FEBRUARY 7, 2023 ENTITLED
"RESOLUTION APPROVING AN APPLICATION FOR A PERMIT TO
CONSTRUCT A PIER FOR COMMERCIAL USE"
(OCA-23-0087)

WHEREAS, on February 7, 2023 the City Council of Tuscaloosa adopted a resolution approving a request by Northriver Holding, LLC for a permit to build docks for 165 boat slips, 24 jet ski slips, and seawall, a tram for ADA access, stairs, gas pumps, and removal of trees as permitted as more particularly described on the application for property located at 8401 Mountbatten Road NE, to be used for commercial purposes; and


WHEREAS, Northriver Holding, LLC has submitted an amended permit to reduce the size of the floating dock by half and relocate it as fixed dock against the bank as shown on the permit application drawings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the resolution previously adopted on February 7, 2023 granting a commercial permit for at 8401 Mountbatten Road NE, as first amended on April 5, 2023 be and the same is hereby amended to reduce the floating dock by half and relocate as a fixed dock against the bank as shown on the amended permit drawings.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance (CL-4) (w. absent)
Introduced _____
Passed _____
2nd Reading 
Unanimous _____
Failed _____
Tabled City Clerk
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hdh
Requested: Projects Date: 03/05/2024
Council Presentation: 03/19/2024
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
WITH GARNER & ASSOCIATES ENGINEERING FOR
SOKOL PARK NORTH LIGHTING PROJECT
(OCA-23-1290/OCE# 2021.003.002)

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


That the Mayor is authorized to execute a Professional Services Contract with Garner & Associates Engineering for the Sokol Park North-Entry Drive Lighting project in an amount not to exceed \$30,000.00, 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

10802040-21033

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance _____
Introduced (L.C. Y) (W. absent)
Passed _____
2nd Reading 
Unanimous _____
Failed _____
Tabled _____
Amended CITY CLERK
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hdh
Requested: Projects Date: 03/05/2024
Council Presentation: 03/19/2024
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH CENTRAL ALABAMA
ASPHALT & CONSTRUCTION COMPANY, LLC
(OCA-24-0254/OCE: 2024.006.001)

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

That the Mayor is authorized to execute a minor public works contract in the amount of \$44,835.00 with Central Alabama Asphalt & Construction Company, LLC for the Birchwood Avenue Pavement Repair Project 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
20309030-24001

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance _____
Introduced (B.L.Y) (W. absent)
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: CITY CLERK

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hdh
Requested: Projects Date: 03/05/2024
Council Presentation: 03/19/2024
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH I.A.T.S.E. LOCAL 78
(OCA-24-0130)


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

That the Mayor is authorized to execute a minor public works contract in the amount of \$7,568.80 with I.A.T.S.E. Local 78 for Installation of Drape on main stage at Mercedes-Benz Amphitheater 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
22009063-23530

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance (B.L.V.) (W. G. B. S. M. E.)
Introduced _____
Passed _____
2nd Reading _____
Unanimous 
Failed _____
Tabled _____
Amended _____
Comments: CITY CLERK

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SBH
Requested: Finance Date: 3/05/24
Council Presentation: 3/19/24
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING DISBURSEMENT FROM DISTRICT 7 IMPROVEMENT FUNDS FOR THE PAUL W. BRYANT HIGH SCHOOL AND HOUSING AUTHORITY OF TUSCALOOSA ALABAMA (OCA-24-0279)


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

That the Councilmember for Tuscaloosa City Council District 7 has requested that the amount of \$1,000.000 be designated for Paul W. Bryant High baseball team and the amount of \$1,000.00 be designated for the Housing Authority of Tuscaloosa Alabama, from the District 7 Improvement Fund, by, and as an act for, and on behalf of the City of Tuscaloosa.

FUNDING REQUIRED: Yes No
10104050-99907

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance _____
Introduced (L.B. 4) (w. closure)
Passed _____
2nd Reading _____
Unanimous  _____
Failed _____
Tabled _____
Amended _____
Comments: CITY COUNCIL

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: KK/ cwe
Requested: Admin Date:03/05/24
Council Presentation: 03/19/24
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT
WITH INDIAN RIVERS BEHAVIORAL HEALTH FOR MUNICIPAL
MENTAL HEALTH COURT
(OCA-24-0296)

BE IT RESOLVED that the Mayor is authorized to execute an agreement with Indian Rivers Behavioral Health for the provision of professional services related to the Municipal Court of Tuscaloosa's Mental Health Court.

FUNDING REQUIRED: Yes No
10103010-3120

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 5/14/24
Ordinance (LIC-4)(w-absent)
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: CITY CLERK

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hdh
Requested: Projects Date: 03/05/2024
Council Presentation: 03/19/2024
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING FIRST AMENDMENT TO TASK ORDER DIRECTIVE NO. TWO
TO THE MASTER AGREEMENT WITH BARGE DESIGN SOLUTIONS, INC.
FOR PROFESSIONAL DESIGN SERVICES FOR
SNOW HINTON PARK RENOVATION PHASE ONE

(A22-0473/2020.021.001)

WHEREAS, heretofore the City of Tuscaloosa (CITY) and the professional design firms of BARGE Design Solutions, Inc. entered into a Master Agreement and subsequent Task Order Directives (TODs), including TOD No. 2 (TOD 2), for professional design services in regard to the Snow Hinton Park Renovation Project; and

WHEREAS, it is now necessary to make a First amendment Task Order Directive No. Two to the Master Agreement to reflect a change of additions to the Scope of Services; and

WHEREAS, it is now necessary to make a First amendment Task Order Directive No. Two to the Master Agreement to reflect an increase in the amount of \$77,600.00 for professional design services compensation associated for the project; and

WHEREAS, it is now necessary to change the name of the City staff person assigned to manage this contract to Eric Thompson, Executive Director, Construction, Facilities & Grounds; and

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

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, the First Amendment to Task Order Directive No. Two to the Master Agreement with BARGE Design Solutions, Inc. which reflects a change of additions to the Scope of Services; an amended total compensation to reflect \$534,270.00, an increase of \$77,600.00 from the original compensation of \$456,670.00; changing the name of the City staff person assigned to manage the Contract to Eric Thompson, Executive Director, Construction, Facilities & Grounds, and the City Clerk be, and is, hereby authorized to attest the same.

FUNDING REQUIRED: Yes No
10802040-20021

By: Bucky Schuck
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/14/24
Ordinance _____
Introduced (LH-y) (W-absent)
Passed _____
2nd Reading _____
Unanimous [Signature]
Failed _____
Tabled _____
Amended _____
Comments: CITY CLERK

RESOLUTION

RESOLUTION AUTHORIZING PURCHASE OF EQUIPMENT/SUPPLIES/SERVICES

WHEREAS, the City of Tuscaloosa anticipates the issuance of approximately \$2,720.00 and wishes to present these expenditures before Council.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that, upon approval, the expenditures shall be as follows:

<u>Line Item Description</u>	<u>Account Type</u>	<u>GL Account</u>	<u>Amount</u>
Amphitheater Repairs & Maintenance	Expense	22009063-23530	\$2,720.00
Grand Total			\$2,720.00

FUNDING REQUIRED: Yes No

22009063-23530

By: Buffy Scholtz
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance _____
Introduced (4B.1) (W. absent)
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended CITY COUNCIL
Comments: _____

RESOLUTION

RESOLUTION AUTHORIZING PURCHASE OF EQUIPMENT/SUPPLIES/SERVICES

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

That the Purchasing Agent be, and he is hereby, authorized to issue purchase order(s) to the following individuals, organizations and/or vendors in the amounts shown for the purchase and/or lease of the listed equipment, supplies, and/or services for the named municipal departments:

INFORMATION TECHNOLOGY

Equipment: PALO ALTO FIREWALLS (2)

Cost: \$45,988.44

Vendor: CSPIRE

This item was not included in an itemized equipment budget. GSA Contract 47QSWA18D008F.

FUNDING REQUIRED: Yes No

10104030-4010

By: Beky Smith
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/11/24
Ordinance _____
Introduced (4/1-1) (w. absent)
Passed _____
2nd Reading _____
Unanimous [Signature]
Failed _____
Tabled _____
Amended CITY COUNCIL
Comments: _____

Prepared: Purchasing
Requested: Purchasing
Agenda: 03/19/2024

RESOLUTION

RESOLUTION AUTHORIZING PURCHASE OF EQUIPMENT/SUPPLIES/SERVICES

WHEREAS, the City of Tuscaloosa anticipates the issuance of approximately \$25,933.84 and wishes to present these expenditures before Council.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that, upon approval, the expenditures shall be as follows:

Line Item Description	Account Type	GL Account	Amount
Fire Station #5 Imp & Maint	Expense	70101000-19525	25,933.84
Grand Total			\$25,933.84

FUNDING REQUIRED: Yes No

70101000-19525

By: Burky Scheff
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance (B.H. y) (W. absent)
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled CITY CLERK
Amended _____
Comments: _____

Prepared: Purchasing
Requested: Purchasing
Agenda: 03/19/2024

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW/rd

Requested: Planning Com/UD Date: 12/18/23

Council Presentation on: 03/19/2024

Suspension of Rules: No

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1523
(OCA-24-0320/Z-22-23)

(Approximately 3.3 acres located at 9601 Highway 69 South—
Graves Watkins)
(R-1 to BN)

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

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

Lot 1, according to the map of Graco Addition, Plat No. One as recorded in Plat Book 2023 at Page 126 in the Probate Office of Tuscaloosa County, Alabama.

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

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

DESCRIPTION APPROVED BY:


OFFICE OF URBAN DEVELOPMENT

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution Intro 3/19/24
Ordinance (CL-Y)(W. absent)
Introduced [Signature]
Passed _____
2nd Reading [Signature]
Unanimous _____
Failed _____
Tabled CIT DEN
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW III/rd
Requested: UD/Planning Com. Date: 02/19/2024
Council Presentation on: 03/19/2024
Suspension of Rules: No

ORDINANCE NO. 9485

AN ORDINANCE ANNEXING PROPERTY TO THE
CORPORATE LIMITS OF THE CITY OF TUSCALOOSA
ANNEXATION NO. 715

(Approximately 1.58 acres located at 11201 Watermelon Road—Issac Shane Falls)
(AN-01-24 / OCA-24-0322)

WHEREAS, pursuant to Ala. Code §11-42-21, et seq. (1975), the sole and only owner(s) of the property hereinafter described did sign and file with the City Clerk a written Petition, containing an accurate description of the property or territory proposed to be annexed, together with a map of said territory showing its relationship to the Corporate Limits of the City and requesting the governing body adopt an Ordinance assenting to the annexation thereof, and,

WHEREAS, said territory is contiguous to the Corporate Limits of the City of Tuscaloosa, located in Tuscaloosa County, and does not lie within the Corporate Limits of any other municipality nor does such property lie in an area of overlapping Police Jurisdiction which is more than equidistant from the respective Corporate Limits of each municipality.

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

1. That, pursuant to Ala. Code §11-42-21, et seq. (1975), the following property, to-wit:

A part of the Southwest Quarter of the Northwest Quarter of Section 9, Township 20 South, Range 9 West, Tuscaloosa County, Alabama being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of the Northwest Quarter of said Section 9; thence South 88 degrees 22 minutes 37 seconds east along the South Line of said Quarter, a distance of 729.02 feet to a point; thence leaving said South Line, North 10 degrees 44 minutes 55 seconds east, a distance of 89.73 feet to an iron pin and the Point of Beginning; thence North 10 degrees 44 minutes 55 seconds east, a distance of 168.81 feet to an iron pin; thence North 23 degrees 10 minutes 39 seconds east, a distance of 109.05 feet to an iron pin; thence North 65 degrees 46 minutes 51 seconds west, a distance of 226.07 feet to an iron pin lying on the East right of way of Watermelon Road (80' ROW); thence South 21 degrees 59 minutes 49 seconds west, along said East right of way, a

distance of 133.34 feet to a concrete monument; thence South 22 degrees 04 minutes 33 seconds west, a distance of 165.19 feet to an iron pin; thence leaving said East right of way, South 71 degrees 22 minutes 54 seconds east, a distance of 257.26 feet to the Point of Beginning.

The above described parcel of land contains 1.58 Acres, More or less and is subject to a 30' APCo easement.

together with Exhibit "A", being a map or plat showing the property to be annexed, the request for the annexation of the same to the Corporate Limits of the City of Tuscaloosa, be, and it is hereby, assented to by the governing body of the City of Tuscaloosa, and the Corporate Limits of the City of Tuscaloosa shall be extended and rearranged so as to embrace and include such property, and such property or territory shall become a part of the corporate area of the City of Tuscaloosa after publication and on the effective date of this ordinance.

2. That the City Clerk be, and he is hereby, directed to forthwith cause a copy of this ordinance to be published in a newspaper of general circulation in the City and County of Tuscaloosa.

3. That the City Attorney be, and he is hereby, directed to forthwith, on behalf of the governing body of the City, file a description of the property or territory herein annexed upon publication in the Office of the Judge of Probate of Tuscaloosa County, Alabama, by submitting a copy of this ordinance with exhibits to the Probate Judge for recordation.

Approved:



Office of Urban Development

FUNDING REQUIRED: Yes No

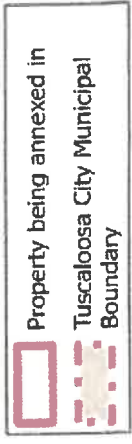
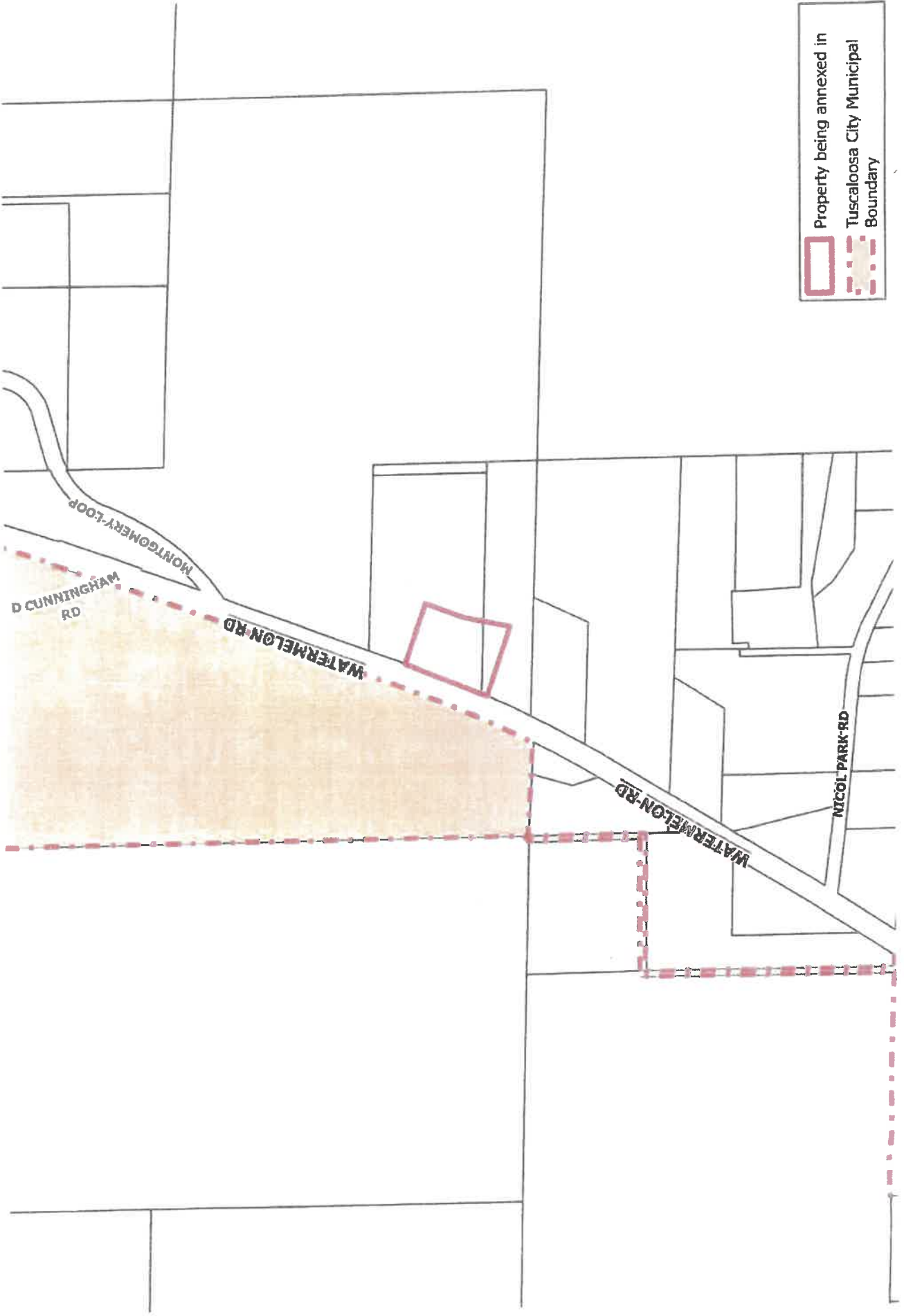
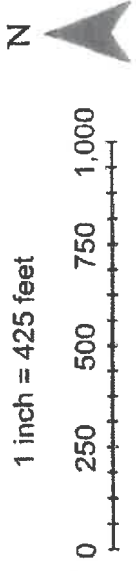
By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/11/24
Ordinance _____
Introduced Info: (cl-y) (w-absent)
Passed _____
2nd Reading Unan: (cl-y) (w-absent)
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: [Signature]
CITY CLERK

Exhibit "A" 11201 Watermelon Road

Census Block & Tract: 1000010101



APPROVED AS TO FORM

Prepared By: JPW

Requested: Admin Date: 3/5/24

Council Presentation: 3/19/24

Suspension of Rules: No

Office of the City Attorney

ORDINANCE NO 9486

AN ORDINANCE AMENDING EXHIBITS "A" AND "B" OF SECTION 19-42 OF THE CODE OF TUSCALOOSA VARIOUS CITY DEPARTMENTS (OCA-24-0223)

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:

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
5030	Behavioral Intervention Team Case Coordinator	17
5031	Behavioral Intervention Team Case Manager	16
7002	Economic Development Manager	33

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 **upgrade** the following job classification pay grade and/or job classification titles as follows:

Job Code	Title	Pay Grade
4015	Deputy Chief Human Resources Officer	38

SECTION THREE. 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 **retitle** the following job classification pay grade and/or job classification titles as follows:

Job Code	Title	Pay Grade
4069	CNS Grants Specialist	16

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

Economic Development Manager

Adopted 3/19/24
Intro: (4H-Y) (w. absent)
Unani: (TYC-Y)
CITY CLERK

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CHC

Requested: Admin Date: 2/6/2024

Council Presentation on: 3/19/2024

Suspension of Rules: NO

ORDINANCE NO. 9487

**AN ORDINANCE AMENDING CHAPTER 13, CHAPTER 16, AND CHAPTER 19
OF THE CODE OF TUSCALOOSA
(OCA-23-1193)**

WHEREAS, on April 11, 2023, the City Council passed an ordinance amending Section 2-100 of the Code of Tuscaloosa to add Environmental Services as a department of the City; and

WHEREAS, Exhibits "A" and "B" of Chapter 19 list certain job titles that no longer exist; and

WHEREAS, amendments to Chapter 13- Article IV, Chapter 16- Article IV and Chapter 19 of the Code of Tuscaloosa are necessary to reflect the functions of Environmental Services and make technical corrections.

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

The following sections and/or subsections of the Code of Tuscaloosa are hereby amended, and all other sections and/or subsections shall remain unchanged.

SECTION ONE. That Section 13-60 is hereby amended to read as follows:

"Sec. 13-60. - Definitions.

The definitions for terms used in this Article are those listed in Section 16-90 of the Code of Tuscaloosa."

SECTION TWO. That Section 13-68(a) is hereby amended to read as follows:

"(a) Deadline for removal. If after the expiration of 48 hours from notice (as defined below) to cut the weeds, grass or other vegetation or to remove bamboo, downed trees and/or limbs in violation of section 13-67 or litter, trash, construction debris or storm debris in violation of section 13-67.1 or from the issuance of any citation or summons and complaint pursuant to section 13-67 or section 13-67.1, the weeds, grass or other vegetation are not cut, or the downed trees or limbs are not removed or the litter, trash, construction debris or storm debris is not removed the

city may do such work at the expense of the owner or other person having charge or control thereof, which charge shall be a lien on the lot or parcel of land to be collected as all debts are collected, or liens enforced.”

SECTION THREE. That Subsection 13-68(e) is hereby repealed.

SECTION FOUR. That Section 13-69 is hereby amended to read as follows:

“Sec. 13-69. City attorney authorized to file lien.

The city attorney or his designee is authorized to file a lien against the property on charges related to work performed by the city.”

SECTION FIVE: That Section 13-72 titled “Placement of trash, rubbish, etc. at stores, shops, etc. – Alleys to be kept free of trash, rubbish, etc.,” Section 13-73 titled “Same— On street or sidewalk only where no alley.,” Section 13-74 titled “Persons engaged in the business of cutting and pruning trees or landscaping—Required to remove debris.,” Section 13-75 titled “Same – Debris not to be left on public street.,” Section 13-76 titled “Debris from construction, demolitions, alterations or repair—Required.,” Section 13-77 titled “Defective garbage or trash cans.,” Section 13-78 titled “Garbage, trash, etc. from businesses not to be placed in city receptacles.,” Section 13-79 titled “Cleanliness and orderliness at container site.,” and Section 13-79.1 titled “Unlawful opening, searching, etc., of garbage and trash cans.,” are hereby repealed.

SECTION SIX: That Section 13-79.3 titled “Signs required.” is hereby repealed.

SECTION SEVEN: That Subsection 13-79.4(a) is hereby amended to read as follows:

“(a) *Litter enforcement officers.* The following are hereby designated as litter control officers:

- (1) All police officers of the city
- (2) All employees of the department of transportation charged with the duty of issuing parking tickets.
- (3) All code enforcement officers.
- (4) Any employee of the city as the mayor may direct.
- (5) No employee shall be designated as a litter control officer if such designation is not consistent with the job classification specifications.”

SECTION EIGHT. That Section 16-90 is hereby amended to remove the definitions for "Ashes," "Parkway," "Plastic bag or plastic container," "Refuse," "Solid Waste," "Waste," and "Weekly or daily," and to add in alphabetical order the definitions of "Citation," "Corrective notice," "Litter," and "Residential Business" and to amend the definitions of "Director," "Dumpster or dumpster container," "Garbage," "Multiple-family unit," "Nonresidential premises," "Premises," "Residential Premises," and "Trash" to read as follows:

"Sec. 16-90. - Definitions.

Citation: A notice specifying a violation of the provisions of this article which directs the violator to appear in the municipal court to answer to the charge or, where appropriate, pay the fine or fines as specified in the minor violations settlement sheet.

Corrective notice: A written notice informing the recipient of a violation of the provisions of this article and specifying a period of time in which to correct said violation.

Director: The director of the environmental services department of the city and/or his or her designated representative.

Dumpster or dumpster container: A metal container of either **two (2)**, four (4), six (6), eight (8), or **ten (10)** cubic yards in capacity, suitable for collection by equipment utilized for that purpose by a duly licensed private commercial firm, franchised by the city for garbage collection.

Garbage: Putrescible animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food, including waste from markets, storage facilities, handling and sale of produce and other food products, and, in general, from food for human consumption, and nonputrescible waste matter, such as glass, plastic, paper, cartons, boxes, and cardboard. **The term "garbage" as herein defined shall encompass any reference to "refuse" or "waste."** Provided, however, the term "garbage" shall not include household sewage, livestock or poultry waste, hazardous waste or materials, improperly disposed of or unprotected medical waste, dead animals or the carcasses of deer or other large animals, ashes, trash, street or highway cleanings, abandoned automobiles or appliances, or industrial waste.

Litter: Garbage, refuse, waste, including but not limited to any paper, cartons, cans, metal, glass, plastics, wrappings, boxes or cardboard, whether or not it is of value and, further, whether or not the same is putrescible or non-putrescible. The term shall also include any abandoned unattended or discarded ice box, refrigerator or other container which has an airtight door or lid, snaplock or other device which might be removed from the inside, washer, dryer or any other appliance. This term shall expressly not include trash, as defined herein above.

Multiple-family unit (generally): A house, building, structure, or any multiple or combination of the same on a premises, wherein there exists **six (6)** or more family units.

*Participating **multiple-family** unit:* A **multiple-family** unit which is, prior to the date of adoption of this section, served by the city's garbage collection system.

*Nonparticipating **multiple-family** unit:* A **multiple-family** unit **that** is not served by the city's garbage collection system.

Nonresidential premises: Any lot, property, building, premises or structure within the city generating garbage that is not a family unit or a **multiple-family** unit as herein defined. Nonresidential premises shall include, but not be limited to, businesses (**including residential businesses**), commercial establishments, public buildings, churches and nonprofit organizations, and any building or structure, or part thereof, used in connection with or for the foregoing, including the purpose of carrying on any business, trade, occupation or profession for which a business license is required by the city.

Premises: Nonresidential premises, residential premises, family unit, or multiple-family unit, industrial or manufacturing premises, **residential complex, home-owner's association, development with shared amenities**, or any other property, lot or establishment, depending upon the context, generating waste, trash, refuse or garbage within the city.

Residential business: A residential premises as defined herein from which a business is operated.

Residential Premises: A lot, property or parcel upon which is located a family unit or a house, building or structure or any multiple or combination of the same wherein there exists no more than **five (5)** family units which generate waste, trash, refuse and/or garbage.

Trash: All tree and lawn trimmings, leaves, pine straw, trash that has been burned, rocks, bricks, dirt, ashes, lumber, concrete, bushes, and demolition type waste, generated by family units, except this term shall expressly not include any garbage, litter, or hazardous waste. Trash includes only those items of waste that are capable of being collected by equipment of the city utilized for that purpose and accepted for deposit at the city trash landfill, as herein defined."

SECTION NINE: That Section 16-91 is hereby amended to read as follows.

"Sec. 16-91. Authority to promulgate rules and regulations/variances.

- (a) The director of the environmental services department or his designated representative is authorized to promulgate and issue any rules, regulations and/or policies, not inconsistent with the provisions of this article, **and only to the extent reasonably necessary or required to fulfil the purposes of this article.**
- (b) In those isolated instances in which the director determines that a strict enforcement of the provisions of this article pertaining to the method and manner of collection will, due to physical or topographic circumstances, render strict adherence to all of the provisions of this article impossible or otherwise impair or impede the efficient collection activities of the city, then he may authorize a variance from the provisions hereof, but only to the limited extent necessary or required. All variances granted by the director shall be in writing, documenting the reasons and justifications therefor, identifying the location and the specific regulation to which the variance applies, be signed and authorized by the director, kept on file by the department and a copy forwarded to the mayor. A variance may be repealed, amended or modified pursuant to the same procedure.”

SECTION TEN: That Section 16-92 is hereby amended to read as follows:

“Sec. 16-92. Garbage collection systems; mandatory participation.

The purpose of this article and other sections of this Code is to protect the health, safety and welfare of the citizens of the city by providing a system for the depositing and collecting of garbage within the corporate limits of the city.

Pursuant to the authority of Alabama Code, section 11-47-135 and section 22-27-3 (1975), every premises generating garbage within the corporate limits of the city shall subscribe to and participate in a system of garbage collection and disposal pursuant to the provisions of this chapter, unless granted a certificate of exception in accordance with Alabama Code, section 22-27-3(g)(1975) or otherwise exempt by the provisions of section 16-162(b) of this Code.

The city provides and makes available a garbage collection system pursuant to the provisions of this article within the corporate limits of the city with the exception of certain remote areas.

- (a) ***Residential Garbage Collection.* Every family unit on every residential premises, as herein defined, within the corporate limits of the city to which municipal garbage collection services, as provided for herein, are made available shall participate in and subscribe to the city garbage collection and disposal system pursuant to the provisions of this article and pay to the city such fees and charges for the same as are established by municipal ordinances or amendments thereto.**

Once a week, the city will collect from each such residential premises garbage deposited in one or more, but not to exceed three city cart(s). In addition to regularly scheduled collection, a one-time courtesy pick-up is allowed per residence. For each subsequent pick-up requested, a fee will be assessed equal to the amount of the total regular monthly billing rate.

No commercial firm engaged in garbage collection within the corporate limits of the city shall collect garbage from residential premises as herein defined, except those to whom the city does not make available garbage collection services.

(b) *Participating Multiple-family and Nonresidential Premises*

- (1) *Participating multiple-family units.*** The owners, occupants and/or residents of all multiple-family units served by the city's garbage collection system, immediately prior to the date of the adoption of this ordinance, may participate and subscribe to either the city garbage collection system in accordance with the provisions of this article, including all applicable fees and charges assessed by city ordinance, or a garbage collection system provided by a private commercial firm duly licensed and franchised by the city for the collection and disposal of garbage.

Provided, however, that once such a multiple-family unit has ceased to participate in the city's garbage collection system it may not renew or reinstate such participation.

- (2)** In the event that a multiple-family unit did not receive services prior to the passing of this ordinance, the director may, after receiving a written application from the customer and determining that accommodation of the multiple-family unit will not be impractical for the department, issue a variance pursuant to section 16-91 of this code and thereby provide services to the multiple-family unit.
- (3)** The director shall not issue a variance as described in subsection (2) for a multiple-family unit containing more than ten (10) family units unless all of the following conditions are met:
- a. The multiple-family unit for which the variance is sought is a townhouse as defined in chapter 24 of the code;
 - b. There are no more than three bedrooms per unit in any one townhouse, and;
 - c. The townhouse is accessible by public street or alley.
- (4)** All nonresidential premises not otherwise having been granted a certificate of exception pursuant to law or otherwise exempt pursuant

to section 16-162(b) of this code, shall subscribe to either the city garbage collection system if such garbage collection services are made available, or a garbage collection system as described in (c)(1).

- (5) Once a week the city will collect from participating nonresidential and multiple-family premises in the city garbage deposited in a maximum of one eighty- or ninety-gallon city cart properly placed for collection in accordance with the provisions hereof and at the time scheduled for collection as established by the city for the area.

(c) *Non-participating Premises and cancellation of Services:*

- (1) Industrial or manufacturing concerns shall participate in a garbage collection system provided by a private commercial firm duly licensed and franchised by the city for collection and disposal of garbage.
- (2) Multiple-family and nonresidential premises may elect to cancel services by providing fourteen (14) days' written notice to the Director of Environmental Services. The written notice of cancellation shall include proof of a contract with a private commercial firm to commence services no later than three weeks from receipt of notice. In the event of cancellation, premises will be billed for and receive service for the two (2) weeks following receipt of notice.
- (3) Multiple-family premises electing not to participate in the city garbage collection system shall subscribe to a garbage collection system provided by a duly licensed private commercial firm, franchised by the city, which utilizes dumpster containers. Such dumpster containers shall be placed in reasonable proximity to said multiple-family units in accordance with city ordinance, policies and franchises. Garbage shall be placed only in the dumpster containers for collection and disposal.
- (4) *Discontinuation of services for noncompliance:* If the director determines at any time that any participating multiple-family unit or nonresidential premises is in violation of the provisions of this article then the director may discontinue garbage collection services to the participating multiple-family unit or nonresidential premises pursuant to section 16-107 hereof and the account holder must relinquish all city-owned carts back to the city.
- (5) No other system for collection and disposal of garbage from premises not participating in the city garbage collection system shall be permitted except in accordance with the terms and conditions of a certificate of exception as issued in accordance with applicable law.

Commercial firms engaged in garbage collection within the corporate limits of the city shall collect garbage from multiple-family units and nonresidential premises only in accordance with the terms and conditions of this article."

SECTION ELEVEN: That Subsection 16-93(b) is hereby amended to read as follows:

"(b) *Prohibited wastes.* It shall be unlawful to place or deposit in a city cart or otherwise for collection by the city, any hazardous waste or materials, improperly disposed of or unprotected medical waste, the carcasses of deer or other large animals."

SECTION TWELVE: That Subsections 16-94(a) and (c) are hereby amended to read as follows:

"Sec.16-94. Premises; placement, depositing, garbage, etc.; maintaining premises.

(a) It shall be unlawful and constitute a public nuisance for the owner, occupant or person, firm or corporation in control of any premises in the city to place, discard, or deposit or permit to be placed, discarded or deposited any garbage, refuse or any waste material on such premises outside of the buildings or structures thereon, except that garbage, including litter, shall be placed entirely within a city cart by any premises participating in the city system or in a dumpster container **or, in the case of private commercial firms hired by nonresidential premises, any other appropriate container** in accordance with the provisions of this article and city policies. It shall be unlawful and a violation of the provisions of this section for trash, garbage, **recyclable materials**, litter or waste material to be placed or deposited, whether or not for collection, beside or adjacent to such carts or dumpsters.

(c) It shall be unlawful for the owner or occupant of any premises or for any other person to place, whether or not in an approved receptacle, any garbage, **recyclable materials**, trash, refuse or parts thereof, or other waste material or to cause or permit the same to be placed or deposited on any street or sidewalk or public right-of-way within the city, except as otherwise provide for in this article."

SECTION THIRTEEN: That Section 16-95 is hereby amended to read as follows:

"Sec. 16-95. Time of Collection; Carts and bins not to remain on curb.

- (a) To ensure collection by the city, garbage carts, recycling bins, and trash must be placed on the curb prior to 6:00 a.m. on collection day.
- (b) In no event shall garbage carts or recycling bins, whether serviced by the city or a private commercial firm, remain on the curb for more than 24 hours.
- (c) When garbage and trash collection by the city is scheduled on a legal holiday for the municipality, there will be no collection on that occasion; collection will recommence on the following business day.
- (d) Routine garbage and trash collection may also be delayed due to emergencies such as severe inclement weather conditions.”

SECTION FOURTEEN: That Section 16-97 is hereby amended to read as follows:

“Sec. 16-97. City residential trash collection system; placement and handling of trash.

- (a) *Generally.* Pursuant to the authority of Alabama Code section 11-47-135 and section 22-27-3 (1975), the city has elected to provide, through its department of environmental services, residential trash collection for family units also receiving garbage collection services from the city with active current city water accounts or separate garbage accounts with the city if water service is not available within the corporate limits of the city, with the exception of certain remote areas. Generally, the city will provide such residential trash collection services once a week in accordance with the provisions hereof and pursuant to schedules promulgated by the department for collections in each area of the city.

Participation in the city trash collection system is voluntary and provided without charge. However, that shall not authorize or permit the occupants of any premises within the city to unlawfully accumulate trash or other debris.

- (b) The following **additional** rules are hereby established pertaining to the method of placement and handling of trash, as herein defined, on or near the street for pickup by the environmental services department:
 - (1) All trash items capable of being **bagged** shall be bagged in plastic bags securely closed or tied shut and shall be placed on the curbside in front of the premises on regular collection days only by the occupant thereof. All plastic bags so placed shall be in good condition without tears or leaks and securely tied or fastened.
 - (2) Limbs, brush, shrubbery and other wood items not capable of being bagged as provided in subsection (1) above shall be cut into lengths not exceeding **eight (8)** feet and widths no larger than eight (8) inches in

diameter. Said **material** shall be placed on the curbside **no closer than 3 feet from any inanimate object** in front of the premises on regular collection days only by the occupant or person not engaged in lawn cutting or service for hire.

- (3) Large bulky trash items not capable of being bagged as required by subsection (1) above may be placed on the curbside **no closer than 3 feet from any inanimate object** in front of the premises on regular collection days only by the occupant or person not engaged in lawn cutting or service for hire.
- (4) The city will not collect on trash collection days containerized, bundled, or bulk items which do not meet the definition of trash, as defined in section 16-90 hereof, nor will the city collect on trash collection days containerized, bundled or bulk items which contain any garbage, litter, sludge, liquids, toxic waste or any other waste material not capable of being accepted for deposit in the trash landfill. The city will not collect any item of trash that is not capable of being safely handled by city equipment. The city will not pick up or collect trash deposited or containerized except pursuant to the terms and conditions hereof.
- (5) Trash may not be deposited for collection by the city in city carts or any other type or kind of receptacle, box, can or container except plastic bags.
- (6) Trash will not be collected from vacant lots not contiguous and forming part of a residential premises.
- (7) The city will collect **five cubic yards of residential trash** from any one premises per weekly trash service. **In the event that residential trash placed at the curbside exceeds five (5) cubic yards, the city utility account for the residence shall be charged a special trash collection fee as follows:**

(A) For amounts exceeding five (5) cubic yards, but less than eleven (11) cubic yards ... \$50.00

(B) For amounts exceeding eleven (11) cubic yards but not more than twenty (20) cubic yards ... \$100.00

In no event will the city collect more than twenty (20) cubic yards of trash from any one premises per weekly trash service; the resident shall promptly remove any trash in excess of that amount from the right-of-way and properly dispose of the same. Failure to do so will result in prosecution under Sec. 13-67.1 of this Code.

- (8) In any event in which the city determines trash placed upon the right-of-way constitutes a traffic hazard or other danger to the public health safety or welfare, it may cause the same to be removed notwithstanding that the placement thereof was in violation of the provisions of the City Code; provided, however, [that] under such circumstances, the resident or other responsible person shall be billed by the city for such service, in addition to any fees, charges or fines applicable thereto.
- (9) It shall be the policy of the City of Tuscaloosa not to collect **items** on collection days that do not meet the definition of trash as defined in section 16-90 hereof. However, the director of the environmental services department or his designated representative may make a determination that if the efficiency of the collection would be better served by allowing other items to be collected, he may so implement such collection if:
- (a) Collection of such items will prevent the scattering of trash, minimize the obstruction of stormwater drains, promote traffic safety, facilitate the clearing of the streets and compliance with the applicable state and federal regulations regarding solid waste disposal.
 - (b) The disposal of such items will not violate any policy, agreement or contract between the City of Tuscaloosa and any other entity.

Provided, however, that any item placed on the right-of-way on trash collection days is subject to being disposed of, and that the City of Tuscaloosa is not liable for the loss of such property. The collection of such items on occasion does not obligate the city for any future collection of like items.

- (c) In the event of a "disaster," as defined by section 9-1 of the City Code, within all or any defined area of the corporate limits of the city, the mayor may, in addition to the authorization to act in emergencies as set forth in section 9-3 of the City Code, and for the periods of time that consequences from such disaster exists, and within a specifically defined area of the city, suspend or modify any of the applicable provisions pertaining to trash collection set forth **in the Code of Tuscaloosa.**"

SECTION FIFTEEN: That Section 16-98 titled "Persons engaging in the business of cutting and pruning trees or landscaping—Required to remove debris.," Section 16-99 titled "Same—Debris not to be left on public street.," and Section 16-100 titled "Same—

City not responsible; unlawful to represent that city will remove debris.” are hereby repealed.

SECTION SIXTEEN: That Section 16-101 is hereby amended to read as follows:

“Sec. 16-101. Debris from landscaping, construction, or demolition – Removal required.

- (a) Every person engaging in the business of, or being hired for the purpose of, **tree trimming, landscaping, constructing, demolishing, remodeling, repairing, roofing, or altering any building or other structure within the city shall remove any limbs, trash, dirt, debris, concrete, lumber, roofing material, or any other waste material resulting from such activity from the site to a lawful disposal area; and**
- (b) **Shall provide on-site receptacles for litter and trash as defined hereinabove, and ensure that litter and trash are properly placed in such containers, to prevent scattering of such litter by wind or rain if such litter and trash are not otherwise properly disposed of on a daily basis. Whenever it is not feasible to place the onsite receptacle within the construction site, an onsite receptacle may be placed in the street or other right-of-way pursuant to a right-of-way permit issued by the director of the department of transportation or their designee (director), pursuant to guidelines set by the director, who shall determine the permit conditions for each request including but not limited to liability insurance, permit expiration, safety requirements and waiver of liability. There may be a permit application fee as set by the mayor with approval by resolution of the council.**
- (c) **Placing or allowing an onsite receptacle to remain in the street or right-of-way without a valid permit shall be unlawful and constitute a violation of this section.**
- (d) **It shall not be the duty of the City to remove or carry away the debris remaining from tree trimming, landscaping, construction, demolition, remodeling, roofing, or repair by persons engaged in such business. It shall be unlawful for any such person as referenced in subsection (a) to deposit such waste material on the public streets or public areas of the city or leave the same for pickup and removal by the city.”**

SECTION SEVENTEEN: That Section 16-105 is hereby amended to read as follows:

“Sec. 16-105. Cleanliness and orderliness at container site.

- (a) **It shall be unlawful for any person in charge or control of any premises to allow or permit garbage or trash containers to be open or uncovered, and it shall be unlawful for any such person to permit or allow an accumulation of garbage,**

trash, or litter in the vicinity of any garbage or trash container serving such premises.

- (b) When a customer, having already received two corrective notices, violates this section for a third time within a period of six weeks by either (1) failing to timely comply with the initial corrective notices or (2) allowing more garbage to accumulate in violation of this section, the director may in his or her discretion and where otherwise permitted by this chapter, issue an additional city garbage cart to the customer and charge the customer for the same.
- (c) Nothing in this section shall be construed to prohibit the issuance of municipal court citations in lieu of the remedy described in subsection (b), or to require the issuance of corrective notices prior to the issuance of a municipal court citation.”

SECTION EIGHTEEN: That Section 16-106 is hereby amended to read as follows:

“Sec. 16-106. Unlawful opening, searching, etc., of garbage and trash cans.

It shall be unlawful for any person to open any garbage cart or other container in which garbage or trash has been deposited for collection or to search in any such cart or other container for garbage or trash, or to remove from any such cart or other container any garbage, trash or other things. This section shall not apply to the owner of such cart or other container or such person's employee or to any person acting within the scope of their job description as an employee or agent of the city.”

SECTION NINETEEN: That Subsection 16-107(b) is hereby amended to read as follows:

“(b) Prior to a permanent discontinuance of such services to any premises, the director of the department shall give the owner or occupant thereof, as indicated by the records of the city, fourteen (14) days' written notice. The director of such department and/or his designated representative is authorized to post and attach and/or affix notices to the premises or structures located thereon in regard to any such failures to comply and/or to mail or otherwise notify such persons in regard to any violation of city regulations concerning the collection, storage or handling of garbage, trash, recyclable materials, or refuse.”

SECTION TWENTY: That Section 16-109 is hereby repealed.

SECTION TWENTY-ONE: That Section 16-110 is hereby amended to read as follows:

“Sec. 16-110. Procedures for handling, management, and replacement of garbage carts.

- (a) The city will loan carts at no cost to the **garbage customer for properties receiving garbage collection service pursuant to this article.** Loaned carts will remain the property of the city.
- (b) Carts owned by the city and loaned to a **garbage customer** shall not be relocated to **an address different than the one associated with the account.**
- (c) **The** environmental services department is authorized to repair or replace any garbage cart which is damaged from wear and tear through the normal course of use at no cost to the **garbage customer provided there is sufficient manpower and adequate inventory.**
- (d) If a city-issued cart is lost, stolen, or damaged beyond normal wear and tear, the **garbage customer will be assessed the cost of a replacement cart which shall remain the property of the city.**
- (e) In its issuance of carts as described in subsections a, c, and d, the city reserves the right to furnish carts in either new or used condition.
- (f) If a city residential garbage customer (or a non-residential customer that has been granted a variance to increase their number of allowable carts) opts to have more than one cart on the premises, then the city will issue the additional cart or carts up to the maximum described by the code (or variance) at no cost.”

SECTION TWENTY-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 delete the following job classification titles as follows:

CODE	TITLE	FLSA	PAY GRADE
	Automated Garbage		
0092	Truck Operator	N	10
1018	Accounting Assistant	N	14
	Compliance and		
1040	Enforcement Manager	E	33
	Associate Director,		
	Logistics and Asset		
2108	Management	E	42
	Asset Management		
2109	Coordinator	E	28
	Wastewater Operations		
2603	Technician	N	17
	Wastewater Collection		
	System Maintenance	E	28

2707	Manager Wastewater Collection System Program		
2718	Coordinator	E	30
2720	Deputy Director, Water & Sewer	E	44
2721	Associate Director, Infrastructure - Water & Sewer	E	42
3106	Water/Wastewater System Maintenance Manager	E	28
4000	Chief Resilience Officer	E	42
4026	GIS Manager	E	30
4041	Internal Auditor	E	29
4051	City Venues Assistant Operations Manager	N	18
4053	City Venues Operations Manager	E	28
4062	IPS Compliance Officer	N	18
4100	Facilities Engineering and Reliability Manager	E	40
5028	Cyber Intelligence Division Director	E	33
7014	Associate Director, Water & Sewer Customer Service	E	33
7020	Director, Planning & Development Services	E	46
7070	Executive Director, Infrastructure and Public Services	E	49
7071	Deputy Director, Infrastructure and Public Services	E	48
7073	Director, Logistics & Asset Management	E	48
7074	Director, IPS Administration	E	42
7076	Director, Public Services IPS Administrative	E	44
7078	Coordinator	N	19
7080	Deputy Director, IPS Administration	E	32

7102	Infrastructure Administrative Specialist	N	18
7110	Associate Director, Infrastructure - Transportation	E	42
0031	Water Distribution System Control Technician	N	19
2104	Customer Service Representative, Senior	N	11
2106	Systems Database Specialist/Modeler	N	19
2651	Lift Station Maintenance Operator	N	17
2703	Wastewater Treatment Plant Maintenance Operator	N	17
2706	Water/Wastewater Chemist	N	17
3003	Water Treatment Plant Maintenance Operator	N	17
3007	Water Treatment Biologist	N	23
3203	Water Distribution Inspector	N	18
7044	Telecommunicator	N	13
7045	Telecommunicator, Basic	N	10
7046	Telecommunications Database Coordinator	N	12
7061	Emergency Management Assistant	N	12
9027	Cart Repairer	N	6

SECTION TWENTY-THREE: That Subsection 19-60(a) be amended to read as follows:

“Sec. 19-60. List of overtime-exempt employees.

- (a) Certain job classifications within the service of the city are hereby determined to be overtime-exempt, as designated by the letter ‘E’ beside the corresponding job classifications in Exhibits ‘A’ and ‘B’ of 19-42 of the Code of Tuscaloosa. Employees serving in such job classifications shall not receive overtime pay, on the basis that they have been determined to be professional, administrative, or

executive employees within the meaning of the Fair Labor Standards Act, and rules and regulations promulgated pursuant thereto. Job classifications determined not to be exempt are designated by the letter 'N.'

Note: By the virtue of Act 80-536 and 88-317, all ranks of Tuscaloosa Police Officers and Firefighters are entitled to overtime. Therefore, this policy does not address any such job classifications."

SECTION TWENTY-FOUR: At every point in the code where either the title "Human Resources Director," or "Director of Human Resources" is used, that title shall be replaced with "Chief Human Resources Officer."

FUNDING REQUIRED: Yes No

COUNCIL ACTION

Resolution Accepted 3/19/24
Ordinance Intro: (LH-Y)
Introduced UNAN: (FY/H-Y)
Passed (W. absent)
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: CITY CLERK

By: _____
Chief Financial Officer


ORDINANCE NO. 9488

AN ORDINANCE APPOINTING MARTY HAMNER
TO THE ZONING BOARD OF ADJUSTMENTS

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

THAT Marty Hamner be and is hereby appointed as a supernumerary member of the Zoning Board of Adjustments to fill the unexpired term vacated by Joseph Eatmon Sr. Said term of Mr. Hamner is to expire on September 28, 2025; (Reference: Section 11-52-80, *Code of Alabama, 1975*, as amended).

Adopted 3/19/24
Intro: (B/C)
Unan: (B/H)
(w. absent)


City Clerk

ORDINANCE NO. 9489

AN ORDINANCE APPOINTING MEMBERS AS
VOTING DELEGATES FOR THE ALABAMA LEAGUE OF
MUNICIPALITIES ANNUAL BUSINESS MEETING

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

THAT Councilor Raevan Howard be, and she is hereby appointed as the voting delegate to represent the City of Tuscaloosa at the Annual Business Meeting for the Alabama League of Municipalities on May 17, 2024.

WHEREAS, Councilor Cassius Lanier is hereby appointed as first alternate voting delegate, and Councilor John Faile is hereby appointed as second alternate voting delegate. The voting delegates will represent the City of Tuscaloosa at the Annual Business Meeting for the Alabama League of Municipalities on May 17, 2024, in the event Councilor Raevan Howard cannot attend.

Adopted 3/19/24
Intro: (B/L-Y)
Unan: (L/H-Y)
w- absent


City Clerk

Requested: City Council
Prepared By: City Clerk
Agenda: March 19, 2024

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: LL
Requested: FC 03/05/24
Presentation on: 03/19/24
Suspension of Rules: NO

ORDINANCE NO. 9490

AMENDING THE FISCAL YEAR 2024 GENERAL FUND BUDGET
(AMENDMENT 9 – FY24 GF BUDGET)
(A22-1037)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2024 General Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

REVENUE			
Department	Account	Current Budget	Amended Budget
Mun Court	DOJ Mental Health Court	\$(0)	\$(79,400)
Mun Court	PY Fund Bal-Indigent Treatment	\$(123,592)	\$(144,192)
Net Revenues			\$(100,000)

EXPENDITURE			
Department	Account	Current Budget	Amended Budget
Mun Court	Mental Health Court Initiative	\$0	\$100,000
Net Expenditures			\$100,000

FUNDING REQUIRED: Yes No
FY24 General Fund

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution Adopted 3/19/24
Ordinance Intro (4B-1)
Introduced Unan: (CIH)
Passed (w: absent)
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: city clerk

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW III/rd
Requested: Petitioner/UD Date: 12/18/2023
Council Presentation on: 03/19/2024
Suspension of Rules: No

RESOLUTION

RESOLUTION FIXING DAY FOR PUBLIC HEARING TO CONSIDER ADOPTION OF
AMENDMENT TO THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1523

(Approx. 3.3 acres located at 9601 Highway 69 South—Graves Watkins)
(R-1 to BN)
(OCA-24-0320/Z-22-23)


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 16, 2024 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.1523 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 3/19/24
(CIL-Y) (W. absent)

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:

River Building, LLC <i>Release of performance bond – Northbank Lot 6</i>	\$21,283.44
Hale County Board of Education – Greensboro High School <i>River Market event rental refund</i>	\$2,910.00
Daniel C. Lemley <i>Attorney fee for Client Case #TR-23-004140</i>	\$887.56
Carl Jason Malone – Cox Wedding <i>River Market event rental refund</i>	\$667.26
Manderson Homes Inc. (account # 101-00055-0513) <i>Water meter refund</i>	\$1,018.00

TOTAL: \$26,766.26
Prepared: Assistant City Clerk
Requested: Accounting & Finance
Agenda: 3-19-2024

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

Adopted 3/19/24
(B.T.Y.)
(w. absent)

City Clerk