

Highland Park Neighborhood Association

August 2021 Minutes

Meeting Date: August 12, 2021

President Elizabeth Sanfelippo called the August 2021 meeting of the Highland Park Neighborhood Association to order at 6 pm. She introduced herself and Vice President Mark Ritter and Secretary Judy Jones and then performed a roll call as required by the city for virtual meetings. Sanfelippo thanked Jones for leading the last meeting, a combination of 'in person' and virtual, and taking minutes. She thanked Ritter and John Somerset for helping with the Zoom participants that evening. She thanked Stephen Foster, president of the Five Points South Neighborhood for continuing to set up our neighborhood meetings on Zoom.

Sanfelippo asked if residents had received the July meeting minutes and whether there were any changes or corrections needed. No changes or corrections were expressed. Rosalie Lowy moved to approve the July 2021 minutes. Mary Helen Crowe seconded the motion. There were 11 votes for the motion, no one opposed so the minutes carried.

Sanfelippo stated our current city balance is just over \$42,000 and said this figure does not reflect the approximately \$13,000 the neighborhood allocated for sidewalk repair that has not yet been taken out. Sanfelippo said this leave the neighborhood with about \$28,500 in our accounts. Sanfelippo said they had an allocation request for about 15 trees (plus delivery and mulch) to continue our work along Highland Avenue. She said that request was for \$3000 and it was unanimously approved by the neighborhood's Spending Committee. Mary Helen Crowe asked if we could delay planting until October or November when things cool off. Sanfelippo said we would coordinate that with the city, adding it will also take a few months to get the funding in place also. Horace Hulseley moved to accept the recommendation of the Spending Committee for the \$3000 expenditure. Ritter seconded. There were 12 votes for the motion and none opposed, so the motion carried. Sanfelippo thanked Ray Davis, head of the neighborhood's Beautification Committee, for his great work, that he has coordinated with the city, identified spots where we need more planting, and has helped keep an eye on the areas after being planted.

Sanfelippo thanked residents Marian Wilson and Dehryl Mason who alerted the neighborhood to an infestation of something called 'crepe myrtle bark scales' that is affecting a number of our crepe myrtles. Sanfelippo said a number of the affected trees were on public property, a number on public property. She reported working diligently on a best practice recommendation on how we can treat this problem. Sanfelippo said she had first noticed the problem along Highland Avenue near the Golf Course. She said she didn't realize it was an infestation, she just noticed the trees weren't blooming as much this year – and apparently that is a side effect of these infestations. Sanfelippo said we have not yet decided a course of action yet to address this problem but we wanted to go ahead and allocate \$1000 for it anyway. She said this also was

recommended unanimously by the spending committee. She told the group they would put priority on not using any treatment that was toxic to pollinators. Rosalie Lowy shared their crepe myrtles had been infested and it had taken three treatments to finally kill them, including one at the base of the tree and another up the trunk. Mary Helen Crowe moved to approve the \$1000 expenditure for addressing the crepe myrtle 'scales' infestation, Horace Hulsey seconded the motion. There were 12 votes for the motion and none opposed, so the motion carried.

Southside Precinct Update/Captain Harry Greenberg

Sanfelippo introduced Captain Harry Greenberg of the Southside Precinct. She said Captain Greenberg was going to talk to us about 'trespassing technicalities' but that she knew there would be other questions from the group. Captain Greenberg thanked Sanfelippo saying he'd like to first give a general update on the neighborhood over the last 30 days. He reported a good reduction in residential burglaries since last month, saying they had actually apprehended a burglar who found sleeping in one a resident's car— and that they subsequently matched him up with another burglary. Captain Greenberg said this emphasizes the importance of calling in even the smallest things. He said car thefts/burglaries continue to increase because residents are leaving key fobs in their cars. He said they had recently recovered a car in this area, the owner had a OnStar tracking device on it and was able to bring the car to a controlled stop and both of the occupants were taken into custody without incident. He reminded residents to keep their valuables out of plain view, to take them inside or hide them in the vehicle so not to tempt the opportunists.

Greenberg said he wanted to follow-up on the issue of trespassing, particularly in the area of Rhodes Circle. He said there had been a couple of complaints called in since our meeting last month. He said their Hope Officer, who deals with issues of homelessness, had been actively engaging the individuals that had been found there. Greenberg said in researching the protocols for dealing with the homeless and the vacant houses around Rhodes Circle – and the consensus is that the homeowner or the person responsible for the property will have to secure that property and they actually have to make the complaint in order for the police to take action. Greenberg said what they could do is compile the incident reports by neighbors and possibly present them as evidence of a 'nuisance' to the Public Safety Committee and allow that location to be addressed for procedure or other remedies. He said they did get in touch with their housing folks – and of course these locations are not compatible with being habitable in their present condition – however there's not been anyone there when they've checked. He asked residents to continue making reports and that will help the police address the concerns around Rhodes Circle.

Greenberg said that was all he had tonight and asked for resident questions. Sanfelippo brought his attention to an issue a resident had experienced, someone was trespassing in their condo building pool area – and the complaining resident was given information that said that without a sign that said 'no trespassing' that there was a technicality that prohibited BPD to act on the issue. Greenberg said Sanfelippo was correct, there really does need to be a sign about trespassing,

something like 'the pool is for use only by residents and their guests'. Greenberg said what they can do, any representative of the property – as in, if you are paying 'association fees' then you are a representative of the property – the 'first time' is always going to be a 'freebie' if you will. Greenberg says they ask that while the individual is there that no one confront them. He said if there's someone there that shouldn't be, to call the police so they can accompany the resident when the resident informs them that 'this pool is for the use of residents and their guests only' – and it's not open to the public – and simply ask them to leave. Greenberg said at that point have the officers make a report with that individual's 'identifiers' – and that report is good for year, and if that individual returns and BPD gets another similar call and the officer checks them through our computer system there would be a search on whether there was another report on that individual at that location. Greenberg said if there was already an existing trespassing report made within the last 12 months then the officer is able to make the 'trespassing' arrest. Greenberg said the bottom line, right now, with COVID surging, they were trying to consider 'types of crimes' and not put any more individuals into the jail than they have to. Horace Hulseley asked if the sign could just say 'authorized residents only'. Greenberg said he thought it was better if the sign included the 'no trespassing' language also. Rosalie Lowy asked if a 'no trespassing' sign also applied to people parking on your property. Greenberg said yes but that the same principals apply and emphasized he really discourages residents from confronting trespassers. Greenberg said an option is that with the proper signage (citing the proper ordinance) on the property, they can affiliate with one of the towing companies – though it's always better to go the simple route with respect to enforcement.

Ritter asked if the home burglaries being down was due to some action on the part of BPD or whether it was a seasonal decline. Greenberg said they'd love to take credit but in reality these sorts of crimes tend to rise in the summer, when young people are out of school, and decline in the fall when they go back. He said residents having the doorbell cameras had helped them a lot. Greenberg said he thought the cameras had helped with the neighborhood's problem with packages stolen from front porches because the number of those incidents had greatly reduced in the last 30 days as well. Greenberg said he couldn't be sure but he hoped it was a result of the police department working successfully with the community to reduce area crime.

Sanfelippo referenced the steps in Rhodes Park that were damaged, that the incident had been witnessed by a resident who watched friends of the impaired individual help remove the car from the scene before anyone could arrive to make a report. Sanfelippo said more recently a car came off Highland Drive, down the hill landing on Highland Avenue and damaged part of the retaining wall. She asked if when a police officer is called to an incident like this, when there is damage to city or private property, are they making note of this damage on the report? Greenberg said yes, that there is a block on the Alabama State Uniform Traffic Accident Report that identifies any property damaged in that traffic incident. He said at times the documentation is probably there but that it is not the easiest thing to match up. Greenberg said the city may not realize the damage until weeks later and there's not an easy way then to search for the damager of that property. He said if vehicle leaves the road and runs through a resident's fence, the

responding officer would give that resident a case card with a number that they would then use to obtain a copy of the accident report for their insurance company or their own legal efforts. In the case of public property that would, in an ideal world, the officer might call, say, Public Works. But unfortunately, he said, he doesn't think this happens a lot, saying if the incident occurs at 2 am, the report is filed and that's it. Greenberg said that is a very good point, for BPD to make a better effort to notify the proper city department when they are a part of an investigation that involves damage to public/city property. Greenberg said having a log of incidents that involve damage to city property from wrecks we work would be a great idea. Sanfelippo said she would follow up with Greenberg on this particularly unique incident involving Highland Drive and Highland Avenue, that it was reported in a timely manner and with the city strapped for funds it'd be good to be able to get someone's insurance company to pay for repair of that damage. Greenberg said that this kind of follow-up would benefit from occurring in a timely manner as the individual could always come back with the argument 'that could have been hit multiple times since I hit it'. He said if Sanfelippo would get with him later they'd find the report and get with Public Works and try to match that up. Councilwoman Valerie Abbott told Sanfelippo that Public Works would be the wrong office to go to, that they should contact the Office of the City Attorney with that information, that office was the one who collects on accidents and insurance - and they have one attorney who is assigned to do that. She said she was told the Police Department turned in those reports to the Legal Department and it seems that's not what's happening. Greenberg noted that the reports are made, filed away, they are available if requested - but no one would necessarily know to ask for them. Greenberg asked if Public Works had an inspection unit who looked for damage. Abbott said no, that the city works by 'complaint' only.

Being no other questions, Sanfelippo thanked Captain Greenberg for attending the neighborhood meeting.

City Council Update/Councilwoman Valerie Abbott

Sanfelippo introduced Councilwoman Valerie Abbott. Abbott shared that today was Council Day and they did pass an ordinance regarding logging in Birmingham but that she didn't think Highland Park had that much difficulty with 'logging' issues since there weren't any large tracts of vacant land with trees in the neighborhood - but that they now have an ordinance to deal with that should it occur.

Abbott provided an update on several items. Re Rhodes Park lights she said that project was in the Parks and Recreation area of responsibility and they were trying to get better pricing. Re Rhodes Park steps hit by the drunk driver, she referred back to Captain Greenberg's remarks saying that the right hand often didn't know what the left hand was doing so no one is doing anything. She added that city property is damaged all the time by people and their cars - and clearly there is a disconnect that the mayor's office needs to do something about quickly because we are missing out on funding to repair things that are damaged. Re Hanover Circle, it was scheduled to start construction in August and now they say September but she understands everything has been done and the city is ready to send out notices to residents on what to expect,

how the project will proceed and what residents will have to do to help make everything work. Abbott said her office had asked to be copied on what goes out. Re the retaining wall issue, Michael Eddington has not shared any information with her office about finding funds to do the project but in her discussions with the Office of the City Attorney they say if people have constructed retaining walls or fences on city property that it is not the city's responsibility to rebuild it for them, so there are some questions. She said District 3 was full of structures on public property that had been built long ago likely by people who thought they were building on their own property, adding that in some cases the city right of way extends 30 feet out from the center of the road which means in some cases that what you think is your front yard doesn't even belong to you. She said she has asked for guidance on what the city's policy is going to be in these situations. Re the flooding issue at Virginia Samford Theatre and Episcopal Place (EP) - they have submitted photos and videos of the problem along with an engineering study EP had done on the problem. She said the city had previously been under the incorrect impression the flooding was caused by some parking lot. She said the study did show there was some low-hanging fruit the city might could grab that might help ahead of (and until) receiving another large allocation of funds. Abbott said this flooding was the only project she turned in for America Rescue Fund dollars to make sure it got some attention, adding that she estimated the project might cost \$3.5 million. Sanfelippo clarified to residents that the previous issue discussed related to a retaining wall along Clairmont Avenue for a condo building that was partially collapsed and a few years ago the condo owners went to the city to get a permit to repair the wall and were told 'no this is city property and you cannot get a permit for this repair'. She said in the meantime more deterioration has occurred along Clairmont as well as on the right-of-way that leads to their parking area and it has been a frustrating issue for these condo owners going back and forth with the city considering their changing position about whose responsibility the wall is. Sanfelippo thanked Councilor Abbott and Dr Lee for being on the call tonight and all they do for our community.

Ritter asked Abbott if the police report has noted damage to city property, police procedure doesn't include notification to the City Attorney's office, Public Works doesn't notify the City Attorney's office, is there a vehicle that neighborhood and/or residents could use to get it into the queue? Abbott replied that whatever happens it will have to go through the mayor's office, that the city council can't ask anyone to do anything. She said they can bring the issue to the mayor's attention, that there is a disconnect in the process that is creating missed opportunities to recoup money to repair city property damaged by individuals and/or their vehicles. After discussion Abbott said this is a police department issue, that their officers or someone at the police department needs to, when they file the police report they need to note there is damage to city property and forwarded it to the City Attorney, that it seems simple but clearly no one is doing that. Jones said what she was hearing is that there is no requirement on the side of the police department to send the report to the city, that it's no one's fault, there's just no requirement to do it. She said it may be difficult in the middle of the night to stand in the street and determine what damage has been done and who is the victim - but if damage to city property is noted on the report then it should be sent to the City Attorney the next day. Abbott said it's a process issue. Sanfelippo said she would follow up with our

Crime Prevention Specialist Devoris Ragland and Captain Greenberg. Jones added that it shouldn't be the officer's responsibility to forward the information, someone in the office the next day should be responsible for that, that she didn't want a police officer spending valuable time on that sort of administrative activity, that they just need a procedure for it. Joseph Casper Baker asked if the officer would always know what was public property. He went on to say that with the staffing challenges being experienced right now by the police department, the city might want to put some of the responsibility for that effort in the City Attorney's office. Sanfelippo said this is a good example of where an engaged community can work together and help, that if residents see something damaged, to let her know as soon as they see it.

Community Resource Officer Update/Jasmine Fells

Sanfelippo said that Highland Park's Community Resource officer, Jasmine Fells, was on the call tonight. She said they discovered a disconnect between funds we had allocated for weed prevention and the Parks and Recreation people not getting that funding - but that now they have received confirmation the work has started and the funds are available to pay for the work.

Old Business

Sidewalk Repair Project. Sanfelippo said she was excited to announce Phase 1 of the neighborhood Sidewalk Repair Project has been completed. She said the city has inspected it and there were a few touch-ups needed that the contractor is now working on. Sanfelippo reminded the group that Highland Park invested neighborhood funds into sidewalk repair that was to be accomplished in three phases, the first of which, just completed, started near Red Mountain Overpass near Freddy's, going along Highland to Niazuma. Sanfelippo said many thanks to resident Adam Ward for his hard work on this project. She added a shout out to Mike Eddington, who works with capital projects for the city, for his support in this effort. Ritter asked about payment for the project, whether the neighborhood paid it all up front or a down payment and the rest after the work had been inspected. Sanfelippo answered there was no down payment, that the neighborhood allocated the funds then the city helped us administer the contract. She shared a reminder that sidewalks in front of resident's homes are actually the homeowner's responsibility to maintain, that they had learned this during the project. Sanfelippo told residents if they'd like to contribute to this effort, especially residents along Highland Avenue, they should have a 501c3 soon that neighbors can make contributions into for the repair project. She asked Jones if there was an update, Jones replied the last several times they'd tried to get together they had conflicts. Sanfelippo thanked Jones, Rowena Frazier and Anne Sunkel for their hard work on this effort.

'Taking Pride in Where You Reside' Project. Sanfelippo reported the city had started a 'Taking Pride in Where you Reside' project. She contacted the city to find out what the program was - and learned it was to motivate communities to take pride in their neighborhoods, pick up litter, refuse, etc. Sanfelippo said she smiled when she heard this because we already do this in Highland Park, which is awesome. She said she wanted to commend everyone, thanks to the people who walk the neighborhood, pick up litter and sticks, who forward issues to her, call 311, etc. She said it takes a village

and we have a great one! Thanks for making Highland Park the great neighborhood that it is!

Announcements and Reminders.

Sanfelippo told the group that recycling is now the 1st and 3rd Wednesday of each month.

Sanfelippo reminded the group that if you live in an apartment or condo building with a dumpster that the city will not pick up large trash and brush from your location.

Sanfelippo said the next large trash and brush pick up was this coming Friday, August 13. She gave a reminder to residents to make neat piles, separate furniture and trash from more mulchable items and to bag your leaves.

Sanfelippo told the group city elections were coming up on Tuesday August 24. She said if you were uncertain of your polling location you could call the city clerk's office.

Next Meeting. Sanfelippo said because of the Delta Variant surge and our vaccination rate that Highland Park would be keeping our neighborhood meetings on Zoom for the time being, telling residents if they haven't been vaccinated to please consider doing so. She said the next meeting would be on Tuesday September 14 at 6 pm. She shared the speaker that night would be Trey Frazier, UAB Associate Athletics Director. She said we would also be joined by Christina Argo with Birmingham's Department of Transportation. She said Argo will talk to us about VEO and BOLT, the two scooter and bike micro-transit companies currently operating in the city. Sanfelippo said if residents had questions they'd like Argo to address to send them in advance to highlandparkneighborhoodal@gmail.com - and that would really help facilitate that conversation.

City Election Candidates.

Sanfelippo said we had a number of Municipal election candidates who wished to address the residents. She introduced them for remarks as follows:

Alice Speake, Candidate for City Council District 3. Speake shared that she had a progressive platform for environmental justice, affordable housing, public safety and infrastructure improvements, saying that she knew infrastructure issues were one of the major unifying problems for this district. She said her goal is to facilitate as many conversations as she can with the creative problem solvers of this city. Speake said she was a community organizer, has experience making people aware of current events, and had spent time as a networking coordinator for an activist group in Birmingham. Speake said she will fight at City Hall and bring new visions to the city. She said she wants to see us fight for and become an environmentally conscious city.

Joseph Casper Baker, III, Candidate for City Council District 3. Baker said he was a graduate of UAB and had been involved in various civic and political activities over the last 15 years, including serving as secretary of 'Free the Hops' and founding 'I Believe

in Birmingham', an activist group primarily on Facebook that engages in many local issues/projects - to include saving the Firehouse right outside of Highland Park at Clairmont and 32nd. Baker said he served on the Steering Committee for the Comprehensive Plan 10 years ago as part of an effort to improve the city, recruit business and and manage its growth. He said he'd been a festival organizer for many local festivals including BrewFest, Sidewalk, Secret Stages, Paint the Town Red and others. He said he was the League Organizer for Rethink 20/59 and even though they were unsuccessful he thought they elevated the conversation regarding future planning. Baker said his platform was divided into two categories - one, infrastructure (we need a dedicated funding source for roads, sidewalks and storm water system maintenance, expanding bike lanes, focusing on 'complete streets', get fiber optics throughout the city) and two, investing in people (increasing school funding to hire more teachers to lower the student to teacher ratio, increase funding for groups that work with adult education to get people trained on how to open and run businesses, trade skills, expand food options in the city. Baker said lastly he wanted to lobby for changes to the Mayor-Council Act (for example, putting budgeting back in the control of City Council), term limits and ranked choice voting for municipal elections.

Mary Boehm, Incumbent Candidate for BOE District 3. Boehm said she has had the honor of serving District 3 on the school board for the past 4 years and would love to do that again. Boehm said she would spend her time providing residents with an update on the Birmingham City Schools. She said they had started school again on August 2, that our enrollment numbers are down a bit, and they were having some COVID challenges with teachers and students - and they were having a virtual online school option that about 125 students (out of about 19,000-20,000) have signed up for. Boehm reported the Board had recently raised the salaries of teachers and staff to be sure we have the teachers we need in place which is also a challenge as they are opening back up in this uncertain environment.

Valerie Abbott, Incumbent Candidate for City Council District 3. Councilor Valerie Abbott said she was running for re-election for City Council representing District 3. Abbott said anyone who attends these meetings pretty much knows what she does - and whether or not they like it or not. She said she has enjoyed representing District 3 and was a neighborhood person to the bone, having spent 20 years as a neighborhood officer (President and Secretary) in Glen Iris Neighborhood. Abbott said the reason she ran for council initially was because she didn't feel like the council paid any attention to the neighborhoods. She said the one thing she has worked on during the entirety of her time on the council was 'quality of life' issues, things that touch people where they live. She said District 3 is primarily residential, people want their streets to be clean, they don't want potholes, they want good sidewalks, they want to be safe, have decent parks, etc. She said there's never enough money to get enough things done - but went on to say this infusion of money from the federal government is amazing. Abbott said this President and Congress are sending a large amount of money our way - and we just have to use it wisely. Abbott said her focus is on neighborhoods and trying to improve them. Abbott said the environment is the most important thing we have and global warming is real. She said the neighborhoods do well, planting trees and

neighborhood clean-ups but there's only so much residents can do and the rest of it has to be on government to help. For example the city could go with all hybrid or electric vehicles – we, the Council, could do some things to help. Abbott said she would appreciate residents' votes on August 24.

Jones shared that all the candidates present on the call tonight had taken part in a League of Women Voters of Greater Birmingham Candidate Survey and that the results could be found later this week on the League's VOTE411 site. Jones said she'd appreciate people sharing the site, that the best thing we can do, in a field of great candidates, is educate ourselves on the issues and where candidates stand. Baker shared that Greater Birmingham Ministries had also put together candidate information and it could be found on their website.

Phillip Foster offered a motion to adjourn. Ritter seconded. There was no opposition. President Sanfelippo adjourned the August 2021 Highland Park Neighborhood at 7:40 pm.

Respectfully Submitted,
Judy Jones
Secretary, Highland Park Neighborhood Association