

## Highland Park Neighborhood Association

### August Minutes

Meeting Date: August 13, 2024

Meeting Location: Highland Park Golf Course, on the second floor

[Link to meeting recording Part 1](#)

[Link to meeting recording Part 2](#)

President Elizabeth Sanfelippo called the August 2024 meeting of the Highland Park Neighborhood Association to order at 6 pm. She welcomed everyone and introduced herself as President, Judy Jones as Vice President and Kelly Marshall as Secretary.

### **ROLL CALL**

Sanfelippo performed a roll call of online attendees as required by the City. Online attendees were: Mary Helen and Ralph Crowe, Marjorie White, Suzanne Baker, Joe and Ann Watts, Lisa McCormick, Lenore Devita, Stephanie Byrne, Annie Chester, Kelly Marshall, Rick Hubbard, and Eliot Andrews.

### **June Minutes**

Sanfelippo asked if there were any corrections or additions to the June meeting minutes. Melanie Jackson moved to approve the minutes from the June 2024 meeting. Sharon Nelson seconded the motion. A vote was taken, no one was opposed, and the minutes were approved.

We did not meet in July.

### **AGENDA ITEM: SHORT TERM RENTALS**

Sanfelippo presented residents with a short-term rental resolution drafted by Forest Park / South Avondale Neighborhood Association leaders Lee Walthall and Alton Parker. [Click here to read it.](#) This resolution was approved at the Forest Park / South Avondale meeting. As a reminder, Birmingham comprises 99 neighborhoods and those neighborhoods are grouped into 23 communities. Highland Park is in the Red Mountain Community, and includes Highland Park, Forest Park / South Avondale and Redmont. Sanfelippo is also the president of the Red Mountain Community Association. The Community Advisory Board (CAB) is made up of the presidents of each of the 23 communities, and they meet once a month. This resolution we are reading today will be presented to the CAB. Sanfelippo read the resolution.

Morris Newman moved that we adopt the resolution as read. Ray Davis seconds. Discussion was opened. Newman asked what is the status of this and what other neighborhood associations have adopted similar resolutions? Sanfelippo said Forest Park / South Avondale is the only one so far, but that the resolution has been sent to others to consider. Councilor Abbott said that she would suggest including all residential zoned districts, rather than just single-family districts. Councilor Abbott reminds us that we have a housing shortage in Birmingham. We wouldn't want to have apartments and houses used for short term rentals either, since there is a housing shortage. City Council is waiting to see what the legal department and planning departments have to say about the proposed ordinance, but that we still need to be talking about it and figuring out solutions.

A resident was told by a client that Airbnb pays the City of Birmingham money to allow Airbnbs. Abbott said it's a lodging tax, like hotels and motels, but that many of the renters don't even have business licenses so they don't receive a lot of the taxes due to them anyway.

A resident said she has lived in the neighborhood for a while and there are apartments near her, which she doesn't mind, but she has discovered that H2 is allowing two and three month rentals now. It distresses her to see suitcases and then someone is gone in three weeks. She is asking what we can really do if the City doesn't listen?

Philip Foster said that he heard at the ZBA (Zoning Board of Adjustments) meeting that the City's legal department has been talking with other legal departments in New York City and other cities dealing with this issue about ways to put restrictions in place without being sued in return. They are doing their due diligence and research before creating a new ordinance that may not hold up court.

Morris Newman said some things he is curious about: what is the definition of short term in short term rental? Does this mean if you are renting any part of your house you must have a lease? There is discussion of an amendment that upon completion of the proposed resolution going through the CAB, it comes back to the Neighborhood to then go before the City Council. Suzanne Baker asked for clarification and Judy Jones asked to help clarify. Jones reminds everyone that our resolution just says the neighborhood does not want short-term rentals and we are going on record that we don't want that. Newman says because we DON'T know what else the ZAC (Zoning ADvisory Committee) or City may change in their plans, we want to be able to provide our viewpoint once the ordinance is in its final form. Baker says her understanding is there will be another public hearing and so based on the current draft of the ordinance, we don't want these businesses in our residential zoned neighborhoods.

Newman asks Abbott if it is necessary to add that to the resolution or will the ordinance automatically come back to the neighborhood before being approved or not. Abbott reminds the community that the owners of short term rentals are happy with the ordinance because there is not enough enforcement in Birmingham currently. Councilor Abbott says the City Council will have a public hearing about this, and the Council is trying to listen to the residents while also balancing the legal side of the argument.

There was discussion about some other recommended friendly amendments. Jacquelyn Aden suggests amending the resolution to include all residential zones, not just single-family.

Newman restated with the friendly amendment: we are against these types of businesses and uses occurring in any residentially zoned districts. Ray Davis accepts that friendly amendment. Newman moves to recommend the resolution Sanfellipo read with the amendment to include any residentially zoned district. A resident asked for clarification about the different districts again. Newman said with the amendment, our resolution would include ANY residential zone. Jones reminded everyone that if something is currently zoned mixed-use, that won't change. Morris said we are not recommending outlawing them everywhere, just in strictly residentially zoned districts. If you are in a district that is not purely residential, this resolution would not impact you.

Baker said maybe Aden is concerned that apartment renters are violating their leases by subleasing their apartments, but that is not covered in this resolution.

**After discussion, a vote was held. 34 were for adopting the resolution with the amendment to include all residential districts, 1 was opposed, and 1 abstained.**

### **NEW EVENT! OCTOBER 13 - PORCH PARTIES IN HIGHLAND PARK!**

Morris Newman wants to bring events back to Highland Park! Along with Earle Moring and Jasmine Allen, they have created a fun event on October 13 - Porchapalooza! [Click here to read more about the event](#) and join us October 13! Get with Morris if you are interested in helping.

### **SPEAKER: Tony Diliberto with Birmingham Artwalk and Sidewalk Film Festival**

Tony is the President of the Board of Birmingham Artwalk and is a longtime Venue Manager for Sidewalk Film Festival. [Click here to read about Birmingham Artwalk](#) and [here for Sidewalk Film Festival](#). Sidewalk is August 19-25 and Artwalk is September 6-7. Check them out!

### **UPDATE FROM COUNCILOR ABBOTT**

Councilor Abbott asked if anyone had any questions not concerning short term rentals. She said they are still waiting to see the 2025 budget.

A resident asked about animal control collecting stray cats. She recognizes there are a lot of stray animals right now, but she wanted to ask if animal control could meet with or coordinate with rescue groups like Magic City Kitties or Kitty Cat Haven before capturing any stray animals. Councilor Abbott said it is illegal to allow your cat or a dog to run loose so if a stray cat or dog is out loose, it has a potential to be caught by animal control, according to the law.

A resident asked if there is an update on the car wash moratorium. Abbott said it passed a second time. One car wash (at the foot of Vulcan) has already sued the City, and another is considering suing. The moratorium stands.

Abbott mentioned a few updates to the Framework / Rezoning Plan, including a new designation: Urban Neighborhoods. This new designation is to help encourage public transportation and commercial/retail opportunities at public transportation stops.

A resident from 28th Street South said there is a terrible speeding problem on his street and wonders if they can get speed bumps on their street? Councilor Abbott said the traffic calming is typically split 50/50 between the neighborhood and the City and if the fire department uses a particular route, they might not want the traffic calming on that street.

Sanfelippo said she will reach out to James Fowler about adding 28th Street South to a list for traffic calming. She reminded everyone that in order to get the traffic calming on 31st Street, she had to go door to door to get signatures, the neighborhood had to then vote to approve fronting

50% of the cost for them (which was \$5,000 at that time). While it is not a fast process, Sanfelippo will work with the Department of Transportation about 28th Street.

### **OLD BUSINESS**

- Sanfelippo does not have an update on sidewalk improvements.
- Keller, who owns the “Sister Houses”, still maintains he is talking to private investors.
- There will be an update on the house on 28th Street in the email newsletter. There is a lot of thought and consideration into it, and the full update will be in the newsletter. [Click here to sign up for it.](#)
- The funding for the stanchions in the neighborhood, trees, dog bags for the parks, and the Avondale Elementary after school programs funding is “in process”. The delay is being blamed on the “network disruption”.

### **ANNOUNCEMENTS**

- Trash and brush pickup is on August 15.
- Sidewalk is August 19-25. Artwalk is September 6-7.
- Academy of Civil Engagement (ACE) is accepting applications. It begins 9/5.
- Le Dinner en Blanc is September 21. [Click here for more info.](#)
- Paige Klein wanted to say thank you to Elizabeth Sanfelippo and the neighborhood leaders for their hard work! : )

#### **A reminder of ways to report issues:**

- Dial 311 or 205-254-2489
- Use the new My Bham 311 app ([Scan this QR code with your phone to download](#))
- Visit [www.birminghamal.gov/311](http://www.birminghamal.gov/311) and click on the box that says, “311 Request.” When submitting a complaint online or via the app, be sure that you have a registered account.

The meeting was adjourned at 7:30 pm.

Respectfully Submitted,  
Kelly Marshall  
Secretary, Highland Park Neighborhood Association