

**SPECIAL CALLED MEETING OF THE CITY COUNCIL OF  
THE CITY OF HOMEWOOD, ALABAMA**

**January 29, 2018**

The City Council of the City of Homewood, Alabama convened in Special Session on Monday, January 29, 2018 at City Hall at 6:00 p.m.

The invocation was given by Father Wilfred Emeh of Our Lady of Sorrows Catholic Church, after which the Pledge of Allegiance was given.

The meeting was called to order by President Limbaugh at 6:15 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Britt Thames, Mike Higginbotham, Patrick McClusky, Walter Jones, Barry Smith, Alex Wyatt, Jennifer Andress, Peter Wright and Bruce Limbaugh, constituting a quorum of Council members. Also present were: Mike Kendrick, City Attorney; Melody Salter, City Clerk; Robert Burgett, Assistant City Clerk; J.J. Bischoff, Chief of Staff, and Mayor Scott McBrayer. Absent: Andrew Wolverton.

At this time, Councilor Higginbotham moved to dispense with the reading of the Minutes of the Council Meeting of December 18, 2017 and approve them as distributed. Councilor Smith seconded the motion.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

Councilor Wright moved to nominate Brian Wallace for the Ward 5 Environmental Commission opening.

Ms. Salter stated that the nomination period did not close until February 28, 2018.

At this time, President Limbaugh amended the published Council Agenda to add the following items to the Old Business Agenda: Item No. 05.01.18 – Request for consideration for a tent variance for Trinity United Methodist Church during Discovery Weekend – Barry Smith; Item No. 13.01.18 – Request for ServisFirst to work in the City Right-of-Way at Woodcrest and Highway 280 – Councilor Thames; Item No. 04.10.17 – Request for consideration to authorize the Mayor to sign a three year WAN Maintenance Contract – James Yates Item No. 02.12.17 – Request to amend the FY 17-18 budgets – Melody Salter, Finance Director.

President Limbaugh further amended the published Council Agenda to add the following items to the Other New Business Agenda: Item No. 24.01.18 – Request for consideration to authorize the Mayor to sign contract with Iberia Wealth Management and establishing them as depository – Mayor McBrayer/Melody Salter/City Clerk/Finance Director.

Councilor Smith moved for the approval of the Agenda as amended. Councilor Gwaltney seconded the motion.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

### **CONSENT AGENDA**

None.

### **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 31.11.17 – Public Hearing continued from January 22, 2018 at 6:00 p.m. for consideration of condemning a house at the following address: 2516 17<sup>th</sup> St. S. (28 00 07 2 013 001.000) – Wyatt Pugh (Carried over Public Hearing to 1/29/18).

President Limbaugh continued the Public Hearing.

Mr. Wyatt Pugh addressed the Council and stated this property was unchanged from last week. Mr. Pugh further stated that they had taken the roof system off and had done some work but nothing further had been done.

President Limbaugh asked Mr. Pugh for his recommendation.

Mr. Pugh replied that given the work that they had done, he would be hesitant to not give them at least another week or two to make some large scale changes. Mr. Pugh further stated that they perhaps were waiting on an order of materials.

President Limbaugh stated that the next Council meeting was scheduled for February 12, 2018 and asked Mr. Pugh to contact them and let them know that if they saw no other work between now and then they could potentially complete the condemnation process.

Mr. Pugh stated he would contact them.

President Limbaugh asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item.

President Limbaugh stated that, without objection, the Public Hearing would be continued until February 12, 2018 at 6:00 p.m. There was no objection.

The next item on the Agenda under Old Business was Item No. 34.11.17 – Public Hearing continued from January 22, 2018 at 6:00 p.m. for consideration of condemning a house at the following address: 1613 25<sup>th</sup> Ct. S. (28 00 07 2 013 002.000) – Wyatt Pugh (Carried over 1/29/18 for Public Hearing).

President Limbaugh continued the Public Hearing.

President Limbaugh asked if there was anyone in the audience who wished to speak in favor of, or in opposition to, this item.

Mr. Wyatt Pugh addressed the Council and stated that he included a visual on this one that was taken today and this property was the one that was under litigation but they had gotten the ownership squared away and had received a permit for demolition and were actively taking the house down.

President Limbaugh asked if there was anyone else in the audience who wished to speak in favor of, or in opposition to, this item. There was no response from the Council.

President Limbaugh declared the Public Hearing closed at 6:25 p.m.

Councilor Wright moved to drop this item. Councilor Thames seconded the motion.

President Limbaugh asked if the Council had any questions or comments regarding this motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 06.01.18 – Public Hearing set for February 12, 2018 at 6:00 p.m. for consideration of a variance to the sign ordinance at 1831 28<sup>th</sup> Street S – Candice Watson/Greg Cobb, BEZ.

President Limbaugh stated that this item would be carried over for the Public Hearing set for February 12, 2018 at 6:00 p.m.

The next item on the Agenda under Old Business was 07.01.18 – Public Hearing set for February 12, 2018 at 6:00 p.m. for consideration of a variance to the sign ordinance at 209 Lakeshore Parkway – Kerri Little/Greg Cobb/BEZ.

President Limbaugh stated that this item would be carried over for the Public Hearing set for February 12, 2018 at 6:00 p.m.

The next item considered under Old Business was Item No. 05.01.18 – Request for consideration for a tent variance for Trinity United Methodist Church during Discovery Weekend – Barry Smith.

Councilor Smith stated that the Special Issues Committee met earlier tonight, prior to the Council Meeting, and voted 4-0 to recommend approval of a 4,000 square foot tent.

President Limbaugh asked if the Council had any questions or comments regarding the Special Issues Committee's recommendation. There was no response from the Council.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

**Resolution No. 18-06**

**(A Resolution approving a tent variance for Trinity United Methodist Church during Discovery Weekend)**

Councilor Smith then moved for the adoption and enrollment of Resolution No. 18-06.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item considered under Old Business was Item No. 13.01.18 – Request for consideration for ServisFirst to work in the City Right-of-Way at Woodcrest and Highway 280 – Britt Thames.

Councilor Smith stated that the Special Issues Committee met earlier tonight, prior to the Council Meeting, and voted 4-0 to recommend approval pending indemnification agreements.

President Limbaugh asked if the Council had any questions or comments regarding the Special Issues Committee's recommendation. There was no response from the Council.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

**Resolution No. 18-07**

**(A Resolution approving ServisFirst to work in the City Right-of-Way at Woodcrest and Highway 280)**

Councilor Smith then moved for the adoption and enrollment of Resolution No. 18-07.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item considered under Old Business was Item No. 04.10.17 – Request for consideration to authorize the Mayor to sign a three year WAN Maintenance Contract – James Yates (Council Referred back to Finance Committee on 1/22/18).

President Limbaugh stated that the Bid Opening was set for March 5, 2018 at 4:30 p.m.

The next item considered under Old Business was Item No. 02.12.17 – Request to amend the FY 17-18 budgets – Melody Salter, Finance Director (Carried over 1/22/18).

Councilor Jones stated that the Finance Committee met earlier tonight, prior to the Council Meeting, and voted 5-0 to recommend approval.

President Limbaugh asked if the Council had any questions or comments regarding the Finance Committee's recommendation. There was no response from the Council.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

**Resolution No. 18-08**

**(A Resolution amending the FY 17-18 budgets)**

Councilor Jones then moved for the adoption and enrollment of Resolution No. 18-08.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

**COMMITTEE REFERRAL AGENDA**

**14.01.18** Request for consideration of lighting for the 500 block of Windsor Drive – Arpan Patel/Jennifer Andress – **Public Safety Committee**

- 15.01.18** Request for consideration to allow closure of the section of Oak Grove Road adjacent to Patriot Park on June 2, 2018 for the Patriot Park StreetFest, and on August 25, 2018, for the Back-to-School Bash sponsored by Homewood Parks & Recreation – Justin Limbaugh / Mike Higginbotham – **Public Safety Committee**
- 16.01.18** Request for consideration to enter into a lease for standardized time clocks – **Melody Salter – Finance Committee**
- 17.01.18** Request for consideration for purchasing a power broom for Lakeshore Trail Cleanup – Jennifer Andress – **Public Works and Finance Committees**
- 18.01.18** Request for consideration of presentation on exercise equipment previously presented to the Park and Rec Board for outdoor spaces including Lakeshore Trail – Nick Michael/UAB Basketball – Jennifer Andress – **Special Issues and Finance Committees**
- 19.01.18** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of condemning a house at the following address: 2531 18<sup>th</sup> Pl. S. (28 00 07 2 009 005.000) – Wyatt Pugh – **Planning and Development Committee**
- 20.01.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a sign ordinance at 35 West Lakeshore – Mark Williams/Greg Cobb, BEZ – **Special Issues Committee**

Councilor Smith moved for the approval of the Committee Referral Agenda. Councilor Wright seconded the motion.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

### **OTHER NEW BUSINESS**

The next item on the Agenda under Other New Business was Item No. 19.01.18 – Request to set a Public Hearing and referral to the Planning and Development Committee for consideration of condemning a house at the following address: 2531 18<sup>th</sup> Pl. S. (28 00 07 2 009 005.000) – Wyatt Pugh.

President Limbaugh stated that, without objection, the Public Hearing would be set for February 26, 2018 at 6:00 p.m. There was no objection.

The next item on the Agenda under Other New Business was Item No. 20.01.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a sign variance at 35 West Lakeshore – Mark Williams/Greg Cobb, BEZ.

President Limbaugh stated that, without objection, the Public Hearing would be set for February 12, 2018 at 6:00 p.m. There was no objection.

The next item on the Agenda under Other New Business was Item No. 21.01.18 – Request for consideration to authorize the Mayor to renew Workers Comp Policy for February 1, 2018 through January 31, 2019 – Mayor McBrayer/Charles Zanaty.

Mr. Charles Zanaty addressed the Council and stated that this year was better than last year and last year they were able to go out into the marketplace and establish a national experience rating, which was .83 and the incumbent used .90 but they were able to drop it this year to .73, which was a tribute to Ms. Salter and her staff for controlling worker's comp claims. Mr. Zanaty further stated that they had the payroll projections by Ms. Salter and they had the five year loss runs so everyone had the same data and they were able to reach out to nine different competitors and the two responsible prices were the Municipal Compensation Fund who currently insured the city at zero deductible at \$489,204.00 and the Bitco price was \$419,277.00. Mr. Zanaty added that they took a \$2,500.00 deductible and a \$25,000.00 deductible which was what they had now and if they did the \$25,000.00 and took the claims for the 2017 year they wound up with \$183,899.00 in claims plus the \$270,204.00 and that equaled \$454,103.00 and if they had anything more than that they would go further in the hole, so his recommendation was to take Bitco at \$419,277.00 with a zero deductible.

President Limbaugh asked what they had budgeted for.

Ms. Salter replied they had more than that in the budget.

Mr. Jones stated that he would support the recommendation but they had used AMIC for a long time.

Mr. Zanaty replied that AMIC was for liability and property and casualty which was Travelers now and the Municipal Workers Compensation Fund was a sister company to that and he had an agreement that was signed by Mayor McCully and that was the last agreement they had in place for workers comp and they were not rated as high as Bitco and also a fund did not provide risk transfer like a regular insurance company did.

Mr. Jones asked if he could forward the information to the Finance Committee because they did like to study ways they could save money so that they could share with their constituents what they were asking him to do as their consultant so he asked that

next time it should be brought up sooner than two days prior to expiration. Mr. Jones further stated that he supported this but wished that they had handled it sooner.

President Limbaugh stated that to summarize, the Finance Committee liked to look at what the Finance Committee was supposed to look at.

Councilor Wright stated that he echoed Councilor Jones words and that though they were excited about it, they would have liked to look at it a little bit beforehand.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

**Resolution No. 18-09**

**(A Resolution authorizing the Mayor to renew Workers Comp Policy for February 1, 2018 through January 31, 2019)**

Councilor Thames then moved for the adoption and enrollment of Resolution No. 18-09. Councilor Wright seconded the motion.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 22.01.18 – Request to authorize the Mayor to sign engagement letter with CapRisk for actuarial services to be performed in conjunction with the FY 16-17 Audit – Melody Salter/Finance Director.

Ms. Salter stated that this was a continuation and they had used CapRisk for their actuarial services for the last several years for evaluation with their other post-employment benefits which was their retiree health insurance because they had to have an actuarial evaluation done as part of the audit. Ms. Salter further stated that they had this in the budget but just needed the Mayor to sign the agreement.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

**Resolution No. 18-10**

**(A Resolution authorizing the Mayor to sign engagement letter with CapRisk for actuarial services to be performed in conjunction with the FY 16-17 Audit)**

Councilor Wright then moved for the adoption and enrollment of Resolution No. 18-10. Councilor Smith seconded the motion.



President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 23.01.18 – Request for consideration of approval of vouchers for period of January 22, 2018 through January 28, 2018 – City Treasurer/Finance Committee.

Councilor Thames stated that he reviewed the vouchers and recommended payment with the addition of one late addition for Davis Architects for the West Homewood Projects.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

**Resolution No. 18-11**

**(A Resolution approving vouchers for period of January 22, 2018 through January 28, 2018)**

Councilor Thames then moved for the adoption and enrollment of Resolution No. 18-11. Councilor Higginbotham seconded the motion.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 24.01.18 – Request for consideration to authorize the Mayor to sign contract with Iberia Wealth Management and establishing them as depository – Mayor McBrayer/Melody Salter/City Clerk/Finance Director.

Ms. Salter stated that the Council had approved this, which was the nine million dollars that they moved with Iberia Bank, but because it was going to be moved to their Wealth Division to be invested, there was new paperwork that the Mayor needed to sign.

At this time, Mr. Kendrick presented the following Resolution for the Council's consideration.

**Resolution No. 18-12**

**(A Resolution to authorize the Mayor to sign contract with Iberia Wealth Management and establishing them as depository)**

Councilor Wright then moved for the adoption and enrollment of Resolution No. 18-12. Councilor Thames seconded the motion.

President Limbaugh asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

President Limbaugh asked if the Mayor had any comments tonight and the Mayor said no.

Councilor Gwaltney stated that Thursday at 6:30 p.m. at the Lee Center, the Park Board would be hosting a community involvement session for Spring Park design and development.

Councilor Thames stated that the Planning and Development Committee would meet on February 5, 2018 at 5:30 p.m.

Councilor Higginbotham had no comment.

Councilor McClusky stated that the Public Safety Committee would meet on February 5, 2018 at 6:00 p.m.

Councilor Jones stated that the Finance Committee would meet on February 5, 2018 at 5:00 p.m and he wished a belated Happy Birthday to Councilor McClusky.

Councilor Smith stated that the Special Issues Committee would meet on February 5, 2018 at 6:15 p.m.

Councilor Wyatt stated that the Chamber of Commerce had couple of events coming up, the first of which was this Thursday for the First Thursday Art Stroll in Downtown Homewood and a Taste of Homewood would be held on March 8, 2018.

Councilor Andress stated that the High School had a track meet last weekend and out of 176 teams, the girls placed second and the boys placed third and both teams are ranked number one for 6A headed into the State Championships which would be this weekend. Councilor Andress further stated that the following athletes were nationally ranked: Will Stone at number 3 in the country in the 3200 meter, Lainey Phelps was number 10 in the 3200 meter, Jasmine Griffin was number 12 in the 60 meter and number 13 in hurdles, and Josh Thomas was number 20 in the nation in the triple jump.

Councilor Wright stated that the Public Works Committee would meet on February 5, 2018 at 6:45 p.m.

President Limbaugh stated that he appreciated the numbers the Mayor provided in State of the City Address for the First Responders. President Limbaugh further stated that several council members had worked hard to get out information about the Lid Bill to

interested parties such as the realtors and he thanked Councilor Wyatt for his work on this and thanked all the Council for all the work they did.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:48 p.m.