

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

**January 13, 2020**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, January 13, 2020 at City Hall at 6:00 p.m.

The invocation was given by Mr. Robert Burgett, Finance Director/Assistant City Clerk.

The meeting was called to order by President Wright at 6:03 p.m. after which a moment of silence was held for Fire Chief John Bresnan.

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

At this time, Mayor McBrayer addressed the Council and announced that the 2020 Homewood Stormwater Management Program Plan's Public Comment Period was opened and this item would be on the January 27, 2020 Agenda for further action.

The first item considered on the Agenda, taken out of order, was Item No. 14.12.19 – Request for consideration of a No Trafficking Proclamation – Councilors Patrick McClusky and Jennifer Andress.

Councilor McClusky stated that the Public Safety Committee met on January 6, 2020 and voted 3-0 to recommended approval.

President Wright asked if the Council had any questions or comments regarding the Public Safety Committee's motion. There was no response from the Council.

At this time, the Mayor presented a Proclamation declaring the month of January as National Human Trafficking Awareness Month, after which Judge Jan Bell of Family Court of Jefferson County and Michelle Bearman addressed the Council.

Councilor Wolverton entered the Council Chambers at 6:13 p.m.

Mayor McBrayer addressed the Council and stated that City Hall would receive Chief Bresnan to lie in State in honor of his service tomorrow at 10:00 a.m. until 2:00 p.m.

Mayor McBrayer left the Council Chambers at 6:22 p.m.

At this time, President Wright requested Board openings and nominations.

President Wright stated that the Ward 3 Cable Commission application period would be reopened until March 9, 2020 at 4:30 p.m.

President Wright stated that the Ward 4 Park Board application period would be opened until January 27, 2020 at 4:30 p.m.

President Wright amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 10.01.20 – Request for consideration to grant a utility easement to Spire for a gas line at the Homewood Fleet Maintenance property, 68 Bagby Drive – Jeff Watson, Spire/Wyatt Pugh/Greg Cobb, BEZ – Public Works Committee; Item No. 12.01.20 – Request for City to accept corporate donations and amend FY 19-20 budgets for these donations and subsequent expenditures – Brandon Broadhead, Fire Dept – Finance Committee.

President Wright further amended the published Council Agenda to add the following item to the Other New Business Agenda: Item No. 11.01.20 – Request to Authorize the Mayor to sign an extension contract with the Regional Planning Commission of Greater Birmingham for the City of Homewood Central Business District Master Planning and Zoning Ordinance Project – Councilor Andy Gwaltney.

Councilor McClusky moved for the approval of the Council Agenda as amended. Councilor Andress seconded the motion.

President Wright 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**

**27.02.18** Request to address traffic concerns on Short Oxmoor Road – **Walter Jones (Tabled 3/21/18)**

**Action Taken: The Finance Committee met on January 6, 2020 and voted 4-0 to take this item off of the table. The motion was made by Councilor Smith and seconded by Councilor Higginbotham. The Committee then voted 4-0 to drop this item. The motion was made by Councilor Smith and seconded by Councilor Higginbotham.**

**03.11.19** Request for consideration for an extension of alleyway behind 716 Broadway – **Councilor McClusky**

**Action Taken: The Public Works Committee met on January 6, 2020 and voted 3-0 to drop this item. The motion was made by Councilor McClusky and seconded by Councilor Hardin.**

**21.04.19** Reaffirm crosswalk at Raleigh Ave and Greensprings Hwy – **Andrew Wolverton/Mike Higginbotham**

**Action Taken: The Public Safety Committee met on January 6, 2020 and voted 3-0 to drop this item. The motion was made by Councilor Wolverton and seconded by Councilor Andress.**

Councilor Smith moved for the approval of the Consent Agenda. Councilor Andress seconded the motion.

President Wright 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.

### **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 10.11.19 – Public Hearing held on December 9, 2019 at 6:00 p.m. for consideration of condemning house at 1649 28<sup>th</sup> Ave S (PID # 29-00-12-4-014-004.00) – Wyatt Pugh (Public Hearing held and closed on 12/9/19 and Item Carried Over 12/16/19).

Mr. Wyatt Pugh addressed the Council regarding this item.

Councilor Thames asked if this item could be carried over while Mr. Wyatt Pugh monitors this issue.

President Wright stated that, without objections, this item would be carried over. There were no objections.

The next item on the Agenda under Old Business was Item No. 11.11.19 – Public Hearing held December 9, 2019 at 6:00 p.m. for consideration of condemning house at 618 Hambaugh Ave (PID # 29-00-14-4-011-024.00) – Wyatt Pugh (Public Hearing held and closed on 12/9/19 and Item Carried Over 12/16/19).

Mr. Wyatt Pugh addressed the Council regarding this item.

The Council held discussion regarding this item.

President Wright stated that, without objections, this item would be carried over. There were no objections.

The next item on the Agenda under Old Business was Item No. 13.11.19 – Public Hearing held December 9, 2019 at 6:00 p.m. for consideration of condemning house at 1117 Hardwick Lane (PID # 29-00-22-4-013-009.000) – Wyatt Pugh (Public Hearing held and closed on 12/9/19 and Item Carried Over 12/16/19).

Mr. Wyatt Pugh addressed the Council regarding this item.

The Council held discussion regarding this item.

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

**Resolution No. 20-01**

**(A Resolution condemning a house at 1117 Hardwick Lane (PID # 29-00-22-4-013-009.000))**

Councilor Higginbotham moved for the adoption and enrollment of Resolution No. 20-01. Councilor Wolverton seconded the motion.

President Wright 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 Old Business was Item No. 22.11.19 – Public Hearing continued from December 16, 2019 at 6:00 p.m. to consider declaring the property located at 413 Poinciana Dr. PID# 29-00-07-4-019-007.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth" – Scott Cook, Code Enforcement, Police Dept (Public Hearing held and continued on 12/16/19 and Item Carried Over).

Mr. Scott Cook addressed the Council regarding this item.

President Wright continued the Public Hearing at 6:45 p.m.

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

President Wright declared the Public Hearing closed at 6:47 p.m.

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

Councilor McClusky moved to drop this item. Councilor Smith seconded the motion.

President Wright 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 Old Business was Item No. 25.10.19 – Request to authorize Mayor to sign loan documents with Bryant Bank for Capital Vehicle Purchases Budgeted for FY 19-20 – Robert Burgett/Finance Director.

Councilor Jones stated that the Finance Committee met on January 6, 2020 and voted 4-0 to recommend approval pending Mr. Kendrick's review.

President Wright 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. 20-02**

**(A Resolution to authorize Mayor to sign loan documents with Bryant Bank for Capital Vehicle Purchases Budgeted for FY 19-20)**

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

On a voice vote, the motion carried without dissent.

**COMMITTEE REFERRAL AGENDA**

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|-----------------|---|
| <b>01.01.20</b> | Request for consideration of HDRA Update – <b>Jared Vanderbleek/Councilor Andress – Finance Committee</b>   |
| <b>02.01.20</b> | Request for consideration of placing an ad in the Homewood Chamber of Commerce Magazine – <b>Warren Caldwell/Starnes Publishing/Councilor Smith – Finance Committee</b> |
| <b>03.01.20</b> | Request to authorize the Mayor to sign an agreement with Jefferson County for a GIS consortium – <b>Brandon Broadhead, E-911 – Finance Committee</b>                    |
| <b>04.01.20</b> | Request for consideration of Freshwater LandTrust and In-Stream Litter Collection – <b>Rusha Smith, Freshwater LandTrust Executive Director</b>                         |

**and Sally LaRue, Outreach Director/Councilor Andress – Public Works Committee**

- 05.01.20** Request for discussion of policy regarding repeat ordinance violators – **Councilor Andress – Special Issues Committee**
- 06.01.20** Request to surplus various City property – **Melody Salter, CPA/City Clerk/Assistant Finance Director – Finance Committee**
- 07.01.20** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration to rezone property at 1619 Oxmoor Road (PID #29-00-13-1-013-002.000) from a R-5 (Attached Dwelling Unit District) to a C-1 (Office Building District): Applicant: River Brook LLC dba River Brook Design & Construction/Owner(s): Leigh & Kevin Misso for the purpose to permit the utilization of an existing building for a design and construction services business. (The Planning Commission had a vote of 7-0 for an unfavorable recommendation of the rezone) – **Wyatt Pugh – Planning and Development Committee**
- 10.01.20** Request for consideration to grant a utility easement to Spire for a gas line at the Homewood Fleet Maintenance property, 68 Bagby Drive – Jeff Watson, Spire/Wyatt Pugh/Greg Cobb, BEZ – **Public Works Committee**
- 12.01.20** Request for City to accept corporate donations and amend FY 19-20 budgets for these donations and subsequent expenditures – Brandon Broadhead, Fire Dept – **Finance Committee**

Councilor Higginbotham moved for the approval of the Committee Referral Agenda. Councilor Hardin seconded the motion.

President Wright 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. 07.01.20 – Request to set a Public Hearing for consideration to rezone property at 1619 Oxmoor Road (PID #29-00-13-1-013-002.000) from a R-5 (Attached Dwelling Unit District) to a C-1 (Office Building District): Applicant: River Brook LLC dba River Brook Design & Construction/Owner(s): Leigh & Kevin Misso for the purpose to permit the utilization of an existing building for a design and construction services business. (The Planning

Commission had a vote of 7-0 for an unfavorable recommendation of the rezone) – Wyatt Pugh.

President Wright stated that the Public Hearing would be set for February 10, 2020 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 08.01.20 – Request for consideration to adopt a resolution for payroll change from semi-monthly to biweekly – Melody Salter, City Clerk.

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

**Resolution No. 20-03**

**(A Resolution for payroll change from semi-monthly to biweekly)**

Councilor Thames moved for the adoption and enrollment of Resolution No. 20-03. Councilor Gwaltney seconded the motion.

President Wright 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. 09.01.20 – Request for consideration of approval of vouchers for period of December 17, 2019 through January 13, 2020 – City Treasurer.

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

**Resolution No. 20-04**

**(A Resolution approving vouchers for period of December 17, 2019 through January 13, 2020)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 20-04. Councilor Higginbotham seconded the motion.

President Wright 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 Other New Business was Item No. 11.01.20 – Request to authorize the Mayor to sign an extension contract with the Regional Planning Commission of Greater Birmingham for the City of Homewood Central Business District Master Planning and Zoning Ordinance Project – Councilor Andy Gwaltney.

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

**Resolution No. 20-05**

**(A Resolution to authorize the Mayor to sign an extension contract with the Regional Planning Commission of Greater Birmingham for the City of Homewood Central Business District Master Planning and Zoning Ordinance Project)**

Councilor Andress moved for the adoption and enrollment of Resolution No. 20-05. Councilor McClusky seconded the motion.

President Wright 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 Gwaltney stated that the Public Works Committee would meet on January 21, 2020 at 5:15 p.m.

Councilor Thames stated that the Planning and Development Committee would not meet on January 21, 2020.

Councilor McClusky stated that the Public Safety Committee would not meet on January 21, 2020.

Councilor Jones stated that the Finance Committee would meet on January 21, 2020 at 5:00 p.m.

Councilor Smith stated that the Special Issues Committee would meet on January 21, 2020 at 5:30 p.m. and

President Wright stated that a Council Work Session would be set for January 27, 2020 at 5:00 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:07 p.m.