

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

January 25, 2021

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, January 25, 2021 at City Hall at 6:00 p.m.

At this time, Mayor McClusky recognized the 2021 Employees of the Year as follows: City Employee of the Year: Jajuan Brooks; Firefighter of the Year: Anthony Whittington; and Police Officer of the Year: Chris Brown.

The invocation was given by Dr. Bill Johnston of Dawson Memorial Baptist Church, after which the pledge of allegiance was given.

The meeting was called to order by President Wyatt at 6:04 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Melanie Geer, Carlos Alemán, Andrew Wolverton, Nick Sims, Walter Jones, Barry Smith, Jaleté Nelms, Jennifer Andress, John Hardin, and Alex Wyatt and constituting a quorum of Council members. Also present were: Mike Kendrick, City Attorney; and Melody Salter, City Clerk; J.J. Bischoff, Chief of Staff; and Mayor Patrick McClusky.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of January 11, 2021 and approve them as presented. Councilor Gwaltney seconded the motion.

President Wyatt 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 Wolverton moved to appoint Scott Rezek to the Homewood Environmental Commission At-Large position. Councilor Sims seconded the motion.

President Wyatt 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 Wyatt stated that interviews would be set for the BZA position.

President Wyatt stated that the City's Storm Water Management Program Plan was posted on the website for public comment until January 31, 2021.

At this time, President Wyatt amended the published Council Agenda to add the following items to the Old Business Agenda from the Committee Meetings held earlier tonight: From the Finance Committee: Item No. 03.01.21 – Request for consideration to declare kitchen appliances from the old Police Department building surplus – Chief Tim Ross; Item No. 04.01.21 – Request to authorize the Mayor to sign contract with Tyler Technologies for annual subscription to CrewForce mobile data terminal software – Chief Hill/Battalion Chief Broadhead/Fire Department; Item No. 05.01.21 – Request to authorize the Mayor to sign contract with Pitney Bowes for new postage machine at the Court Department in the Public Safety Building– John Morgan/Municipal Court Administrator. From Public Safety: Item No. 11.08.21 - Request for consideration for additional street lighting and address traffic concerns in Forest Brook Drive and Delcris – Councilor Wolverton/Randy Hambley.

President Wyatt then amended the published Council Agenda to add the following item to the Committee Referral Agenda: Item No. 15.01.21 – Request for consideration of placing an ad in the Homewood Chamber of Commerce Magazine – Councilor Smith – Finance Committee.

Councilor Nelms moved for the approval of the amended Council Agenda. Councilor Hardin seconded the motion.

President Wyatt 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 considered under Old Business was Item No. 13.11.20 – Public Hearing opened on January 11, 2021 at 6:00 p.m. and continued for consideration to rezone property at 2510 18th Street South (PID 28-00-07-2-008-001.000) from a C-2 (Neighborhood Shopping District) to R-7 (Attached Dwelling Unit District): Applicant/Owner: Gold Nugget, LLC to permit the construction of an 8 Unit Townhouse Development (The Planning Commission had a vote of 8-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

John Abernathy, representing Gold Nugget, LLC addressed the Council regarding the project.

President Wyatt continued the Public Hearing at 6:11 p.m.

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

The following residents addressed the Council regarding this item: Pastor Byron White at 1822 26th Avenue South; Paul Harbin at 2539 Central Avenue; Jenny Phillips at 93 Windsor Drive (Via Zoom); Kari Powell at 406 Edgewood Boulevard (Via Zoom); Jeanne Merchant at 936 Shades Glen Drive (Via Zoom); Evan Bates at 1768 Woodbine Drive (Via Zoom); and Jessica Peoples at 1602 25th Terrace South. Comments left on Zoom were made by: Carolyn, Connie Kohler, Alexis, Shawn, Marquita C., Rachel Estes, Meghan Cheek, and Barbara Wheeler.

President Wyatt declared the Public Hearing closed at 6:40 p.m.

President Wyatt asked if the Council had any questions or comments regarding the item.

The Council then held discussion regarding the item.

At this time, Mr. Kendrick presented the following Ordinance for the Council's consideration (The first reading was held on January 11, 2021 at 6:42 p.m.):

Ordinance No. 2793

(An Ordinance to rezone property at 2510 18th Street South (PID 28-00-07-2-008-001.000) from a C-2 (Neighborhood Shopping District) to R-7 (Attached Dwelling Unit District))

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2793. Councilor Jones seconded the motion.

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

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Jones, Smith, Andress, Hardin, and Wyatt. Nays: Geer, Alemán, Wolverton, Sims, and Nelms.

The motion carried on a vote of 6-5.

The next item on the Agenda under Old Business was Item No. 14.11.20 – Public Hearing Opened on January 11, 2021 and Continued for consideration to rezone property

at 75 Bagby Drive (PID 29-00-14-2-004-006.000) from a C-1 (Office Building District) to MXD (Mixed Use District): Applicant: Melinda Sellers/Burr Forman, LLP/Owner: Addison Investments, LLC for use as a Charter School/Institutional Facility (The Planning Commission had a vote of 7-0 for a favorable recommendation of the rezone) – Wyatt Pugh (Item Carried Over on 1/11/21 and Public Hearing Continued).

Ms. Melinda Sellers with Burr and Foreman, LLP addressed the Council regarding this item.

President Wyatt continued the Public Hearing at 7:23 p.m.

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

Councilor Alemán moved to approve the development plan. Councilor Andress seconded the motion.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 7:43 p.m.:

Ordinance No.

(An Ordinance to rezone property at 75 Bagby Drive (PID 29-00-14-2-004-006.000) from a C-1 (Office Building District) to MXD (Mixed Use District))

Councilor Gwaltney moved for the unanimous consent of the proposed Ordinance as read. Councilor Smith seconded the motion.

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

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Jones, Smith, Nelms, Andress, Hardin, and Wyatt.

The motion for unanimous consent carried.

President Wyatt declared the Public Hearing closed at 7:47 p.m.

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

Ordinance No. 2794

(An Ordinance to rezone property at 75 Bagby Drive (PID 29-00-14-2-004-006.000) from a C-1 (Office Building District) to MXD (Mixed Use District))

Councilor Alemán moved for the enrollment and adoption and publication according to law of Ordinance No. 2794. Councilor Gwaltney seconded the motion.

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

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Jones, Smith, Nelms, Address, Hardin, and Wyatt.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 15.11.21 - Public Hearing Opened on January 11, 2021 and Continued for consideration to rezone property at 55 and 65 Bagby Drive (PID 29-00-14-2-004-004.000; 29-00-14-2-004-005.000, 29-00-15-1-005-001.000) from a C-5 (General Business District) to MXD (Mixed Use District): Applicant: Melinda Sellers/Burr Forman, LLP/Owner: 5565 Bagby Associates, LLC for use as a potential college (The Planning Commission had a vote of 7-0 for a favorable recommendation of the rezone) – Wyatt Pugh (Item Carried Over on 1/11/21 and Public Hearing Continued).

President Wyatt continued the Public Hearing at 7:49 p.m.

President Wyatt stated that the applicant requested this item to be dropped.

President Wyatt declared the Public Hearing closed at 7:51 p.m.

Councilor Jones moved to drop this item. Councilor Hardin seconded the motion.

President Wyatt 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. 06.01.21 – Public Hearing set for February 22, 2021 at 6:00 p.m. for consideration of petition to vacate a strip of Parkridge Drive next to the Our Lady of Sorrows parking lot – Wyatt Pugh/BEZ/Melody Salter, City Clerk.

President Wyatt stated that this item would be carried over for the Public Hearing set for February 22, 2021.

The next item considered under Old Business was Item No. 03.01.21 – Request for consideration to declare kitchen appliances from the old Police Department building surplus – Chief Tim Ross.

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

President Wyatt 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 first reading of the proposed Ordinance for the Council's consideration at 7:52 p.m.:

Ordinance No.

(An Ordinance to declare kitchen appliances from the old Police Department building surplus)

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. Councilor Nelms seconded the motion.

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

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Jones, Smith, Nelms, Address, Hardin, and Wyatt.

The motion for unanimous consent carried.

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

Ordinance No. 2795

(An Ordinance to declare kitchen appliances from the old Police Department building surplus)

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2795. Councilor Address seconded the motion.

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

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Jones, Smith, Nelms, Address, Hardin, and Wyatt.

The motion carried without dissent.

The next item considered under Old Business was Item No. 04.01.21 – Request to authorize the Mayor to sign contract with Tyler Technologies for annual subscription to CrewForce mobile data terminal software – Chief Hill/Battalion Chief Broadhead/Fire Department.

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

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

Resolution No. 21-15

(A Resolution to authorize the Mayor to sign contract with Tyler Technologies for annual subscription to CrewForce mobile data terminal software)

President Wyatt 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.

The next item considered under Old Business was Item No. 05.01.21 – Request to authorize the Mayor to sign contract with Pitney Bowes for new postage machine at the Court Department in the Public Safety Building– John Morgan/Municipal Court Administrator.

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

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

Resolution No. 21-16

(A Resolution to sign contract with Pitney Bowes for new postage machine at the Court Department in the Public Safety Building)

President Wyatt 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.

The next item considered under Old Business was Item No. 11.08.21 – Request for consideration for additional street lighting and address traffic concerns in Forest Brook Drive and Delcris – Councilor Wolverton/Randy Hambley.

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

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

COMMITTEE REFERRAL AGENDA

- 11.01.21** Request for consideration for City Murals – **Councilor Jennifer Andress and Planning Commission Chair Jeff Foster – P&D Committee**
- 12.01.21** Request permission to work in the City right-of-way (fire hydrant) on 18th Place South – **Greg Cobb, BEZ – Special Issues Committee**
- 13.01.21** Request to set a Bid Opening Date for City-Wide Fire System Maintenance – **Chief Hill, Battalion Chief Broadhead, Fire Department – Finance Committee**
- 15.01.21** Request for consideration of placing an ad in the Homewood Chamber of Commerce Magazine – **Councilor Smith – Finance Committee**

Councilor Alemán moved to approve the amended Committee Referral Agenda. Councilor Jones seconded the motion.

President Wyatt 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. 14.01.21 – Request for consideration of approval of vouchers for period of January 12, 2021 through January 25, 2021 – Robert Burgett, Finance Director / Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director.

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

Resolution No. 21-17

(A Resolution for approval of vouchers for period of January 12, 2021 through January 25, 2021)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-17. Councilor Gwaltney seconded the motion.

President Wyatt 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 Jones stated that the Finance Committee would meet on February 1, 2021 at 5:00 p.m.

Councilor Gwaltney stated that the Public Safety Committee would meet on February 1, 2021 at 5:30 p.m.

Councilor Wolverton stated that the Public Works Committee would not meet on February 1, 2021.

Councilor Smith stated that the Special Issues Committee would meet on February 1, 2021 at 6:00 p.m.

Councilor Andress stated that the Planning and Development Committee would meet on February 1, 2021 at 6:15 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 8:16 p.m.