

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

January 27, 2020

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, January 27, 2020 at City Hall at 6:00 p.m.

The invocation was given by Councilor Barry Smith, after which the pledge of allegiance was given.

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

At this time, Mayor McBrayer presented a proclamation recognizing National Gun Violence Survivors Week to Ms. Karen McClure and Ms. Enslen Crowe.

Upon Roll Call, the following were present: Andy Gwaltney, Britt Thames, Mike Higginbotham, Andrew Wolverton, Patrick McClusky, Walter Jones, Barry Smith, Alex Wyatt, Jennifer Address, 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.

At this time, Councilor Gwaltney moved to dispense with the reading of the Minutes of the Council Meeting of January 13, 2020 and approve them as distributed. Councilor Address 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.

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

Councilor Smith moved to appoint Mr. Tyler Vail to the Ward 4 Park Board position. Councilor Wyatt 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.

President Wright amended the published Council Agenda to amend the following item in the Committee Referral Agenda: Item No. 20.01.20 – change to be referred to Public Works Committee instead of Public Safety Committee.

President Wright further amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 24.01.20 – Request to authorize the Mayor to sign renewal contract with Stryker for cardiac monitors – Lori Stoney, Battalion Chief/EMS Director – Finance Committee; Item No. 25.01.20 – Request to sponsor July 4th Thunder on the Mountain Fireworks (Vulcan Park Foundation) – J.J. Bischoff, Chief of Staff – Finance Committee; Item No. 26.01.20 – Request for consideration to vacate a portion of Parkridge Drive (29th Terrace) – Monsignor Muller, Our Lady of Sorrows Catholic Church/Greg Cobb, BEZ – Public Works Committee; Item No. 27.01.20 – Request to work in the City right-of-way at 509 Devon Drive – Kevin Harrod/Greg Cobb, BEZ – Special Issues Committee;

Councilor Hardin moved for the approval of the Council Agenda as amended. 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.

CONSENT AGENDA

21.04.17 Request for consideration to declare surplus miscellaneous unclaimed property at the Police Department – **Chief Ross/Melody Salter (Tabled 6/5/17)**

Action Taken: The Finance Committee met on January 21, 2020 and voted 5-0 to take off the table. The motion was made by Councilor Higginbotham and seconded by Councilor Smith. The Finance Committee then voted 5-0 to drop this item. The motion was made by Councilor Higginbotham and seconded by Councilor Smith.

01.01.20 Request for consideration of HDRA Update – **Jared Vanderbleek/Councilor Andress**

Action Taken: The Finance Committee met on January 21, 2020 and voted 4-0 to accept the report. The motion was made by Councilor Higginbotham and seconded by Councilor Smith.

Councilor Higginbotham moved for the approval of the Consent Agenda. Councilor Thames 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 28th 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.

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 then held discussion regarding this item.

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

Resolution No. 20-06

(A Resolution condemning house at 618 Hambaugh Ave (PID # 29-00-14-4-011-024.00))

Councilor McClusky moved for the adoption and enrollment of Resolution No. 20-06. Councilor Jones 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. 07.01.20 – Public Hearing set for February 10, 2020 at 6:00 p.m. 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 this item would be carried over for the Public Hearing set for February 10, 2020 at 6:00 p.m.

The next item on the Agenda under Old Business was Item No. 02.01.20 – Request for consideration of placing an ad in the Homewood Chamber of Commerce Magazine – Warren Caldwell/Starnes Publishing/Councilor Smith.

Councilor Jones stated that the Finance Committee met on January 21, 2020 and voted 4-0 to recommend approval of full page ad for \$1,914.00 from Advertising line item 01-11-570500.

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. 20-07

(A Resolution to authorize placing an ad in the Homewood Chamber of Commerce Magazine)

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.

The next item on the Agenda under Old Business was Item No. 03.01.20 – Request to authorize the Mayor to sign an agreement with Jefferson County for a GIS consortium – Brandon Broadhead, E-911.

Councilor Jones stated that the Finance Committee met on January 21, 2020 and, after hearing from Brandon Broadhead, voted 5-0 to recommend approval.

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. 20-08

(A Resolution to authorize the Mayor to sign an agreement with Jefferson County for a GIS consortium)

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.

The next item on the Agenda under Old Business was 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.

Councilor Jones stated that the Finance Committee met on January 21, 2020 and, after hearing from Brandon Broadhead, voted 5-0 to recommend approval.

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. 20-09

(A Resolution to accept corporate donations and amend FY 19-20 budgets for these donations and subsequent expenditures)

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.

The next item on the Agenda under Old Business was 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.

Councilor Gwaltney stated that the Public Works Committee met on January 21, 2020 and, after hearing from Jeff Watson, voted 4-0 to recommend approval pending Mr. Kendrick's review.

President Wright asked if the Council had any questions or comments regarding the Public Works 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. 20-10

(A Resolution to grant a utility easement to Spire for a gas line at the Homewood Fleet Maintenance property, 68 Bagby Drive)

President Wright asked if the Council had any questions or comments regarding the motion from the Public Works Committee. 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. 15.09.19 – Request for consideration to conduct diversity training for City Employees – Councilor Mike Higginbotham.

Councilor Smith stated that the Special Issues Committee met on January 21, 2020 and, after hearing from Pete Blank with Jefferson County Personnel Board (JCPB), voted 4-0 to recommend approval for the Mayor to coordinate training with the JCPB.

President Wright asked if the Council had any questions or comments regarding the motion from the Special Issues Committee. 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. 05.01.20 – Request for discussion of policy regarding repeat ordinance violators – Councilor Andress.

Councilor Smith stated that the Special Issues Committee met on January 21, 2020 and voted 4-0 to double the fine on second offense during a 24 month period for a fine of \$500.00 for first offense and \$1,000.00 for second offense.

President Wright asked if the Council had any questions or comments regarding the Special Issues Committee's recommendation.

The Council then held discussion regarding this item.

Councilor Jones moved to drop this item. 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.

COMMITTEE REFERRAL AGENDA

13.01.20 Request to consider fee basis for our Property & Casualty and Worker's Compensation agent of record, Cobbs Allen & Hall – **Councilors Smith and Wyatt – Finance Committee**

- 14.01.20** Request for consideration to add streets to parking enforcement ordinance – **Councilors Gwaltney and Thames – Public Works Committee**
- 15.01.20** Request for consideration of turn signal/light at Highway 31 onto 29th Avenue – **Capt. Sutton/Councilor Address – Public Safety Committee**
- 16.01.20** Request for permission to work in the City right-of-way adjacent to 3105 Overton Drive – **Mr. Shaw/Greg Cobb, BEZ – Special Issues Committee**
- 17.01.20** Request for permission to work in the City right-of-way adjacent to 149 Gillon Drive – **Mr. John Harbin/Greg Cobb, BEZ – Special Issues Committee**
- 18.01.20** Request to consider the ability and importance of the Homewood Cable Commission – **Councilor McClusky – Special Issues Committee**
- 19.01.20** Request for permission to operate a construction lift five days in city right-of-way for repairs to the Oxmoor Road side of the Hallman Hill building – **Mr. John Vickers, Vickers Design/Wyatt Pugh/Greg Cobb, BEZ – Special Issues Committee**
- 20.01.20** Request to look at options to improve parking at the intersection of 19th Place and 29th Ave – **Jennifer Mims /Councilor Address – Public Works Committee**
- 24.01.20** Request to authorize the Mayor to sign renewal contract with Stryker for cardiac monitors – Lori Stoney, Battalion Chief/EMS Director – **Finance Committee**
- 25.01.20** Request to sponsor July 4th Thunder on the Mountain Fireworks (Vulcan Park Foundation) – JJ Bischoff, Chief of Staff – **Finance Committee**
- 26.01.20** Request for consideration to vacate a portion of Parkridge Drive (29th Terrace) – Monsignor Muller, Our Lady of Sorrows Catholic Church/Greg Cobb, BEZ – **Public Works Committee**
- 27.01.20** Request to work in the City ROW at 509 Devon Drive –/Greg Cobb, BEZ/Kevin Harrod – **Special Issues Committee**

Councilor Thames moved to add Item No. 07.01.20 to the Committee Referral Agenda to ensure this item was referred to the Planning and Development Committee since that Committee had not met since the item was last listed on the January 13, 2020 Committee Referral Agenda. 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.

Councilor Thames then moved for the approval of the Committee Referral Agenda as amended. 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.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 21.01.20 – Request for consideration of 2020 Homewood Stormwater Management Program Plan – Wyatt Pugh, BEZ.

Councilor Jones moved to close the public input session. 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.

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

Resolution No. 20-11

(A Resolution authorizing the Mayor to execute and file with ADEM)

Councilor Jones moved for the adoption and enrollment of Resolution No. 20-11. 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.

The next item on the Agenda under Other New Business was Item No. 22.01.20 – Request for consideration of an ABC – 020 – Restaurant Retail Liquor License for Rajsambhav Hotel LLC d/b/a Hilton Garden Inn Birmingham Lakeshore at 520 Wildwood Circle Dr. N. – Melody Salter, City Clerk.

Councilor McClusky moved for having no objections to the issuance of the ABC – 020 – Restaurant Retail Liquor License pending letters of no objections from the Fire and Police Departments. 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 on the Agenda under Other New Business was Item No. 23.01.20 – Request for consideration of approval of vouchers for period of January 14, 2020 through January 27, 2020 – City Treasurer.

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

Resolution No. 20-12

(A Resolution for approval of vouchers for period of January 14, 2020 through January 27, 2020)

Councilor Smith moved for the adoption and enrollment of Resolution No. 20-12. 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.

Councilor Gwaltney stated that the Public Works Committee would meet on February 3, 2020 at 5:30 p.m.

Councilor Thames stated that the Planning and Development Committee would meet on February 3, 2020 at 5:45 p.m.

Councilor McClusky stated that the Public Safety Committee would meet on February 3, 2020 at 6:15 p.m.

Councilor Jones stated that the Finance Committee would meet on February 3, 2020 at 5:00 p.m.

Councilor Smith stated that the Special Issues Committee would meet on February 3, 2020 at 6:30 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:54 p.m.