

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

**February 22, 2016**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, February 22, 2016 at City Hall at 6:00 p.m. The invocation was given by Dr. Jim Cooley of First Baptist Church of Birmingham, after which the pledge of allegiance was given.

The meeting was called to order by Council President Bruce Limbaugh.

Upon Roll Call, the following were present: Michael Hallman, Britt Thames, Fred Hawkins, Vance Moody, Patrick McClusky, Walter Jones, Alex Wyatt, Peter Wright and Bruce Limbaugh. Absent: Barry Smith and Rich Laws. Also present were: Mike Kendrick, City Attorney; and Linda Cook, City Clerk.

Mr. Limbaugh asked if the Council had any recommendations or appointments to be made regarding board vacancies.

Mr. Wyatt moved to re-appoint Ms. Sarah Boehme to the Ward 4 Cable Commission. Mr. Thames seconded the motion.

Mr. 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.

Mr. Hawkins moved to re-appoint Renee Williams to the Ward 2 Cable Commission. Mr. Moody seconded the motion.

Mr. 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.

At this time, Mr. Limbaugh amended the published Council Agenda to add the following items to the Consent Agenda: Item No. 13.01.16 – Request for consideration to review the current noise ordinance – Michael Hallman.

Mr. Limbaugh further amended the published Council Agenda to add the following items to the Old Business Agenda from the Committee Meetings held earlier tonight: Item No. 23.02.16 – Request for consideration to work in the City Right-of-Way adjacent to the Servis1st property, request will be contingent upon right of way

indemnification agreement – Britt Thames; Item No. 16.01.16 – Request for consideration of a variance to the Sign Ordinance at #1 Lakeshore Drive – Jordon Vaughn/Greg Cobb/Building, Engineering and Zoning Department; Item No. 13.12.15 – Request for consideration of an ordinance for a three (3) way stop at the intersection of Oak Grove Road and Raleigh Avenue as noted in the revitalization plans – Randy Hambley/Traffic Maintenance Division/Police Department; Item No. 03.02.16 – Request for consideration of street light on St. Charles Street between Stuart Street and Highland Road – Britt Thames; Item No. 14.01.16 – Request for consideration to amend the FY 15-16 General Fund and Special Revenue Funds Budget – Melody Salter/Finance Director; Item No. 01.02.16 – Request for a limited fiber optic franchise agreement for Windstream KDL, LLC to provide service to Samford University – City Attorney.

Mr. McClusky moved to approve the Council Agenda as amended. Mr. Moody seconded the motion.

Mr. 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**

**13.01.16** Request for consideration to review the current noise ordinance –  
**Michael Hallman.**

**Action Taken: The Public Safety Committee met and voted 3-0 to recommend dropping this Item.**

Mr. McClusky moved to approve the Consent Agenda as amended. Mr. Hawkins seconded the motion.

Mr. 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.

## **OLD BUSINESS**

The first item on the Agenda under Old Business was Item No. 08.12.15 – Continued Public Hearing for consideration of variances to the Sign Ordinance for businesses located at 800, 804 and 808 Green Springs Highway as recommended by the Council's Special Issues Committee – Monica Carroll/Greg Cobb/Building, Engineering and Zoning Department (Public Hearing opened at the January 11, 2016 Council Meeting).

Mr. Greg Cobb of the Building, Engineering and Zoning Department addressed the Council and stated that in the original Public Hearing it was requested that they redesign the sign, and they had done so, though he had not seen it yet. Mr. Cobb further stated that he spoke with Mr. David Brandt of Fravert Signs and the sign would meet the size requirement for the shopping center so, in that case, they would not need a variance. Mr. Cobb added that his recollection was that, when they had done Ollie's and Pep Boys' large signs, that there was not going to be a pylon sign so if the Council was okay with it, then it was fine; but, he would not want to sign the permit, if that was the agreement.

Mr. Limbaugh asked if they were now discussing a monument sign.

Mr. Cobb replied yes. Mr. Cobb stated that he felt that he could not sign the permit for a monument sign without permission from the Council; but, that the sign had met the proper size at this time.

Mr. Limbaugh asked if there was a rendering.

Mr. Cobb replied that he had not seen one.

Mr. Thames asked if there was already a sign on the property site for the Jimmie Hale Mission.

Mr. Cobb replied yes.

Mr. Thames asked if there would be a variance involved for a second monument sign.

Mr. Cobb replied yes.

Mr. Thames asked if the variance was for an additional monument sign.

Mr. Cobb replied yes.

At this time, Mr. Limbaugh acknowledged Mr. Chris Hoyt of Dunn Real Estate at 3900 Airport Highway, Birmingham, and David Brandt of Fravert Services at 133 West Park Drive, Birmingham.

Mr. Chris Hoyt of Dunn Real Estate addressed the Council, presented a rendering and stated that following the Special Issues Committee Meeting in November, he followed the request of the committee to submit a redesigned sign so they contracted with Fravert Signs to design it and the dimensions were listed on the rendering. Mr. Hoyt further stated that there was a small monument sign on the property and for the purpose of gaining approval for a larger sign they would remove the small existing sign if it was of interest to the Council. Mr. Hoyt added that regarding Mr. Cobb's comments, he had not remembered that conversation but there were a lot of back and forth discussions with that property and he knew they had to remove the sign that was there when they bought the property and now he was back again to request the sign which would go back where the original one had been.

Mr. Limbaugh asked Mr. Hoyt if he remembered what the height of the original sign was because the new sign was shown having a height of 22.5 feet.

Mr. Hoyt replied no, that he could not remember; but, it was taller than the one requested.

Mr. Cobb stated that the original sign was over 30 feet.

Mr. Hawkins asked if there were eight tenets.

Mr. Hoyt replied that right now they would have eight tenet spots and depending on the next tenet moving forward if they had to subdivide some of the larger space to smaller spaces they would divide the panel so that the smaller tenets would only have half the sign space as the larger ones.

Mr. Hawkins stated that in the last meeting they agreed that they needed signage for the shopping center or they would not get any tenets because any major tenet would require some sort of sign.

Mr. Hoyt stated that one of the other requests was that the Council wanted to see the rendering to know that they were building a high quality sign.

Mr. Jones asked if heading south would they have to take out landscaping to install the sign.

Mr. Hoyt replied that they met with Mr. Berkley Squires, General Services Manager, to talk about all the landscaping; but, he had no plans to present right now;

however, there was a crepe myrtle that was in the way that Mr. Squires thought would be fine to move.

Mr. Jones asked how far past the curb it would go.

Mr. David Brandt with Fravert Signs addressed the Council and replied that it would not go past the curb.

Mr. Hoyt stated that they actually added new curbing and landscaping with the last site plan approval and Google Maps might not show the updated photograph of what was there.

Mr. Jones asked if the sign would go next to the sidewalk.

Mr. Hoyt replied that the sign would go perpendicular to the sidewalk.

Mr. Jones asked for further clarification as to where the sign would be placed.

Mr. Hoyt stated that the exact location of the sign would depend on what they found when the underground work was finished, but it would basically go in the middle toward the sidewalk and Mr. Squires said the tree could be removed so the sign would be readable.

At this time, Mr. Brandt stated that where the shrubs ended within the property, perpendicular to the road, the sign would be parallel to the curb.

Mr. Hawkins asked what type of landscaping they were proposing for around the base of the sign.

Mr. Hoyt replied that they hired Mr. Chuck Kelly, Landscape Architect, to come up with the landscaping plan, but he did not have those plans to share at this time.

Mr. Hawkins asked if there would be some sort of landscaping.

Mr. Hoyt replied yes and stated that the sign was built up a little in anticipation of landscaping so that 42 inch void at the bottom of the sign was in anticipation of something decorative at the base of the sign.

Mr. Wright asked Mr. Hoyt, that in regards to the other tenets coming in of the eight, if he knew who they were.

Mr. Hoyt replied that Pep Boys, Ollies, Hometown Market and Urban Air were tenets and stated of the 176,000 square feet there was 16,000 feet left to lease. Mr. Hoyt further stated that Firehouse Subs would be relocating there as well and they were in negotiations now for the final 16,000 square feet.

Mr. Wright stated that when they started this process he recalled that the plan was going to be high-end retail and asked if anything along those lines were coming to this area.

Mr. Hoyt replied no, but the efforts to do so were made.

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

Ms. Liz Ellaby at 612 Cobb Street addressed the Council and asked if pylon signs were included in the types of signs that had been banned.

Mr. Cobb replied that pylon and monument ground signs were basically the same things and that monument signs had two legs and pole signs had one leg and monument ground signs were complete across the base but were very much the same thing as a pylon sign.

Mr. Hawkins stated that pylon signs normally had two poles and some kind of sign at the top and monuments signs had a base and a solid sign on it.

Ms. Ellaby asked if this sign had a base.

Mr. Limbaugh replied yes.

Mr. 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 audience.

There being no response from the audience, Mr. Limbaugh declared the Public Hearing closed.

Mr. Limbaugh asked if the Council had any questions or comments regarding this Item.

Mr. McClusky stated that he recalled similarly to Mr. Hawkins in the fact that he knew that Dunn had addressed the Council several times for several different signs and they always asked if they were planning on putting a monument sign out front and the answer was always yes and he could not recall the Council saying that if they made the signs bigger that the monuments wouldn't be allowed. Mr. McClusky further stated that he thought it was just because at the time he could not get the monument together while he was doing construction but he had the same thoughts as Mr. Hawkins that everyone who was coming in would need signs. Mr. McClusky added that he would suggest, like Mr. Thames mentioned earlier, that if tonight's sign request was approved that the sign for the Jimmie Hale Mission should come down and be added to the big monument sign instead.

Mr. Thames stated that if that was the case then there was no need for a variance.

Mr. Cobb stated that was correct.

Mr. Wright asked if a courtesy notice should be given to the Jimmie Hale Mission.

At this time, Mr. Mike Kendrick, City Attorney addressed the Council and stated that the Jimmie Hale Mission had a variance approved to put that sign up.

Mr. Wright stated that there was a variance on the books now.

Mr. McClusky asked what the variance was for.

Mr. Kendrick stated that it was for a second pole sign which was only taken down after they bought the property.

Mr. Jones stated that was a proffer.

Mr. Limbaugh asked if Mr. Cobb would make contact with the Jimmie Hale Mission.

Mr. Cobb replied that he would and stated that once the Jimmie Hale sign was taken down then the other sign would not need a variance.

Mr. Hoyt stated that there was an issue with the legal language in the leases as well so as landlord there were things they could do through their ownership of the property and as a courtesy he appreciated the Council for offering to contact the Jimmie Hale Mission, but he preferred that if they went about doing that, that they handled it in conjunction with him because he doesn't need his tenets to hear something from the city before he reached out to tell them what they were going to do and why they were going to do it.

Mr. Limbaugh stated that again the understanding was that their monument sign would be replaced by a portion of this new monument.

Mr. Hoyt replied yes.

Mr. Limbaugh asked if Mr. Hoyt if he was comfortable with that.

Mr. Hoyt replied yes. Mr. Hoyt stated that the language that was in their lease permitted them to do that, but he wanted to reach out to them first.

Mr. Limbaugh stated that in this case there was no motion to make because they were going to replace that monument with the new proposed sign.

Mr. Jones asked Mr. Kendrick if that was correct.

Mr. Kendrick stated that they issued a variance to that particular business and Mr. Hoyt said that he owned the property, so, he could take their sign down and when he took it down; then, he would need to get a permit to put this new one up.

At this point, Mr. Thames moved to drop this Item as there was no longer a need for a variance. Mr. Hallman seconded the motion.

Mr. 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 by an 8-0-1 vote. Mr. Moody abstained.

Mr. Jones stated that when they looked at the rendering going south, the new sign would cover up the McDonald's sign so he would ask that they be aware of site distances and asked if they looked at that.

Mr. Brandt replied that they would certainly look at that and take it into consideration.

The next item on the Agenda under Old Business was Item No. 15.01.16 – Public Hearing for February 22, 2016 at 6:00 p.m. for consideration of a variance to the Sign Ordinance at 4100 Old Montgomery Highway – David Brandt/Greg Cobb/Building, Engineering and Zoning Department.

Mr. Limbaugh declared the Public Hearing opened.

Mr. Hawkins stated that the Special Issues Committee met on February 1, 2016 and voted 5-0 to refer this Item back to the full Council without recommendation pending the Public Hearing tonight.

Mr. Cobb addressed the Council and stated that this was a sign for Time Inc. located beside The Lakeshore Foundation and the issue was that there was one entrance yet it went in two different directions, one to Time Inc., and one to Samford University. Mr. Cobb further stated that Mr. Brandt of Fravert Signs brought some renderings of the entrance way coming off of Old Montgomery Highway onto Time Inc. or Samford where there was one drive that came in and then it split left and right. Mr. Cobb added that Mr. Brandt had previously presented a monument sign that was two sided but now he had separate signs so that as people turned out they could see Time Inc. because now if they went left they ended up at Samford.

Mr. Brandt of Fravert Signs addressed the Council, presented renderings and stated that from Old Montgomery Highway, instead of having a monument sign on the



property they had the existing stone features on each side and they would like to put a sign on the inside of each side so it would be two single sided free standing signs versus one double sided sign. Mr. Brandt further stated that it was the same effect and was well within the square footage allowance but there was no place to put a monument sign. Mr. Brandt added that once the property was entered, they had directional signage, which just said go this way for Samford and go that way for Time Inc. and it was not intended to be used from off premises traffic.

Mr. Limbaugh 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.

There being no response from the audience, Mr. Limbaugh declared the Public Hearing closed.

Mr. Limbaugh asked if the Council had any questions of comments regarding this Item. There was no response from the Council.

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

**Resolution No. 16-27**

**(A Resolution approving a variance to the Sign Ordinance at 4100 Old Montgomery Highway)**

Mr. Wyatt moved for the adoption and enrollment of Resolution No. 16-27. Mr. Wright seconded the motion.

Mr. 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 by an 8-0-1 vote. Mr. Moody abstained.

The next item considered under Old Business was Item No. 04.02.16 – Public Hearing for February 22, 2016 at 6:00 p.m. for consideration of a front yard fence variance to the Fence Ordinance at the property located at 1732 Wellington Road (PID 28-00-18-2-010-040.001) – Vanessa McGrath.

Mr. Limbaugh declared the Public Hearing opened.

Mr. Hawkins stated that the Special Issues Committee met earlier tonight prior to the Council Meeting and voted 4-0 to carry this Item over and refer this Item back to the full Council without a recommendation.

Mr. Greg Cobb of the Building, Engineering and Zoning Department addressed the Council and stated that there was a request to continue the Public Hearing.

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

Ms. Sara Dungan at 1742 Wellington Road addressed the Council and stated that she had lived at this address since January 2002 and was disappointed that Mr. Craig did not make it tonight because she really wanted more information about why he thought he needed a front yard fence. Ms. Dungan further stated that it was for his kids and pets but she had three concerns, the first being safety because there was a slight curve where they lived and Wellington was a very narrow road so to keep the kids and the pets in, he would have to gate his drive way and if he had to do that she believed that would cause an increased amount of traffic and parking on the street and for her that was a problem because she had to pull up out of her driveway onto the street and if there were cars parked there she had a really hard time seeing oncoming traffic and it affected three different driveways as well. Ms. Dungan added that they just had a fire on their street this weekend and it was difficult for fire trucks to get in and since she lived on the street for 14 years, whenever she had a party she requested that her guests only park on one side of the street because of the fire truck issue and because it was such a narrow road. Ms. Dungan further added that cosmetically Wellington does not have any front yard fences but they had hedges instead and she knew it had been difficult to get a front yard fence and the Council had always only granted them in terms of safety, so she thought if they granted it there would be others who would like a front yard fence on Wellington as well.

Mr. 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 audience.

There being no further response from the audience, Mr. Limbaugh stated that the Public Hearing would be continued to the March 14, 2016 Council Meeting.

#### **COMMITTEE REFERRAL AGENDA**

**10.02.16** Request for consideration of an Ordinance declaring surplus property the items listed below:

- 1) Champion/Gardner Denver Shop Air Compressor/Model #EFC99K/PD#1552747
- 2) Champion Air Dryer/Serial # GD75A1150804073/Model # CRN75A1
- 3) Champion Air Reservoir Tank/Model #CRNE74002C/Catalog # 302417-613755 – Gordon Jaynes/Fleet Maintenance  
Superintendent – **Finance Committee**

- 11.02.16** Request for consideration to authorize Mayor McBrayer to sign an updated HVAC maintenance service agreement with Trane Building Services for City Hall – Jim Wyatt/Building, Engineering and Zoning Department – **Finance Committee**
- 12.02.16** Request for consideration of road improvements on Mayfair Drive between Whitehall Road and Independence Drive (Hwy 31) and further consideration of installing sidewalks on all of Mayfair Drive – Ashley Kappel/1918 Mayfair Drive/Rich Laws/Peter Wright – **Public Works Committee**
- 13.02.16** Request for consideration from BJCTA/MAX to allow placement of a bus shelter in the City Right-of-Way adjacent to 36 Barber Court – Greg Cobb/Building, Engineering and Zoning Department – **Public Safety Committee**
- 14.02.16** Request for consideration of an ABC 040 – Retail Beer (on or off premises) and an ABC Retail Wine (on or off premises) application for Hometown Supermarket, LLC d/b/a Hometown Supermarket located at Suite 140; 808 Green Springs Highway – Wu Ching Chen/owner/Ann Gancayco/representative/City Clerk – **Public Safety Committee**
- 15.02.16** Request for consideration of two ABC 050 – Retail Beer (Off Premises Only) and 070 Retail Wine (Off Premises Only) applications for Circle K Stores, Inc. d/b/a Circle K Store #2723800 and Store #2723819 located at 821 and 400 Green Springs Highway (formerly Kangaroo Express Stores #3800 and #3819) – Deborah Bratton/Circle K Stores/City Clerk – **Public Safety Committee**
- 16.02.16** Request for consideration of an ABC 050 – Retail Beer (Off Premises Only) and 070 Retail Wine (Off Premises Only) for AAMR, Inc. d/b/a Homewood Fuel located at 317A West Valley Avenue (formerly owned by Al QADR, Inc.) – Rozina Khoja/President/City Clerk – **Public Safety Committee**
- 17.02.16** Request for consideration of an ABC 011 – Lounge Retail Liquor – Class II – Package Store for AAMR, Inc. d/b/a Homewood Package located at 317B West Valley Avenue (formerly owned by Al QADR, Inc.) – Rozina Khoja/President/City Clerk – **Public Safety Committee**
- 18.02.16** Request for consideration to review requirements for dumpsters in City Right-of-Way – Daniel Sims/Walter Jones – **Public Safety Committee**

**19.02.16** Request for consideration for an ordinance relating to short term rental properties in the city limits of Homewood – Patrick McClusky – **Special Issues Committee**

Mr. McClusky moved to approve the Committee Referral Agenda as amended.

Mr. Jones requested to drop Item No. 18.02.16.

Mr. McClusky withdrew his motion to approve the Committee Referral Agenda.

Mr. Jones moved to drop Item No. 18.02.16. Mr. Hallman seconded the motion.

Mr. 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.

Mr. McClusky moved to approve the Committee Referral Agenda as amended. Mr. Moody seconded the motion.

Mr. 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. 20.02.16 – Request for consideration to authorize Mayor McBrayer to sign a personnel contract for services to provide updates for the E-911 Computer Aided Dispatch (CAD) and mapping – Fire Chief John Bresnan.

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

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

**Resolution No. 16-28**

**(A Resolution to authorize Mayor McBrayer to sign a personnel contract for services to provide updates for the E-911 Computer Aided Dispatch (CAD) and mapping)**

Mr. Hallman moved for the adoption and enrollment of Resolution No. 16-28. Mr. Thames seconded the motion.

Mr. 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. 21.02.16 – Request for consideration to authorize Mayor McBrayer to enter into an agreement with Adamsville Solid Waste Authority – Melody Salter/Finance Director.

Mayor McBrayer addressed the Council and stated that he had been working with Mr. Kendrick and they had a better price from Adamsville Solid Waste Authority.

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

**Resolution No. 16-29**

**(A Resolution to authorize Mayor McBrayer to enter into an agreement with Adamsville Solid Waste Authority)**

Mr. Thames moved for the adoption and enrollment of Resolution No. 16-29. Mr. Moody seconded the motion.

Mr. 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. 22.02.16 – Request for consideration of a Resolution authorizing payment of invoices for the period February 8, 2016 through February 19, 2016 – City Treasurer/Finance Committee.

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

**Resolution No. 16-30**

**(A Resolution authorizing payment of invoices for the period February 8, 2016 through February 19, 2016)**

Mr. Jones moved for the adoption and enrollment of Resolution No. 16-30. Mr. Thames seconded the motion.

Mr. 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 Other New Business was Item No. 23.02.16 – Request for consideration to work in the City Right-of-Way adjacent to Servis1st Bank property, request will be contingent upon right of way indemnification agreement – Britt Thames.

Mr. Thames stated that Servis1st were clearing their site now and they were attempting to clear all the invasive species, like privet, and that would require them to get onto two of the City's paper alleys that bordered the site so they just needed permission and indemnification to clear that out.

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

**Resolution No. 16-31**

**(A Resolution authorizing work in the City Right-of-Way adjacent to Servis1st property contingent upon right of way indemnification agreement)**

Mr. Hallman moved for the adoption and enrollment of Resolution No. 16-31. Mr. Thames seconded the motion.

Mr. 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 Other New Business was Item No. 16.01.16 – Request for consideration of a variance to the Sign Ordinance at #1 Lakeshore Drive – Jordon Vaughn/Greg Cobb/Building, Engineering and Zoning Department (Report – Special Issues Committee Meeting held on February 22, 2016).

Mr. Limbaugh stated that the Public Hearing would be set for March 14, 2016 at 6:00 p.m.

The next item considered under Other New Business was Item No. 13.12.15 – Request for consideration of an ordinance for a three (3) way stop at the intersection of Oak Grove Road and Raleigh Avenue as noted in the revitalization plans – Randy Hambley/Traffic Maintenance Division/Police Department.

Mr. McClusky stated that the Public Safety Committee met earlier tonight prior to the Council Meeting and voted 3-0 to recommend a three (3) way stop at the intersection of Oak Grove Road and Raleigh Avenue as noted in the revitalization plans based on the report from Mr. Randy Hambley, Traffic Maintenance Division of the Police Department.

Mr. Limbaugh asked if the Council had any questions or comments regarding the Public Safety 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:

**Ordinance No.**

**(An Ordinance for a three (3) way stop intersection at Oak Grove Road and Raleigh Avenue as noted in the revitalization plans)**

Mr. McClusky moved for unanimous consent of the proposed Ordinance as read. Mr. Moody seconded the motion.

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

Upon roll call, the votes were Yeas: Mr. Hallman, Mr. Thames, Mr. Hawkins, Mr. Moody, Mr. McClusky, Mr. Jones, Mr. Wyatt, Mr. Wright and Mr. Limbaugh.

The motion for unanimous consent carried.

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

**Ordinance No. 2588**

**(An Ordinance for a three (3) way stop intersection at Oak Grove Road and Raleigh Avenue as noted in the revitalization plans)**

Mr. McClusky moved for the adoption and enrollment and publication according to law of Ordinance No. 2588. Mr. Moody seconded the motion.

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

Upon roll call, the votes were Yeas: Mr. Hallman, Mr. Thames, Mr. Hawkins, Mr. Moody, Mr. McClusky, Mr. Jones, Mr. Wyatt, Mr. Wright and Mr. Limbaugh.

The next item considered under Other New Business was Item No. 03.02.16 – Request for consideration of street light on St. Charles Street between Stuart Street and Highland Road – Britt Thames.

Mr. McClusky stated that the Public Safety Committee met earlier tonight prior to the Council Meeting and voted 3-0 to recommend a street light on St. Charles Street between Stuart Street and Highland Road based on the report from Mr. Randy Hambley, Traffic Maintenance Division of the Police Department.

Mr. Limbaugh asked if the Council had any questions or comments regarding the Public Safety Committee's recommendation.

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

**Resolution No. 16-32**

**(A Resolution for a street light on St. Charles Street between Stuart Street and Highland Road)**

Mr. McClusky then moved for the adoption and enrollment of Resolution No. 16-32. Mr. Hallman seconded the motion.

Mr. Limbaugh asked if the Council had any questions or comments regarding the motion.

Mr. Jones stated that this Item would normally go to the Finance Committee but, they felt like it could be taken care of tonight in the Council Meeting so he fully supported it.

Mr. Limbaugh asked if the Council had any further 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. 14.01.16 – Request for consideration to amend the FY 15-16 General Fund and Special Revenue Funds Budget – Melody Salter/Finance Director (Carried over 02/01/16).

Mr. Jones stated that the Finance Committee met earlier tonight prior to the Council Meeting and voted 4-0 to recommend amending the FY 15-16 General Fund and Special Revenue Funds Budget as presented and recommended by Ms. Salter.

Mr. 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. 16-33**

**(A Resolution to amend the FY 15-16 General Fund and Special Revenue Funds Budget)**

Mr. Jones then moved for the adoption and enrollment of Resolution No. 16-33. Mr. Thames seconded the motion.



Mr. 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 Other New Business was Item No. 01.02.16 – Request for a limited fiber optic franchise agreement for Windstream KDL, LLC to provide service to Samford University – City Attorney.

Mr. Jones stated that the Finance Committee met earlier tonight prior to the Council Meeting and voted 4-0 to recommend a limited fiber optic franchise agreement for Windstream KDL, LLC to provide service to Samford University.

Mr. 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 first reading of the proposed Ordinance for the Council's consideration:

**Ordinance No.**

**(An Ordinance for a limited fiber optic franchise agreement for Windstream KDL, LLC to provide service to Samford University)**

Mr. Wright then moved for unanimous consent of the proposed Ordinance as read. Mr. Wyatt seconded the motion.

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

Upon roll call, the votes were Yeas: Mr. Hallman, Mr. Thames, Mr. Hawkins, Mr. Moody, Mr. McClusky, Mr. Jones, Mr. Wyatt, Mr. Wright and Mr. Limbaugh.

The motion for unanimous consent carried.

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

**Ordinance No. 2589**

**(An Ordinance for a limited fiber optic franchise agreement for Windstream KDL, LLC to provide service to Samford University)**

Mr. Wright moved for the adoption and enrollment and publication according to law of Ordinance No. 2589. Mr. Wyatt seconded the motion.

Upon roll call, the votes were Yeas: Mr. Hallman, Mr. Thames, Mr. Hawkins, Mr. Moody, Mr. McClusky, Mr. Jones, Mr. Wyatt, Mr. Wright and Mr. Limbaugh.

The motion carried without dissent.

### **MAYOR'S COMMENTS**

Mayor McBrayer addressed the Council and stated that he wanted to thank Mr. Hallman and his wife Heather, who in his absence, attended Friendship Church and presented a proclamation honoring the church's 90<sup>th</sup> year in Homewood. Mayor McBrayer further stated that he wanted to thank Mrs. Smith who was instrumental in helping with the Girl Scout proclamation. Mayor McBrayer added that he wanted to remind everyone about the Chili Cook Off held on Saturday, March 5, 2016 at Brookwood Village from 10:30 a.m. until 3:00 p.m. for the Exceptional Foundation. Mayor McBrayer further added that he and Mr. Wright had the opportunity to meet with the first graders at Shades Cahaba Elementary School who had been working on a large reading and drawing project and they had a lot of fun reading stories to members of the community and he also got to participate in the Edgewood Elementary Reading Class last Friday.

Mr. Hawkins stated that the Special Issues Committee would meet on March 7, 2016 at 5:00 p.m.

Mr. Moody stated that the Public Works Committee would meet on March 7, 2016 at 5:30 p.m.

Mr. McClusky stated that the Public Safety Committee would meet on March 7, 2016 at 5:45 p.m.

Mr. Jones stated that the Finance Committee would meet on March 7, 2016 at 6:15 p.m.

Mr. Limbaugh stated that the Council would meet for a Council Work Session on March 7, 2016 at 6:45 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned.

