

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

February 22, 2021

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, February 22, 2021 at City Hall at 6:00 p.m.

At this time, Tricia Kirk addressed the Council and provided a presentation regarding the Exceptional Foundation.

The invocation was given by Councilor Alemán, after which the pledge of allegiance was given by the Exceptional Foundation Scouts.

The meeting was called to order by President Wyatt at 6:34 p.m.

Upon Roll Call, the following were present: Andy Gwaltney (via Zoom), 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 February 8, 2021 and approve them as presented. 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 voice vote, the motion carried without dissent.

President Wyatt stated that two At-Large positions of the Medical Clinic Board would be opened until March 8, 2021 at 4:30 p.m.

Councilor Geer moved to appoint Shannon Jaramillo to the Arts Advisory Council Ward 1 position. 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 voice vote, the motion carried without dissent.

At this time, President Wyatt amended the published Council Agenda to add the following item to the Consent Agenda: Item No. 01.02.21 – Request for permission to

work in the City right-of-way adjacent to 1503 Melrose Place – Michele Mizerany – Greg Cobb, BEZ.

President Wyatt then amended the published Council Agenda to add the following items to the Old Business Agenda: From the Special Issues Committee: Item No. 12.01.21 – Request permission to work in the City right-of-way (fire hydrant) on 18th Street South – Greg Cobb, BEZ; Item No. 02.02.21 – Request for permission to work in city right-of-way in alley behind 413 Woodland Drive to remove a Hackberry tree – Burt Nabors, Homeowner / Wyatt Pugh, BEZ; Item No. 03.02.21 – Request for permission to work in city right-of-way at 2719 19th Street South – Rives Construction / Wyatt Pugh, BEZ; Item No. 04.02.21 – Request for variance to extend fence taller than 8’ at 1507 Ridge Road – Colleen Henling, Homeowner / Wyatt Pugh, BEZ. From the Finance Committee: Item No. 05.02.21 – Request to declare the following totaled vehicles surplus: 2014 Chevrolet Tahoe (VIN 1GNLC2E03ER203662) and 2016 Chevrolet Tahoe (VIN 1GNLCDEC2GR133063) – Gordon Jaynes, Fleet Maintenance Dept; From the Public Safety Committee: Item No. 08.02.21 – Request for consideration for crosswalks and/or a 4-way stop sign at the intersection of Grace Street and Evergreen Avenue – Councilor Geer; Item No. 01.02.21 – Request for updates on Greensprings Revitalization – Berkley Squires, Public Works Director.

President Wyatt further amended the published Council Agenda to add the following item to the Committee Referral Agenda: Item No. 21.02.21 – Request for consideration of amendment of Zoning Ordinance to allow for consistency and public input to community gardens – President Wyatt – Planning and Development Committee.

President Wyatt further amended the published Council Agenda to add the following item to the Other New Business Agenda: Item No. 14.02.21 – Request to set a Public Hearing for consideration of a front yard fence variance at 1600 Shades Glen Circle – Bill Weston/Wyatt Pugh, BEZ.

Councilor Hardin moved for the approval of the amended Council Agenda. 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 voice vote, the motion carried without dissent.

CONSENT AGENDA

01.02.21 Request for permission to work in the City right-of-way adjacent to 1503 Melrose Place – **Michele Mizerany – Greg Cobb, BEZ**

Action Taken: The Committee met and voted 5-0 to recommend dropping this item. The motion was made by Council Andress and seconded by Councilor Sims.

Councilor Jones moved for the approval of the amended Consent Agenda. Councilor Andress 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.

OLD BUSINESS AGENDA

The first 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 Our Lady of Sorrows parking lot – Wyatt Pugh/ BEZ/ Melody Salter, City Clerk.

Councilor Smith stated that the Special Issues Committee met earlier tonight, prior to the Council Meeting, and voted 5-0 to send this item back to the full Council without recommendation pending the Public Hearing.

President Wyatt declared the Public Hearing opened at 6:41 p.m.

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

Mr. Charles Ferlisi addressed the Council regarding this item.

President Wyatt declared the Public Hearing closed at 6:44 p.m.

President Wyatt asked if the Council had any questions or comments 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. 21-24

(A Resolution to vacate a strip of Parkridge Drive next to Our Lady of Sorrows parking lot)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-24. Councilor Andress 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 on a vote of 7-2-2. Councilors Alemán and Sims voted no. Councilors Hardin and Wyatt abstained.

The next item considered under Old Business was Item No. 12.01.21 – Request permission to work in the City right-of-way (fire hydrant) on 18th Street South – Greg Cobb, BEZ.

Councilor Smith stated that the Special Issues 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. 21-25

(A Resolution granting permission to work in the City right-of-way (fire hydrant) on 18th Street South)

President Wyatt 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 considered under Old Business was Item No. 02.02.21 – Request for permission to work in city right-of-way in alley behind 413 Woodland Drive to remove a Hackberry tree – Burt Nabors, Homeowner / Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues 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. 21-26

(A Resolution granting permission to work in city right-of-way in alley behind 413 Woodland Drive to remove a Hackberry tree)

President Wyatt 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 considered under Old Business was Item No. 03.02.21 – Request for permission to work in city right-of-way at 2719 19th Street South – Rives Construction / Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues 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. 21-27

(A Resolution granting permission to work in city right-of-way at 2719 19th Street South)

President Wyatt 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 on a vote of 10-0-1. Councilor Hardin abstained.

The next item considered under Old Business was Item No. 04.02.21 – Request for variance to extend fence taller than 8' at 1507 Ridge Road – Colleen Henling, Homeowner / Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met earlier tonight, prior to the Council Meeting, and voted 5-0 to send back to the full Council without recommendation pending a Public Hearing to be set on March 8, 2021 at 6:00 p.m.

The next item considered under Old Business was Item No. 05.02.21 – Request to declare the following totaled vehicles surplus: 2014 Chevrolet Tahoe (VIN 1GNLC2E03ER203662) and 2016 Chevrolet Tahoe (VIN 1GNLCDEC2GR133063) – Gordon Jaynes, Fleet Maintenance Dept.

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 first reading of the proposed Ordinance for the Council's consideration at 7:05 p.m.:

Ordinance No.

(An Ordinance to declare the following totaled vehicles surplus: 2014 Chevrolet Tahoe (VIN 1GNLC2E03ER203662) and 2016 Chevrolet Tahoe (VIN 1GNLCDEC2GR133063))

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. 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 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. 2797

(An Ordinance to declare the following totaled vehicles surplus: 2014 Chevrolet Tahoe (VIN 1GNLC2E03ER203662) and 2016 Chevrolet Tahoe (VIN 1GNLCDEC2GR133063))

Councilor Smith moved for the enrollment and adoption and publication according to law of Ordinance No. 2797. 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. 08.02.21 – Request for consideration for crosswalks and/or a 4-way stop sign at the intersection of Grace Street and Evergreen Avenue – Councilor Geer.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 7:08 p.m.:

Ordinance No.

(An Ordinance for a 4-way stop sign at the intersection of Grace Street and Evergreen Avenue)

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. 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 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. 2798

(An Ordinance for a 4-way stop sign at the intersection of Grace Street and Evergreen Avenue)

Councilor Geer moved for the enrollment and adoption and publication according to law of Ordinance No. 2798. 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 roll call vote, the votes were: Yeas: Councilors Gwaltney, Geer, Alemán, Wolverton, Sims, Jones, Smith, Nelms, Andress, Hardin, and Wyatt.

The motion carried without dissent.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 7:11 p.m.:

Ordinance No.

(An Ordinance for a crosswalk at the intersection of Grace Street and Evergreen Avenue)

Councilor Nelms 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.

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

Ordinance No. 2799

(An Ordinance for a crosswalk at the intersection of Grace Street and Evergreen Avenue)

Councilor Alemán moved for the enrollment and adoption and publication according to law of Ordinance No. 2799. 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 carried without dissent.

The next item considered under Old Business was Item No. 01.02.20 – Request for updates on Greensprings Revitalization – Berkley Squires, Public Works Director.

Councilor Wolverton stated that the Public Works Committee met earlier tonight, prior to the Council Meeting, and voted 5-0 to refer to the Finance Committee.

President Wyatt 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.

COMMITTEE REFERRAL AGENDA

- 12.02.21** Request for updates from Homewood Chamber of Commerce – **Meredith Drennen, Homewood Chamber of Commerce/Councilor Hardin – Finance Committee**
- 13.02.21** Request for consideration of changes to the landscaping and tree requirements – **Councilors Gwaltney and Andress – Planning and Development Committee**
- 14.02.21** Request for consideration of a front yard fence variance at 1600 Shades Glen Circle – **Bill Weston/Wyatt Pugh, BEZ – Special Issues Committee**
- 15.02.21** Request for report from JettyTrip on Citizens' Portal – **Brian Wallace, JettyTrip/President Wyatt – Special Issues Committee**
- 16.02.21** Request for permission to work in the city right-of-way at 511 Edgeland Place to add fill dirt and plant a tree – **Dawn Curtis/Wyatt Pugh, BEZ – Special Issues Committee**
- 17.02.21** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration to rezone property at 2713 18th Street South (PID 28-00-07-3-014-006.000) from a MXD (Mixed Use District) to C-4 (a)(Retail Shopping District): Applicant: Michael A. Mouron /Owner: MAM Investments) to facilitate the development of a new restaurant. (The Planning Commission had a vote of 8-0 for a favorable recommendation of the rezone) – **Wyatt Pugh – Planning and Development Committee**
- 21.02.21** Request for consideration of amendment of Zoning Ordinance to allow for consistency and public input to community gardens – **President Wyatt Pugh – Planning and Development Committee**

Councilor Alemán moved to approve the amended Committee Referral Agenda. 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 voice vote, the motion carried without dissent.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 17.02.21 – Request to set a Public Hearing for consideration to rezone property at 2713 18th Street South (PID 28-00-07-3-014-006.000) from a MXD (Mixed Use District) to C-4 (a)(Retail Shopping District): Applicant: Michael A. Mouron /Owner: MAM Investments) to facilitate the development of a new restaurant. (The Planning Commission had a vote of 8-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

President Wyatt stated that the Public Hearing would be set for March 29, 2021 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 18.02.21 – Request to authorize the Mayor to sign contract with Operation School Bell for services and to receive their FY 20-21 budget appropriation of \$5,000.00 – Robert Burgett, Finance Director/Assistant City Clerk & Melody Salter, CPA, City Clerk/Assistant Finance Director.

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

Resolution No. 21-28

(A Resolution to rezone property at 2713 18th Street South (PID 28-00-07-3-014-006.000) from a MXD (Mixed Use District) to C-4 (a)(Retail Shopping District): Applicant: Michael A. Mouron /Owner: MAM Investments) to facilitate the development of a new restaurant)

Councilor Andress moved for the adoption and enrollment of Resolution No. 21-28. 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 voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 19.02.21 – Request to change the date of the second regular scheduled Council Meeting in March to March 29, 2021 due to Spring Break the week of March 22, 2021– Council President Alex Wyatt.

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

Resolution No. 21-29

(A Resolution to change the date of the second regular scheduled Council Meeting in March to March 29, 2021 due to Spring Break the week of March 22, 2021)

Councilor Jones moved for the adoption and enrollment of Resolution No. 21-29. Councilor Wolverton 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 Other New Business was Item No. 20.02.21 – Request for consideration of approval of vouchers for period of February 9, 2021 through February 22, 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. 21-30

(A Resolution for approval of vouchers for period of February 9, 2021 through February 22, 2021)

Councilor Smith moved for the adoption and enrollment of Resolution No. 21-30. Councilor Wolverton 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 considered under Other New Business was Item No. 14.02.21 – Request to set a Public Hearing for consideration of a front yard fence variance at 1600 Shades Glen Circle.

President Wyatt stated that the Public Hearing would be set for March 8, 2021 at 6:00 p.m.

Councilor Jones stated that the Finance Committee would meet on March 1, 2021 at 5:00 p.m.

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

Councilor Wolverton stated that the Public Works Committee would meet on March 1, 2021 at 5:45 p.m.

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

Councilor Andress stated that the Planning and Development Committee would meet on March 1, 2021 at 7:00 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:45 p.m.