

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

**March 30, 2020**

The City Council of the City of Homewood, Alabama convened in Special Session on Monday, March 30, 2020 at City Hall at 6:00 p.m.

The invocation was given by Councilor Walter Jones after which the pledge of allegiance was given.

The meeting was called to order by President Pro Tempore Wyatt at 6:01 p.m.

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

Councilor Wolverton entered the Council Chambers at 6:04 p.m.

At this time, Councilor Jones moved to dispense with the reading of the Minutes of the Council Meeting of March 4, 2020 and approve them as amended. Councilor Smith seconded the motion.

President Pro Tempore 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, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of March 9, 2020 and approve them as amended. Councilor Gwaltney seconded the motion.

President Pro Tempore 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 Pro Tempore Wyatt requested Board openings and nominations.

Councilor Gwaltney moved to open the application period for the Ward 1 Park Board position until May 1, 2020 at 4:30 p.m.

Councilor Andress moved to open the application period for the Ward 5 Board of Education position until May 1, 2020 at 4:30 p.m.

Councilor Andress moved to open the application period for the Ward 4 Library Board position until May 1, 2020 at 4:30 p.m.

President Pro Tempore Wyatt amended the published Council Agenda to amend the following item in the Other New Business Agenda: Item No. 26.03.20 – Request for consideration to amend tge FY 19-20 E911 Fund Budget to fund possible dispatch overtime – Brandon Broadhead, E911/Robert Burgett, Finance Director/Melody Salter, City Clerk.

Councilor Thames moved for the approval of the Council Agenda as amended. Councilor Higginbotham seconded the motion.

President Pro Tempore 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**

**07.01.20      Public Hearing held on March 9, 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-1c (Office Building District with Proffered Conditions): 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 (Public Hearing closed on 3/9/20 and Item Carried Over)**

**Action to be Taken: This Item will be carried over until the first Council meeting in May.**

**08.10.19      Public Hearing set for March 30, 2020 at 6:00 p.m.** for consideration for the city to vacate land between 904 Highland Road and 909 Irving Road – **Holly Polk and Will Gardner/Wyatt Pugh/Greg Cobb, BEZ**

**Action to be Taken: This Public Hearing will be continued until the first Council meeting in May.**

**12.03.20      Public Hearing set for April 13, 2020 at 6:00 p.m.** for consideration to rezone property at 2927 Central Avenue (PID 28-00-07-3-035-009.000) from a C-1

(Office Building District) to I-2 (Institutional District): Applicant: Chris Eckroate/Owner(s): Catholic Diocese of Birmingham to permit the development of a surface parking lot in support of adjacent Our Lady Sorrows Church (The Planning Commission had a vote of 6-0 for a favorable recommendation of the rezone) – **Wyatt Pugh**

**Action to be Taken: This Public Hearing will be continued until the first Council meeting in May.**

Councilor Jones moved for the approval of the Consent Agenda. Councilor McClusky seconded the motion.

President Pro Tempore 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. 06.02.20 – Request for consideration of funding street improvements – Councilors Gwaltney and Thames.

Councilor Jones stated that the Finance Committee met on March 16, 2020 and, after hearing from Scott Tillman and Michael Kaczorowaki of the Regional Planning Commission, voted 5-0 to recommend funding diverging diamond project and carrying this item over in Committee for further action.

President Pro Tempore 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 on the Agenda under Old Business was Item No. 25.04.17 – Request for consideration of 18<sup>th</sup> Street Revitalization Project – Britt Thames.

Councilor Jones stated that the bid opening was held on March 17, 2020 and accepted bid from CB & A Construction, LLC at \$1.122 million.

President Pro Tempore 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 following Resolution for the Council's consideration.

**Resolution No. 20-47**

**(A Resolution accepting bid from CB & A Construction, LLC)**

President Pro Tempore 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 on the Agenda under Old Business was Item No. 02.03.20 – Request to authorize the Mayor to sign contract with Cintas for Fleet uniforms – Gordon Jaynes, Fleet Maintenance.

Councilor Jones stated that the Finance Committee met on March 16, 2020 and voted 5-0 to recommend approval.

President Pro Tempore 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 following Resolution for the Council's consideration.

**Resolution No. 20-48**

**(A Resolution to authorize the Mayor to sign contract with Cintas for Fleet)**

President Pro Tempore 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 on the Agenda under Old Business was Item No. 03.03.20 – Request to change a position in Streets and Sanitation from Labor Supervisor to Permit Coordinator – Berkley Squires, Public Services Director.

Councilor Jones stated that the Finance Committee met on March 16, 2020 and voted 5-0 to recommend approval.

President Pro Tempore 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 following Resolution for the Council's consideration.

**Resolution No. 20-49**

**(A Resolution to change a position in Streets and Sanitation from Labor Supervisor to Permit Coordinator)**

President Pro Tempore 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 on the Agenda under Old Business was Item No. 04.03.20 – Request for consideration of potential bond repayment options – Councilors McClusky, Thames, Jones, and Wyatt.

Councilor Jones stated that the Finance Committee met on March 16, 2020 and voted 5-0 to recommend engaging with Stifel as agent for potential bond repayment options.

President Pro Tempore 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 following Resolution for the Council's consideration.

**Resolution No. 20-50**

**(A Resolution to engage with Stifel as agent for potential bond repayment options)**

President Pro Tempore 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 on the Agenda under Old Business was Item No. 05.03.20 – Request for consideration of reimbursement for pump rental and property repair costs related to flooding at 2832 Linden Avenue – Mark and Darby Westfall, Hummingbird Properties, LLC/Wyatt Pugh and Greg Cobb, BEZ.

Councilor Jones stated that the Finance Committee met on March 16, 2020 and voted 5-0 to recommend spending up to \$6,000.00 from Small Infrastructure.

President Pro Tempore Wyatt asked if the Council had any questions or comments regarding the Finance Committee's recommendation.

The Council then held discussion regarding this item.

President Pro Tempore Wyatt stated that this item would be carried over.

The next items on the Agenda under Old Business was Item No. 06.03.20 – Request to consider expenditures from E911 and Court Corrections for Public Safety Construction – Chief Tim Ross/Police, Chief Nick Hill & Brandon Broadhead/Fire Department, Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, City Clerk/Assistant Finance Director and Item No. 07.03.20 – Request to consider increased expenditures for recycling expense due to increased billing for number of houses services – Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, City Clerk/Assistant Finance Director.

Councilor Jones stated that the Finance Committee met on March 16, 2020 and voted 5-0 to recommend approval of both items.

President Pro Tempore 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 following Resolution for the Council's consideration.

**Resolution No. 20-51**

**(A Resolution to amend the budget for expenditures from E911 and Court Corrections for Public Safety Construction and increased expenditures for recycling expense due to increased billing for number of houses services )**

President Pro Tempore 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 on the Agenda under Old Business was Item No. 09.03.20 – Request to close a section of Oak Grove Road between Raleigh Avenue and Hall Avenue on May 30<sup>th</sup> (for Street Fest) and August 29<sup>th</sup> (for Back to School Bash) from 12:00-11:00 p.m. – Councilors Wolverton and Higginbotham, West Homewood Neighborhood Association, and Rusty Holley.

Councilor McClusky stated that the Public Safety Committee met on March 16, 2020 and voted 4-0 to recommend approval pending police permits.

President Pro Tempore Wyatt 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 following Resolution for the Council's consideration.

**Resolution No. 20-52**

(A Resolution to close a section of Oak Grove Road between Raleigh Avenue and Hall Avenue on May 30<sup>th</sup> (for Street Fest) and August 29<sup>th</sup> (for Back to School Bash) from 12:00-11:00 p.m.)

President Pro Tempore 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.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 11.03.20 – Request for consideration to place video/streaming technology in the Council Committee Room for the purpose of recording /broadcasting Committee Meetings – Councilor Higginbotham.

Councilor Smith stated that the Special Issues Committee met on March 16, 2020 and voted 5-0 to recommend referring to the Finance Committee for funding.

President Pro Tempore Wyatt stated that this item would be referred to the Finance Committee.

### **COMMITTEE REFERRAL AGENDA**

- 17.03.20** Request to consider adding crosswalks at the intersection of Forest Drive and Cliff Place in Edgewood– **Clark Bailey/Councilor Patrick McClusky – Public Safety Committee**
- 18.03.20** Request to consider permission to install a parking pad in the City Right-of-Way at 1200 Roseland Drive – **Ryan Thompson and Wyatt Pugh/BEZ – Special Issues Committee**
- 19.03.20** Request for permission to remove live tree in City Right-of-Way at 140 West Oxmoor Rd – **Paul Ross/Central Paper and Wyatt Pugh and Greg Cobb/BEZ – Special Issues Committee**

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

President Pro Tempore 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. 20.03.20 – Request for Council to ratify the Mayor’s Proclamation of Existence of Local Emergency due to the COVID-10 virus issued March 16, 2020- Mayor Scott McBrayer.

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

**Resolution No. 20-53**

**(A Resolution to ratify the Mayor's Proclamation of Existence of Local Emergency due to the COVID-10 virus issued March 16, 2020)**

Councilor Thames moved for the adoption and enrollment of Resolution No. 20-53. Councilor Andress seconded the motion.

President Pro Tempore 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. 21.03.20 – Request for Council to authorize the Mayor and City Clerk or Finance Director to expend public funds for budgeted expenses – City Attorney Mike Kendrick.

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

**Resolution No. 20-54**

**(A Resolution to authorize the Mayor and City Clerk or Finance Director to expend public funds for budgeted expenses)**

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 20-54. Councilor Wolverton seconded the motion.

President Pro Tempore 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. 22.03.20 – Request to authorize the Mayor to sign supplemental agreement with GMC for additional work related to design changes, traffic analysis and Right-of-Way Acquisition for 18<sup>th</sup> Street Project with 80/20% cost match with ALDOT (Project #CMAQ-TA15 (903) – Street Improvements along 18<sup>th</sup> Street and Valley Avenue – Wyatt Pugh/BEZ and Keith Strickland/GMC.

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

**Resolution No. 20-55**

**(A Resolution to authorize the Mayor to sign supplemental agreement with GMC for additional work related to design changes, traffic analysis and Right-of-Way Acquisition for 18<sup>th</sup> Street Project with**



**80/20% cost match with ALDOT (Project #CMAQ-TA15 (903) – Street Improvements along 18<sup>th</sup> Street and Valley Avenue)**

Councilor Thames moved for the adoption and enrollment of Resolution No. 20-55. Councilor Gwaltney seconded the motion.

President Pro Tempore 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. 23.03.20 – Request to authorize the Mayor to sign contract with GMC for construction engineering services for the 18<sup>th</sup> Street Project – Wyatt Pugh/BEZ and Keith Strickland, GMC.

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

**Resolution No. 20-56**

**(A Resolution to authorize the Mayor to sign contract with GMC for construction engineering services for the 18<sup>th</sup> Street Project)**

Councilor Thames moved for the adoption and enrollment of Resolution No. 20-56. Councilor Smith seconded the motion.

President Pro Tempore 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. 24.03.20 – Request to cancel all April, 2020 meetings of City of Homewood Boards and their committees. These meetings will be moved to May for their first scheduled meetings – Council President Peter Wright/City Attorney.

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

**Resolution No. 20-57**

**(A Resolution to cancel all April, 2020 meetings of City of Homewood Boards and their committees)**

Councilor McClusky moved for the adoption and enrollment of Resolution No. 20-57. Councilor Andress seconded the motion.

President Pro Tempore 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. 25.03.20 – Request for consideration of approval of vouchers for period of March 10, 2020 through March 30, 2020 – City Treasurer.

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

**Resolution No. 20-58**

**(A Resolution for approval of vouchers for period of March 10, 2020 through March 30, 2020)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 20-58. Councilor Higginbotham seconded the motion.

President Pro Tempore 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. 26.03.20 – Request for consideration to amend the FY19-20 E911 Fund Budget to fund possible dispatch overtime – Brandon Broadhead, E911/Robert Burgett, Finance Director/Melody Salter, City Clerk.

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

**Resolution No. 20-59**

**(A Resolution to amend the FY19-20 E911 Fund Budget to fund possible dispatch overtime)**

Councilor McClusky moved for the adoption and enrollment of Resolution No. 20-59. Councilor Gwaltney seconded the motion.

President Pro Tempore 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 Pro Tempore Wyatt stated that the Council would have two remote meetings in April held on April 13<sup>th</sup> and April 27<sup>th</sup> but would only consider limited items. President Pro Tempore Wyatt further stated that there would be no Committee Meetings in April.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:20 p.m.