

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

**April 9, 2018**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, April 9, 2018 at City Hall at 6:00 p.m.

At this time, President Limbaugh asked Mr. David Barber of Prescott House to address the Council.

Mr. David Barber addressed the Council, provided a report on Prescott House and thanked the Council for their support.

At this time, President Limbaugh asked Mr. Damon Watson to address the Council.

Mr. Damon Watson addressed the Council and stated that he was a candidate for Place 15, Domestic Relations Court and provided information on his platform.

The invocation was given by Bo Seagrist of Oasis of Praise Church of God, after which the Pledge of Allegiance was given.

The meeting was called to order by President Limbaugh at 6:03 p.m.

Upon Roll Call, the following were present: Andy Gwaltney, Mike Higginbotham, Andrew Wolverton, Patrick McClusky, Walter Jones, Barry Smith, Alex Wyatt, Jennifer Andress, Peter Wright, and Bruce Limbaugh, 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. Absent: Britt Thames.

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of March 21, 2018 and approve them as amended. Councilor Andress seconded the motion.

President 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.

Councilor Higginbotham moved to nominate Amber Kustos for the Homewood Environmental Commission At-Large position. Councilor Gwaltney seconded the motion.

President 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.

Councilor Gwaltney moved to re-open the Library Board Ward 1 application period until April 16, 2018 at 4:30 p.m.

Councilor Smith moved to re-open the Historic Preservation Commission Ward 4 application period until April 16, 2018 at 4:30 p.m.

President Limbaugh stated that there were two applicants for the Board of Education Ward 4 position and interviews would be scheduled.

Councilor Andress stated that she was actively pursuing filling the Ward 5 Homewood Environmental Commission vacancy.

Councilor Gwaltney moved for the approval of the Agenda. Councilor Higginbotham seconded the motion.

President 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**

**17.03.18** Request to consider report from Homewood Environmental Commission – **Mike Higginbotham**

**Action Taken: The Special Issues Committee met on April 2, 2018 and, after hearing report from Amy Milam with the Homewood Environmental Commission, voted 5-0 to recommend dropping this item. The motion was made by Councilor Higginbotham and seconded by Councilor McClusky.**

**17.08.17** Request for consideration of sidewalk plans to present to ALDOT for the Marriott on Lakeshore project– **Jennifer Andress (Carried over 3/5/18)**

**Action Taken: The Public Works Committee met on April 2, 2018 and voted 5-0 to recommend dropping this item due to success of project. The motion was made by Councilor McClusky and seconded by Councilor Wyatt.**

Councilor Smith moved for the approval of the Consent Agenda. Councilor Wolverton seconded the motion.

President 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 AGENDA**

The first item on the Agenda under Old Business was Item No. 03.02.18 – Public Hearing set for April 9, 2018 at 6:00 p.m. for consideration for changes from the zoning sub-committee to amend the Zoning Ordinance – Vanessa McGrath (Carried over 3/21/18).

President Limbaugh declared the Public Hearing opened at 6:16 p.m.

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

Mr. Greg Cobb addressed the Council and stated that these changes were regarding how they measured the height of a house. Mr. Cobb further stated that the options that Ms. McGrath provided them last month were: “less than 55 feet wide” would allow a height of “29 feet” and “over 55 feet wide” would allow a height of “35 feet,” which was measured from the threshold of the front door. Mr. Cobb added that the part that was in question was how much grade there could be below the threshold such as how much crawlspace there could be, which could affect the total height.

Mr. Kendrick stated that 29 feet in height was allowed for 55 feet or less, or if the structure was constructed on crawlspace from 32 feet from the grade at the center of the front foundation wall, and for lots over 55 feet, 35 feet height was allowed, or if constructed on a crawlspace, was 38 feet from center of the front foundation wall.

Mr. Cobb stated that when using the front wall to measure, it was measured by natural grade because people could alter that by mounding up dirt to take measurements. Mr. Cobb further stated that the other changes they were considering were all the changes to the West Homewood Zoning and basically was just cleaning up language such as where it said “reverse angle parking” so they changed that to normal parking like on 18<sup>th</sup> Street which was a better way to do it because when they were backing up they were backing up into a wide street, not trying to back between two cars.

Councilor Wright stated that when they were in committee they discussed three different options and he wanted to make sure this one they were proposing was the last option they discussed in committee which came to a definitive measuring stick.

Mr. Kendrick replied that this was the option he was referring to.

Councilor Jones asked Mr. Cobb if in his opinion this was the most simplistic one to explain to people.

Mr. Cobb replied yes and stated that prior to this they used an “average” which meant they had to run around all four sides of the house and average a grade which was very difficult to do because they did not have a way to physically measure the height to get to the peak of the roof which might be 20 feet away from where they were trying to make their measurement without surveying it so this way they were locked into the threshold and the crawlspace. Mr. Cobb further stated that they looked at how many different ways someone could find to get around it and tried to keep people from finding a way to beat the system because they had one instance where someone wanted to just mound up the dirt in front of the house which would allow someone to build a really big house and then they pulled in some fill around the crawlspace so they were trying to prevent that. Mr. Cobb added that they had one house that had to be altered where they had to take the peak of the roof and flatten it so they were trying their best to make it a clean and easy number that everybody could understand and work off of and measuring it at the front door was the simplest way to do it.

President Limbaugh stated that they were trying take the ambiguity out of it.

Councilor Wright stated that to clarify, the height restrictions were the same but they were clearing up how they measured.

Mr. Cobb stated that there was a house on Ridge that was just a two story house and it looked normal from the front but the back was every bit of 40 feet tall because of the sloping lots but at least by looking at the fronts when going down the street they would have something that looked somewhat similar and not have these monsters.

Councilor Andress asked if, with all the concerns from neighbors about huge houses being built right next to another house, was it making it less possible for a huge house to look down on a small home next to it.

Councilor Thames entered the Council Chambers at 6:22 p.m.

Mr. Cobb replied yes and stated that they tried to fix that in zoning one time, too, because when they put tall houses side by side they had to think about losing sunlight because it changed everything. Mr. Cobb further stated that the house next to him went to two stories he told his wife they would not be able to see the sunset anymore but there was only so much they could do in zoning.

President Limbaugh stated that ultimately Mr. Cobb’s office had to be the ones to say yay or nay.

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

Mr. Kenneth Cain at 1024 Saulter Road addressed the Council and stated that as he read the ordinance it did increase the height for lots above 55 feet. Mr. Cain presented a photo of the 60 foot lot next door to his home and further stated that the owner wanted to sell the small lot and wanted to put a house on it which would be subject to the higher lot restriction and that house would tower over his house. Mr. Cain added that they had also recently cut down two trees and he agreed to allow them to do that but they took a berm down when they did that so now he had a situation with some possible water flow problems. Mr. Cain further added that he consulted an attorney and had learned more about the ordinances and apparently the person who initially changed the slope of the lot did not have to notify him but they just had to come to the city and present their plan and if they had no objection they got to move forward but he was never informed of it and didn't find out about it until afterward so he was asking the Council to consider this and hoped they would turn down any ordinance that made it easier for people in the City of Homewood to take a property next door to anyone and destroy the peaceable enjoyment of their property.

Mr. Cain stated that he had lived in Homewood for 30 years and he bought a small house and wanted to live in a quiet area and now this was what he was dealing with so he hoped that they would think before making this problem worse as residents had to depend on the Council to protect their property rights in Homewood or they would have to sell out and do the same thing as the developer did next to him or they would all have to go to court with each other so he hoped they could do something to make sure this didn't happen to anyone else.

Councilor Gwaltney stated that he was looking at Ordinance 2630 on his I-pad and this ordinance would not change the height because the current ordinance read "for lots over 55 feet that they were allowed 35 feet or in no event greater than 38 feet from the median grade of the lot" and the language being removed was "median grade."

Mr. Cain stated that the handout he received stated 32 feet.

Councilor Gwaltney replied that 32 feet was for lots less than 55 feet.

Mr. Cain stated that he was reading "lots greater than or equal to 55 feet, 35, 32" and the new one stating "35, 38" from a handout that he received an hour ago from another resident.

Councilor Wright stated that the new ordinance which came into effect last year was an effort to bring limitations down and it was hotly discussed with six or seven meetings held about it with thoughtful developers and thoughtful residents and they

didn't agree on everything but it was discussed and came to the decision to put in place height restrictions and this new ordinance was just to make it easier to read the height restrictions. Councilor Wright further stated that what he was looking at was not an ordinance to extend the height but was the exact opposite and, in fact, their height restrictions were much lower than neighboring cities but not to say this was perfect but the ordinance they were discussing was to alleviate these problems and help remove ambiguities as to how to measure and read it.

Mr. Cain stated that though he was not an expert, when he read "the center of the front foundation wall" it sounded like a definition that was asking for someone to try to get around it but situations like this had serious repercussions for people like him.

Councilor Andress asked Mr. Cobb if he could address Mr. Cain's concerns.

Mr. Cobb replied that, like Councilor Wright stated, this was an effort to shorten the height because, for an example, if they took an average like the ordinance read 30 years ago, if they had a house with an uphill lot, they had the uphill behind them to count into their average so they could have the front of the house 40 feet tall and the back of the house could be 20 if they were cutting into a hill but just the opposite happened if they had a downhill slope involved but the whole idea through all this discussion was to try to bring it down and he knew they succeeded in that because they upset some builders but they had made an effort to reduce that overall height. Mr. Cobb stated that if they remembered there were a lot of builders filling up the Council Chambers last year so he thought they were moving in the right direction.

Councilor Smith asked to clarify that they were not changing the heights that were put in place last year, they were simply changing the methods by which they measure those heights.

Mr. Cobb replied yes.

Councilor Thames stated that to further clarify, the Planning Commission actually voted to simply strike "from median front grade" and leave it at 29 feet or, on a lot like Mr. Cain's, 35 feet from the threshold because they were trying to take into consideration slopes of lots and difficulty and as they knew that could probably allow for some taller homes based on the size of the crawlspace so when it got to Council level they added back in "center of the front exterior wall" because it was a finite point where they could actually measure and the intent was that in odd situations where there was an extreme slope they would go before the BZA for a variance request.

Mr. Cobb stated that one of the discussions they had was if they measured just from the threshold, what if they put a full basement under it, and then they had another 10

feet so they went around and around in those discussions and he thought this was as good as they could get right now.

President 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.

President Limbaugh declared the Public Hearing closed at 6:32 p.m.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:32 p.m.:

**Ordinance No.**

**(An Ordinance approving changes from the zoning sub-committee to amend the Zoning Ordinance)**

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

President Limbaugh 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, Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Wyatt, Andress, Wright and Limbaugh.

The motion for unanimous consent carried.

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

**Ordinance No. 2692**

**(An Ordinance approving changes from the zoning sub-committee to amend the Zoning Ordinance)**

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2692. Councilor Wyatt seconded the motion.

President Limbaugh 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, Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Wyatt, Andress, Wright and Limbaugh.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 15.03.18 – Request to authorize one voting delegate of the City of Homewood Council to vote at the Alabama League of Municipalities Annual Convention May 19-22, 2018 in Montgomery, AL – Melody Salter/Finance Director/City Clerk (Carried over 3/21/18).

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

**Resolution No. 18-44**

**(A Resolution appointing Mike Higginbotham as voting delegate of the City of Homewood Council to vote at the Alabama Municipalities Annual Convention May 19-22, 2018 in Montgomery)**

Councilor Thames moved for the adoption and enrollment of Resolution No. 18-44. Councilor Wolverton seconded the motion.

President 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 on an 11-0 vote.

The next item on the Agenda under Old Business was Item No. 06.02.17 – Request for consideration to work in the city right-of-way at 1769 South Lakeshore Drive – John Gray/Greg Cobb/Building, Engineering and Zoning Department.

Councilor Jones stated that the Finance Committee met on April 2, 2018 and this item failed in Committee by a vote of 2-3 for funding from Small Infrastructure of \$18,250.00 for the portion that was in the city right-of-way. Mr. Jones further stated that they wanted to bring it before the full Council for a vote because there was a lot of discussion in committee and a video presentation and he had additional pictures that he presented to the Council. Mr. Jones added that he had gone by to look at the property and hoped they had done so as well and the video showed that during a heavy rain storm the water came through.

At this time, the video was presented to the Council.

Councilor Jones stated that there was another portion that was not in the city right-of-way that the property owner would be paying for but he was asking for the city to take care of the portion that was in the city right-of-way. Councilor Jones further stated that the property owner received a quote from James Moore Trucking which was competitive.

Mr. Kendrick stated that the funding was a separate issue from approval to work in the city right-of-way and the right-of-way resolution would authorize the Mayor to



sign the indemnification agreement allowing the construction of storm water piping in the right-of-way.

Councilor Smith stated that the Special Issues Committee met on March 21, 2018 and voted 3-1 to recommend approval for work in the city-right of way pending proper indemnification agreements.

Councilor Gwaltney asked Mr. Kendrick if they moved forward with city funding if they would be funding both the work in right-of-way and the work on private property.

Mr. Kendrick replied that they would only be funding the work in the city right-of-way.

Councilor Gwaltney asked to clarify that the city would be spending \$18,000.00 for work in the right-of-way and asked what the total cost of the bill would be.

President Limbaugh asked the property owner, Mr. John Gray to address the Council.

Mr. John Gray of 1769 South Lakeshore addressed the Council and stated that from the city right-of-way there was a 42 inch concrete pipe that was installed there and underneath the roads was a box culvert so Mr. Moore was going to place another box culvert at that position at the 42 inch pipe that would allow the water intake that was coming from both the city right-of-way parallel to South Lakeshore and what was running off of Murray Hill across his property from above which the video showed. Mr. Gray further stated that he would pay for his part which would be tying in a pipe that was on his property and he was also going to pay for the sod to maintain the city's property as well.

Councilor Smith asked Mr. Gray for the total estimate of the project.

Mr. Gray replied that the total was about \$42,000.00, which included the sod, his portion of the project, and the city's portion. Mr. Gray stated that he started this over a year ago when he first went before the committee and they asked him to notify an engineer and get a letter in writing that there be no negative down shed effects and he secured that letter for a cost of \$2,000.00 so he had already invested money into this on top of the money it would cost to actually do the project.

Councilor Smith asked to clarify that once the project was complete there would be a pipe underground which would be covered so there would not be an open ditch any longer with the retaining wall.

Mr. Gray replied yes and stated that he made it clear in the pictures that on the city's portion there was an 8 foot drop on either side of that pipe and he had two small

children so it terrified him. Mr. Gray further stated that he was right next to soccer fields and he had caught kids that had come down from the upper neighborhoods that came down to play soccer running across the right-of-way right across that area.

Mr. Gwaltney stated that his concern was that the Council had two issues in the last year in Ward 1 where people had come before them asking for their assistance with a similar situation with an area on top of Clairmont and they denied that one so he was worried about the precedent they would set for this type of request to come back on them and they would be spending more money that was not budgeted or draining the Small Infrastructure Account.

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

**Resolution No. 18-45**

**(A Resolution authorizing work in the city right-of-way at 1769 South Lakeshore Drive for installation of storm water drainage pipe)**

Councilor Smith, as per the Special Issues Committee's recommendation, then moved for the adoption and enrollment of Resolution No. 18-45.

President 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 on a 9-2 vote. Councilors Thames and Gwaltney voted no.

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

**Resolution No. 18-46**

**(A Resolution authorizing funding of work in the city right-of-way at 1769 South Lakeshore Drive for installation of storm water drainage pipe)**

Councilor Jones moved for the adoption and enrollment of Resolution No. 18-46. Councilor Gwaltney seconded the motion.

President Limbaugh 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 motion carried on a 6-5 vote. Councilors Gwaltney, Thames, McClusky, Wright, and Limbaugh voted no.

Councilor Jones moved to rescind Resolution No. 18-46 and accept the homeowner's proffer of paying half of the \$18,250.00 and funding half for \$9,125.00. Councilor Gwaltney seconded the motion.

The motion failed on a vote of 5-6. Councilors Higginbotham, Wolverton, McClusky, Smith, Wyatt, Address, and Wright voted no.

Resolution No. 18-46 approving funding of \$18,250.00 stood.

The next item on the Agenda under Old Business was Item No. 22.09.17 – Request for update on Homewood Board of Education Construction Project and Funding – Walter Jones and Melody Salter, Finance Director/City Clerk.

Councilor Jones stated that the Finance Committee met on April 2, 2018 and voted 5-0 to recommend approval of payment of purchase orders presented by Ms. Salter, City Clerk/Finance Director.

President Limbaugh asked if the Council had any questions or comments regarding the Finance Committee's recommendation. There was no response from the Council.

Councilor Jones then moved to approve payment of purchase orders.

President 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 Old Business was Item No. 09.02.18 – Request to authorize Mayor to sign lease agreement with Neopost for postage machines in Finance and City Clerk's Office – Melody Salter/Finance Director/City Clerk.

Councilor Jones stated that the Finance Committee met April 2, 2018 and voted 5-0 to approve Neopost from State Bid List for a cost of \$146.40 per month.

President 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. 18-47**

**(A Resolution authorizing the Mayor to sign lease agreement with Neopost for postage machines in Finance and City Clerk's Office)**

Councilor Jones then moved for the adoption and enrollment of Resolution No. 18-47.

President 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 on an 11-0 vote.

The next item on the Agenda under Old Business was Item No. 16.01.15 – Update on past, present and future Sidewalk Projects – Jim Wyatt/Building, Engineering and Zoning Department.

Councilor Jones stated that the Finance Committee met on April 2, 2018 and voted 5-0 to recommend funding two projects on Clairmont and Covenant Way not to exceed \$24,000.00 from the Sidewalk Line Item.

President 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. 18-48**

**(A Resolution funding sidewalk projects on Clairmont and Covenant Way not to exceed \$24,000.00)**

Councilor Jones then moved for the adoption and enrollment of Resolution No. 18-48.

President 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 on an 11-0 vote.

The next item on the Agenda under Old Business was Item No. 11.03.18 – Request to amend FY 17-18 Budgets – Melody Salter/Finance Director/City Clerk.

Councilor Jones stated that the Finance Committee met on April 2, 2018 and voted 5-0 to recommend approval.

President 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. 18-49**

**(A Resolution amending FY 17-18 Budgets)**

Councilor Jones then moved for the adoption and enrollment of Resolution No. 18-49.

President 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 on an 11-0 vote.

The next item on the Agenda under Old Business was Item No. 12.03.18 – Request for consideration to declare miscellaneous items from the Finance and City Clerk's Departments surplus – Melody Salter/Finance Director/City Clerk.

Councilor Jones stated that the Finance Committee met on April 2, 2018 and voted 5-0 to recommend approval.

President 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 at 6:57 p.m.:

**Ordinance No.**

**(An Ordinance declaring miscellaneous items from the Finance and City Clerk's Departments surplus)**

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

President Limbaugh 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, Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Wyatt, Andress, Wright and Limbaugh.

The motion for unanimous consent carried.

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

**Ordinance No. 2693**

**(An Ordinance declaring miscellaneous items from the Finance and City Clerk's Departments surplus)**

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2693. Councilor Thames seconded the motion.

President Limbaugh 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, Thames, Higginbotham, Wolverton, McClusky, Jones, Smith, Wyatt, Andress, Wright and Limbaugh.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 14.03.18 – Request for consideration to work in the city right-of-way to renovate sidewalk in front of home on Mayfair ad part of joint project with the city – Jonathan and Kathryn Pennington/Jennifer Andress.

Councilor Wright stated that the Public Works Committee met on April 2, 2018 and voted 5-0 to recommend approval pending proper indemnification agreement.

President Limbaugh 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. 18-50**

**(A Resolution authorizing work in the city right-of-way to renovate sidewalk in front of home on Mayfair ad part of joint project with the city)**

Councilor Wright then moved for the adoption and enrollment of Resolution No. 18-50.

President 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 on an 11-0 vote.

**COMMITTEE REFERRAL AGENDA**

- 01.04.18** Request for consideration to work in the city Right-of-Way at 211 Woodland Drive to replace the 20 inch tall retaining wall along 150 feet of the property – Brian Dudgeon/Vanessa McGrath/BEZ – **Special Issues Committee**
- 02.04.18** Request for consideration of an Ordinance participating in the State of Alabama 2018 “Back-to-School” Sales Tax Holiday on July 20-22, 2018 – City Clerk – **Finance Committee**
- 03.04.18** Request for consideration to complete crosswalks at Poinciana and Bonita – Kelly Winslett/Jennifer Andress – **Public Safety Committee**

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

President 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. 04.04.18 – Request for consideration of an ABC 140 – Special Events Retail for Western Supermarkets Inc. d/b/a Le Tour De Bourdeaux Wine Tasting located at 1616 Oxmoor Road – Melody Salter, City Clerk.

Councilor Thames moved for approval of an ABC 140 – Special Events Retail for Western Supermarkets Inc. d/b/a Le Tour De Bourdeaux Wine Tasting located at 1616 Oxmoor Road. Councilor Smith seconded the motion.

President 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 on an 11-0 vote.

The next item on the Agenda under Other New Business was Item No. 05.04.18 – Request for consideration of approval of vouchers for period of March 19, 2018 through April 8, 2018 – City Treasurer/Finance Committee.

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

#### **Resolution No. 18-51**

**(A Resolution approving vouchers for period of March 19, 2018 through April 8, 2018)**

Councilor Higginbotham moved for the adoption and enrollment of Resolution No. 18-51. Councilor Smith seconded the motion.

President 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.

Mayor McBrayer addressed the Council and stated that a lot of paving projects were going on across the city and the residents were appreciative of it so hopefully the utility companies won't be cutting them up. Mayor McBrayer further stated that as Dunn Construction was milling Broadway when they got to the Edgewood end of Broadway they discovered the original trolley tracks and the original brick that was now partially exposed and he went down to look at it and he felt like it was worthy to take pause and see if it could be restored. Mayor Brayer added that he had not made any promises but they were looking into it and he thought it could have value and add some things to Edgewood and the city as a whole. Mayor McBrayer further added that he had met with Dunn Construction and he had asked them about giving him some options on what they could do and how much it would cost and what kind of framework they were looking at but he did not have those numbers yet because the first thing they wanted to do was to assess the condition.

Mayor McBrayer stated that what had been exposed was in really good shape but the concern was what had not been exposed because as the milling machine came over it, it did not come up as easily so there were a couple of options to bring out a smaller milling machine and if that was not successful there was another type of machine that they could place on top of the pavement that would melt it so they could shovel it off. Mayor McBrayer further stated that he had asked them until further notice to stop paving at Palmetto so from Palmetto to Oxmoor they would see what part of that area they could restore back to its original state. Mayor McBrayer added that they had not held a public meeting about this yet but he wanted to engage the Council and ask if they had any issues with them waiting to pave while they made sure of the options. Mayor McBrayer further added that it might be in such bad shape that they would have to pave over it but he felt like it was too good of an opportunity to pass up and just let them pave over without looking into it.

Councilor Wright asked what kind of time table they were looking at.

Mayor McBrayer replied that he expected it to be very quick and that hopefully within the next week they would know whether or not it was something viable to do.

President Limbaugh stated that they looked forward to the findings.



Councilor Thames stated that the Planning and Development Committee would not meet next week.

Councilor Wolverton stated that the Color Run at Hall Kent was a few weeks ago and he wanted to thank the Fire Department and EMS because his wife had an episode and they responded and were very professional and handled everything appropriately. Councilor Wolverton further stated that they had friends and neighbors that helped distract their kids and keep them occupied while she was getting checked out so he wanted to thank them again because they were blessed to have them around to help.

Councilor McClusky stated that the Public Safety Committee would meet on April 16, 2018 at 5:30 p.m.

Councilor Jones stated that the Finance Committee would meet on April 16, 2018 at 5:00 p.m. Councilor Jones further stated that he wanted to try to find a way to improve the way items were coming to Council so there would not be confusion when moving from one committee to another so he would try to find a way to make it more simplistic.

Councilor Smith stated that the Special Issues Committee would meet on April 16, 2018 at 5:40 p.m.

Councilor Wright stated that the Public Works Committee would meet on April 16, 2018 at 5:50 p.m. Councilor Wright further stated that he wanted to commend one of their county's wonderful public servants, Mr. Barber, whose presentation he was taken by tonight and was grateful for what he did and for the example that he set for those who have a career in public service and then to continue his service through The Prescott House so it was an honor for the city to help continue supporting them.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:11 p.m.