

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

June 24, 2019

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, June 24, 2019 at City Hall at 6:00 p.m.

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

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

At this time, the Mayor presented a Proclamation to the Alzheimer's Association in honor of Brain Awareness Month and it was announced that the Walk to End Alzheimer's would be held on September 29, 2019 at Sloss Furnaces.

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

At this time, Councilor Smith moved to dispense with the reading of the Minutes of the Council Meeting of June 10, 2019 and approve them as distributed. Councilor Gwaltney seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

At this time, President Pro-Tempore Wright amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 37.06.19 – Request for consideration to change Building Inspection Officer position that was budgeted in FY 18-19 to Plumbing, Mechanical & Gas Inspection Officer – Wyatt Pugh, BEZ/Robert Burgett, Finance Director – Finance Committee.

Councilor McClusky moved for the approval of the Council Agenda as amended. Councilor Smith seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

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

President Pro-Tempore Wright stated that the Ward 5 Abatement Board application period would be re-opened until September 23, 2019 at 4:30 p.m.

Councilor Smith stated that interviews would need to be set for the Ward 4 Library Board position.

President Pro-Tempore Wright stated that the Educational Building Authority application period for the two At-Large positions would be re-opened until September 23, 2019 at 4:30 p.m.

President Pro-Tempore Wright stated that the Board of Adjustments and Appeals application period for the seven At-Large positions would be re-opened until September 23, 2019 at 4:30 p.m.

President Pro-Tempore Wright stated that the Ward 3 Cable Commission application period would be opened until July 8, 2019 at 4:30 p.m.

President Pro-Tempore Wright stated that the At-Large Historic Preservation Commission application period would be re-opened until July 8, 2019 at 4:30 p.m.

CONSENT AGENDA

05.06.19 Request to add a flashing yellow light at the new crosswalk on Central Avenue – **Randy Hambley, Traffic Dept/Greg Cobb, BEZ**

Action Taken: The Public Safety Committee met on June 17, 2019 and voted 3-0 to recommend dropping this item. The motion was made by Councilor Andress and seconded by Councilor Wolverton.

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

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 06.02.19 – Public Hearing set for June 24, 2019 at 6:00 p.m. for consideration of an ordinance limiting timeframe of hotel stays within the city limits of Homewood, AL – Councilor Patrick McClusky.

President Pro-Tempore Wright declared the Public Hearing opened at 6:18 p.m.

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

Mr. Ravi Patel at 616 Bristol Lane addressed the Council and stated that the Council had heard his objections and reasons why he disagreed with the Ordinance which he had shared at committee meetings but he wanted to make a formal objection here tonight.

President Pro-Tempore Wright declared the Public Hearing closed at 6:20 p.m.

President Pro-Tempore Wright 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 first reading of the proposed Ordinance for the Council's consideration at 6:20 p.m.:

Ordinance No.

(An Ordinance to limiting the timeframe of hotel stays within the city limits of the Homewood, AL)

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

President Pro-Tempore Wright 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, and Wright.

The motion for unanimous consent carried.

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

Ordinance No. 2749

(An Ordinance to limiting the timeframe of hotel stays within the city limits of the Homewood, AL)

Councilor McClusky moved for the enrollment and adoption and publication according to law of Ordinance No. 2749. Councilor Wyatt seconded the motion.

President Pro-Tempore Wright 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, Wolverton, McClusky, Jones, Smith, Wyatt, Andress, and Wright. Nays: Higginbotham.

The motion carried on a vote of 9-1.

The next item on the Agenda under Old Business was Item No. 13.06.19 – Public Hearing continued from June 10, 2019 at 6:00 p.m. for the purpose of determining whether any building, structure, or other improvements situated on 553 Edgecrest Drive, Homewood, AL 35203 (Parcel ID #29-00-22-1-001-011.000) is unsafe to the extent it creates a public nuisance and should be demolished – Wyatt Pugh, BEZ Department.

President Pro-Tempore Wright continued the Public Hearing at 6:23 p.m.

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

Mr. Wyatt Pugh addressed the Council and stated that since the last Council Meeting he had met with Ms. Baylon at her residence and they went through some of the items that would be required to abate the safety nuisance, which was what he had to focus on as opposed to the way anything looked. Mr. Pugh further stated that one of the main things they went over was the handrails and guardrails on the steps and they also talked about a landing at the bottom of the steps which was in progress. Mr. Pugh added that concerning the rest of the things, the only other real unsafe condition he saw was the condition of the yard.

Councilor Wolverton asked to clarify that there were only slats on one side of the stairs.

Mr. Pugh replied yes and stated that this was in progress today.

Councilor Wolverton asked if he was able to inspect the inside and look at where the water runoff was going and whether or not that was contributing to the disintegration of the structure.

Mr. Wyatt replied that it was very dry and, though it was not the way he would have designed it, it was working and he did not see any unsafe conditions such as mold or water damage.

Councilor Smith asked if there was a plan to rectify the issues with all of the items that were in the yard and if so, what time period were they looking at.

Mr. Pugh replied that he had spoken to Ms. Baylon about that and had impressed upon her that a timeframe would be of the utmost importance in this situation so they would know the timeframe from start until finish and she said she would be prepared to provide that tonight.

Councilor Jones asked what the structure was next to the walkway that had a platform.

Mr. Pugh replied that it was a piece of an old deck that was left there to serve as a scaffolding with plans to tear it down.

Councilor Thames asked if they had pulled a permit.

President Pro-Tempore Wright replied yes.

President Pro-Tempore Wright asked Mr. Pugh for his recommendation if they still had safety hazard there.

Mr. Pugh replied that strictly on the safety concern he could not in good conscious recommend that it was not safe.

Ms. Angela Baylon at 553 Edgecrest Drive addressed the Council and stated that her husband was working on the handrails this afternoon and was still working on that now but the rain caused a delay.

President Pro-Tempore Wright asked what her plans were in regards to the safety hazards such as the rails and the platform.

Ms. Baylon replied that the platform would be completely torn down.

President Pro-Tempore Wright asked what her timing plans were for the rail, the platform, and other items that were still sitting in the yard.

Ms. Baylon replied that they were taking them by truckloads out to the dump and at this point it was just a matter of getting enough trucks.

President Pro-Tempore Wright asked if that would be tomorrow.

Ms. Baylon replied that it would possibly be another week to finish the rest of it. Ms. Baylon stated that her husband was working on the handrails and they would have the platform torn down. Ms. Baylon further stated that they had the screen put into the windows but it was an outdoor porch so there were no type of living arrangements like

that for the inside of it. Ms. Baylon added that Mr. Pugh had inspected it and it was dry inside and there were no issues with mold or runoff and the siding would be done in either stone or siding.

President Pro-Tempore Wright asked if the siding was presenting any safety issues.

Mr. Pugh replied no and stated that it was not actually siding but was a sheathing that was there now that they had painted to protect it from the weather but it was not unsafe even though it was not finished.

Councilor Wolverton asked how long the building permit was good for.

Mr. Pugh replied that permits were good for six months when a project went inactive but if work was progressing even at a fairly slow pace they tended to not void them out.

Councilor Wolverton stated that he was under the impression that they were meeting after the last Council Meeting and everything that he said needed to be done was going to be done but it sounded like the railing wasn't finished so he was not sure why it would take two weeks to take care of everything.

Mr. Pugh stated that it was a fair point because the railing was not finished which he asked them to do but since it was in progress today he was giving them the benefit of making progress but it was not finished.

Councilor Gwaltney asked if as it currently sat it was not finished because it did not have the railings and had the platform and it had the items in the yard.

Mr. Pugh replied yes.

Councilor Gwaltney asked if there was anything else that they needed to do.

Mr. Pugh replied that they needed to have a landing at the bottom of the steps.

Councilor Gwaltney asked how long it should take to complete the items that caused the public nuisance.

Mr. Pugh replied that from his prospective of safety only, the list could have easily been done by now and a week would be sufficient time to put up some hand railing and a landing and take down the old piece of deck and clean up the yard.

Mr. Mike Windham at 545 Edgecrest Drive addressed the Council and stated he had sent Mr. Bischoff, Chief of Staff, a few pictures Friday afternoon and not one single thing had been done, the yard wasn't clean. Mr. Windham further stated that the rain had

not been going on for two weeks and Mr. Pugh at first could not even get into the backyard but since he did not one thing had been done. Mr. Windham added that they were not talking about one or two more weeks, this had been going on for nine years and the items in the yard were not being hauled off in trucks, they were waiting on the City of Homewood to pick it up the trash that was already out there so there had not been a truck taking anything off but it had just been brought out to the street. Mr. Windham further added that this was all a joke and he was putting up the rail right now which he had just started today, not two weeks ago and the yard as of Friday had not had one piece of paper moved from when it was originally said they would carry this over for two weeks so he asked the Council to do something about it because it had turned into a joke for the neighborhood.

Mr. Windham stated that they could see the entire issue coming down Oxmoor and since their yard was very prevalent being the second house on the street so they did not need to continue it because they had continued it for nine years. Mr. Windham further stated that Mr. Pugh stated that it was not safe and was not safe and had not been safe for nine years so it was time to do something.

Councilor Thames stated that he agreed with Mr. Windham and he saw no reason that they could not declare this a public nuisance and immediately remove the debris from the yard but there was nothing to say they had to tear the structure down but they could remove the debris from the yard and place a lien on the homeowner for the cost of it.

Councilor Smith asked if this was like the condemnation process where there was a 30 day period for the homeowner to respond.

Mr. Pugh replied yes and stated that if they were to declare it a public nuisance tonight there would be an automatic 30 day window that would kick in.

Councilor Smith asked that if everything was rectified in 30 days then they could come back.

President Pro-Tempore Wright declared the Public Hearing closed at 6:36 p.m.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding this item. There was no response from the Council.

Councilor Higginbotham asked if they moved forward with the action tonight one of things that would happen was that the city would remove the debris in the yard and place a lien on the property to pay for it.

Mr. Pugh replied yes and stated that this would happen after 30 days because the debris in the yard was part of the unsafe condition.

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

Resolution No. 19-93

(A Resolution declaring structure at 553 Edgecrest Drive, Homewood, AL 35203 (Parcel ID #29-00-22-1-001-011.000) a public nuisance)

Councilor Smith moved for the adoption and enrollment of Resolution No. 19-93. Councilor Wyatt seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 16.06.19 – Public Hearing set for July 8, 2019 at 6:00 p.m. to consider declaring the property located at 1117 Hardwick Ln., Homewood, AL 35209 (Parcel ID# 29-00-22-4-013-009.000 A public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth" – Scott Cook, Sanitation Ordinance Inspector.

President Pro-Tempore Wright stated that this Item would be carried over for the Public Hearing set for July 8, 2019 at 6:00 p.m.

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

Councilor Wyatt stated that the Planning and Development Committee met on June 17, 2019 and, after hearing from Doug Peterson with Gonzalez Strength, voted 4-0 to recommend approval for the Mayor to sign the engineering contract with Gonzalez Strength.

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

Resolution No. 19-94

(A Resolution authorizing the Mayor to sign a contract with Gonzalez Strength)

Councilor Wyatt then moved for the adoption and enrollment of Resolution No. 19-94. Councilor Andress seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 08.05.19 – Request for consideration to amend Open Records Policy – Liz Ellaby/Jennifer Address.

Councilor Smith stated that the Special Issues Committee met on June 17, 2019 and voted 4-0 to recommend approval of recommended changes.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the Special Issues Committee's recommendation. There was no response from the Council.

Councilor Smith then moved for approval. Councilor Address seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 24.05.19 – Request to review/amend West Homewood District Zoning – Andrew Wolverton.

Councilor Wyatt stated that the Planning and Development Committee met on June 17, 2019 and voted 4-0 to refer this item to the Planning Commission pending review by staff and Mr. Kendrick, City Attorney.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the Planning and Development Committee's recommendation.

Councilor Higginbotham stated that they had a very short window to prepare something but he did get further input from residents since the committee meeting and received some good observations that he thought they should include with what they send to the Planning Commission so he included those items to the Council members in an email today. Councilor Higginbotham further stated that what he would suggest was that in addition to the marked up item they should tell the Planning Commission that they wanted the proposals to go to the Planning Commission before they came to Council but that that they ultimately would come to Council but the way it read now stated that it would just come straight to Council. Councilor Higginbotham added that the intent was more like another zoning in terms of what the approval process was with the Council being the final approval for the plans with BZA handling any variances.

President Pro-Tempore Wright asked to verify that the document they had to send to the Planning Commission was still a work in progress.

Councilor Higginbotham replied yes and stated that it was still a work that could probably benefit from some additional changes but the problem was that they were under a 180 day deadline.

President Pro-Tempore Wright asked if they wanted to talk about it any longer in Council or Committee or did they want to go ahead and get it to the Planning Commission to look at the work in progress document.

Councilor Wolverton asked if the Planning Commission was planning to meet in July as scheduled.

Councilor Thames replied yes.

Councilor Wolverton asked if they would still meet the week of July 4th.

Councilor Thames replied that to his knowledge they were meeting but it might not be on that first Tuesday but he would check his calendar.

Councilor Wolverton asked if there was anything against having a working document that was sitting in front of the Planning Commission while they continued to process it on the Council side of things.

Councilor Thames stated that the quickest, smartest route, given the time constraints they were under would be to recommend to the Planning Commission some high level tweaks because they all knew they had more things they would like to change. Councilor Thames further stated that he did have a discussion with Ms. Lindsey Puckett of the RPC this afternoon and Place Makers would be here at the end of the week discussing the sign ordinance and downtown zoning and they were willing to help them with this. Councilor Thames added that the cleanest they could make what they sent to the Planning Commission, the better chance of having something back in a timely fashion. Councilor Thames further added that they could not just delete whole sections out of zoning because typically that affected other sections so he did not want it to get bogged down.

Councilor Gwaltney stated that what he did with the Landscape Ordinance was that they could go to the Zoning Sub-Book Committee Meeting and participate in the discussion and have impact on the changes because those were open meeting that anyone could attend because once the Planning Commission got it they would recommend it to the Sub-Book Committee that reviewed zoning changes.

Councilor Wolverton asked when that meeting would be held.

Councilor Gwaltney replied that he did not know when they met but they could have input and be a part of the work in process that way.

Councilor Wolverton stated that he felt like he and Councilor Higginbotham put together a bullet point of some of the most important things that they perceived needed to be changed.

Councilor Thames stated that the Planning and Zoning Sub-Committee met on the third Tuesdays of the month.

Councilor Gwaltney stated that it would be good to attend those meeting so they could provide context to their recommendations.

Councilor Higginbotham stated that if the Council wanted to move ahead with the document they had now he would be happy to go to the Sub-Committee meetings and talk about the bullet points but he wanted to fine tune the process. Councilor Higginbotham further stated that some of the things were difficult to write into the book like for example the fact that the maps did not agree was a hard thing to articulate but they needed to be made to agree so he could talk to them about that.

Councilor Wolverton asked to clarify that if they voted to move it forward tonight would the Planning Commission have a meeting before the Sub-Committee would meet?

Councilor Thames replied yes and stated that it would be put on the Agenda for the Planning Commission and they would refer it to the Sub-Committee.

Councilor Wolverton asked if since they were having committee meeting before then would they be able to fine tune their recommendations.

Councilor Thames stated that anything they were sending from here was simply a recommendation and it did not have to be anything official so they could communicate throughout the process because whatever they ended up passing would come back to Council anyway.

President Pro-Tempore Wright stated that it sounded like the Planning Commission Sub-Committee would give them a good vehicle and would give them a good forum that would get them further along in the process than sending it back to committee here even though they could refine it more but they could accomplish the same thing further along in the process in the Planning Commission.

Councilor Higginbotham stated that going the Sub-Committee route was fine with him but it was always his expectation that what he put together in a week was probably going to be subject to revision by the Planning Commission so he would be happy to go to the meetings and give them other ideas as they moved along.

Councilor Wolverton stated that there had been a large number of people in the neighborhood who had raised the concern of the usage for the West Homewood District

regarding Residential allowing the Air B and B so he asked that the recommendation for that to not be allowed to go with what they were sending because the ordinance they had did not specifically forbid condos and apartments for being used as Air B and B but was only concerning single residences.

Councilor Smith asked to verify that townhouses were considered single family residences.

Councilor Higginbotham replied that the description for the definition for townhouse that was in the West Homewood District previously was a construction distinction not an ownership distinction so these were going to be condos in the traditional sense of a condo in that there would be shared elements that were owned by all six parties and they were not on separate lots.

Councilor Smith asked if that should be an adjustment to the existing ordinance because this was something entirely different with the zoning book.

Councilor Wyatt then moved to refer this Item to the Planning Commission. Councilor Wolverton seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 25.04.17 – Request for consideration of 18th Street Revitalization Project – Britt Thames.

Councilor Jones stated that the Finance Committee met on June 17, 2019 and voted 4-0 to recommend approval pending obtaining additional information on timing.

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

Councilor Thames stated that this was committing them to the entire project so none of the additional funds would be expended until the subsequent budget year.

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

Resolution No. 19-95

(A Resolution approving 18th Street Revitalization Project)

Councilor Jones then moved for the adoption and enrollment of Resolution No. 19-95. Councilor Smith seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 26.04.19 – Bid Opening held on June 3, 2019 at 4:45 p.m. for Fuel Tank at Station 3 – Chief Bresnan, Fire Dept.

Councilor Jones stated that the Finance Committee met and voted 4-0 to recommend rejecting bids and negotiating with sole bidder.

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

Councilor Jones then moved for approval. Councilor Smith seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 27.05.19 – Request for the city to declare surplus an Alley between 2600 and 2630 18th Street South – Eddie Cleveland/Greg Cobb, BEZ.

Councilor Jones stated that the Finance Committee met on June 17, 2019 and, after hearing report from Greg Cobb, voted 0-4 for approval. The motion failed.

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

The item failed due to no action taken by Council.

The next item on the Agenda under Old Business was Item No. 02.06.19 – Request to authorize the Mayor to sign the Historic Commission grant application for Union Baptist Church in Rosedale – Councilor Barry Smith.

Councilor Smith stated that the Special Issues Committee met on June 17, 2019 and, after hearing from Susan Zuber of the Historic Preservation Commission, voted 4-0 to recommend approval but asked for the Item to be Carried Over for further clarification on the grant before having the Mayor sign it.

President Pro-Tempore Wright stated that this Item would be Carried Over.

The next item on the Agenda under Old Business was Item No. 03.06.19 – Request for consideration for Alabama Power to remove 4 street lights and poles at the corner of 18th Street and 28th Avenue for the new Valley Hotel project – Randy Hambley, Traffic Department/Chris Skinner, Project Manager with Robins and Morton.

Councilor Wyatt stated that the Public Safety Committee met on June 17, 2019 and voted 3-0 to recommend approval.

President Pro-Tempore Wright 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. 19-96

(A Resolution for Alabama Power to remove 4 street lights and poles at the corner of 18th Street and 28th Avenue for the new Valley Hotel project)

Councilor Wyatt then moved for the adoption and enrollment of Resolution No. 19-96. Councilor McClusky seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 04.06.19 – Request to address traffic concerns on Brookwood Boulevard and potential crosswalks at Alabama Allergy – Councilor Jennifer Andress

Councilor Wyatt stated that the Public Safety Committee met on June 17, 2019 and, after hearing from Randy Hambley and Berkley Squires, voted 0-3 for approval. The motion failed.

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

The item failed due to no action taken by Council.

The next item on the Agenda under Old Business was Item No. 06.06.19 – Request to consider adding a stop sign at the intersection of Roseland Drive and West Linwood – Mayor Scott McBrayer and Josh Young.

Councilor Wyatt stated that the Public Safety Committee met on June 17, 2019 and, after hearing from Randy Hambley and Berkley Squires, voted 0-3 for approval. The motion failed.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the Public Safety Committee's recommendation.

Mayor McBrayer addressed the Council and stated that he wanted to thank the Public Safety Committee for considering the item but in talking to Mr. Young he knew there was a good chance that it would not pass but he wanted to them for looking at since there were a lot of kids in the street over there so they would circle back around at some point to see what else could be done there.

The item failed for lack of action.

The next item on the Agenda under Old Business was Item No. 07.06.19 – Request to authorize the Mayor to sign a one-year contract with radio provider Tango Tango to add a push to talk police radio to their cell phone – Corporal John Self, Police Dept.

Councilor Jones stated that the Finance Committee met on June 17, 2019 and voted 4-0 to recommend approval.

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

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

Resolution No. 19-97

(A Resolution to authorize the Mayor to sign a one-year contract with radio provider Tango Tango to add a push to talk police radio to their cell phone)

Councilor Jones then moved for the adoption and enrollment of Resolution No. 19-97. Councilor Higginbotham seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 09.06.19 – Request for consideration to surplus a Parks & Rec 2006 Ford 500 (VIN # 1FAFP23126G187706) – Berkley Squires, Public Works Dept.

Councilor Jones stated that the Finance Committee met on June 17, 2019 and voted 4-0 to recommend approval.

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

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 7:04 p.m.:

Ordinance No.

(An Ordinance to surplus a Parks & Rec 2006 Ford 500 (VIN # 1FAFP23126G187706))

Councilor Higginbotham moved for the unanimous consent of the proposed Ordinance as read. Councilor Andress seconded the motion.

President Pro-Tempore Wright 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, and Wright.

The motion for unanimous consent carried.

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

Ordinance No. 2750

(An Ordinance to surplus a Parks & Rec 2006 Ford 500 (VIN # 1FAFP23126G187706))

Councilor Gwaltney moved for the enrollment and adoption and publication according to law of Ordinance No. 2750. Councilor Smith seconded the motion.

President Pro-Tempore Wright 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, and Wright.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 10.06.19 – Request for consideration to contribute to the Bicentennial Fireworks Display on July 4, 2019 – Mayor Scott McBrayer and J.J. Bischoff, Chief of Staff.

Councilor Jones stated that the Finance Committee met on June 17, 2019 and voted 4-0 to recommend approval.

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

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

Resolution No. 19-98

(A Resolution to contribute to the Bicentennial Fireworks Display on July 4, 2019)

Councilor Jones then moved for the adoption and enrollment of Resolution No. 19-98. Councilor Thames seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 11.06.19 – Request to consider lot size requirements for parking pads – Councilor Jennifer Andress and Betsy McGuire.

Councilor Wyatt stated that the Finance Committee met on June 17, 2019 and voted 4-0 to recommend approval of 75 feet to have two driveway entrances.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the Planning and Development 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 7:07 p.m.:

Ordinance No.

(An Ordinance to consider lot size requirements for parking pads)

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

President Pro-Tempore Wright 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, and Wright.

The motion for unanimous consent carried.

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

Ordinance No. 2751

(An Ordinance to consider lot size requirements for parking pads)

Councilor Andress moved for the enrollment and adoption and publication according to law of Ordinance No. 2751. Councilor Wyatt seconded the motion.

President Pro-Tempore Wright 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, and Wright.

The motion carried without dissent.

COMMITTEE REFERRAL AGENDA

- 22.06.19** Request for consideration to grant permission for the Shades Valley YMCA to consolidate their debt with other YMCA's through the Public Park & Recreation Board of Jefferson County–**Ann Todd/Mike Kendrick, City of Attorney– Finance Committee**
- 23.06.19** Request to authorize the Mayor to sign a purchase agreement with Xybix furniture for six dispatch consoles in the new building –**Brandon Broadhead, E-911 and Chief Bresnan, Fire Dept. – Finance Committee**
- 24.06.19** Request for consideration of a Memorial Bench on the Shades Creek Parkway in memory of Peter Quinn – **Councilors Jennifer Andress and Barry Smith – Finance Committee**
- 25.06.19** Request for consideration of FY18-19 Budget Amendments – **Melody Salter, City Clerk, Assistant Finance Director/Robert Burgett, Finance Director, Assistant City Clerk – Finance Committee**
- 26.06.19** Request for consideration of issuing request for proposals for insurance agent for City of Homewood – Councilor **Alex Wyatt – Finance Committee**

- 27.06.19** Request for consideration to release property lien of \$2,200.00 (Res. No. 12-30) for property located at 2831 16th Place S, Homewood AL 35209 Parcel ID No. 29-00-12-4-014-020.00 – **Melody Salter, City Clerk – Finance Committee**
- 28.06.19** Request for consideration to release property lien of \$16,442.00 (Res. No. 12-31) for property located at 2827 16th Place S, Homewood AL 35209 Parcel ID No. 29-00-12-4-014-019.00 – **Melody Salter, City Clerk – Finance Committee**
- 29.06.19** Request for consideration of new ordinance preventing blocking of driveways – **Councilor Alex Wyatt – Public Safety Committee**
- 30.06.19** Request to consider Ordinance to govern appearance of small cell antennas – **Councilor Britt Thames – P&D Committee**
- 31.06.19** Request for consideration of Chamber of Commerce Updates – **Meredith Drennen, Homewood Chamber of Commerce – Special Issues Committee**
- 32.06.19** Request to set a Public Hearing and Referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 109 Wildwood Parkway – **Greg Cobb, BEZ – Special Issues Committee**
- 37.06.19** Request for consideration to change Building Inspection Officer position that was budgeted in FY 18-19 to Plumbing, Mechanical & Gas Inspections Officer – Wyatt Pugh, BEZ/Robert Burgett, Finance Director - **Finance Committee**

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

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No.32.06.19 – Request to set a Public Hearing for consideration of a variance to the sign ordinance at 109 Wildwood Parkway – Greg Cobb, BEZ

President Pro-Tempore Wright stated that the Public Hearing would be set for July 8, 2019 at 6:00 p.m.

The next item on the Agenda under Other New Business was Item No. 33.06.19 – Request for consideration of an ABC 020 – Restaurant Retail Liquor license for RSC Homewood AL LLC d/b/a Ruby Sunshine Café located at 1017 Oxmoor Road Suite 101 – Melody Salter, City Clerk.

President Pro-Tempore Wright stated that they had approval from the Police Department but still needed approval from the Fire Department.

Councilor McClusky moved for the approval of the ABC 020 – Restaurant Retail Liquor license for RSC Homewood AL LLC d/b/a Ruby Sunshine Café located at 1017 Oxmoor Road Suite 101 pending letter of no objection from the Fire Department. Councilor Thames seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 34.06.19 – Request for consideration of an ABC 020 – Restaurant Retail Liquor license for SK88 LLC d/b/a The Seafood King located at 180 State Farm Parkway – Melody Salter, City Clerk.

President Pro-Tempore Wright stated that they had approval from the Police Department but still needed approval from the Fire Department.

Councilor McClusky moved for the approval of the ABC 020 – Restaurant Retail Liquor license for SK88 LLC d/b/a The Seafood King located at 180 State Farm Parkway pending letter of no objection from the Fire Department. Councilor Wolverton seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No. 35.06.19 – Request to authorize the Mayor to sign contract for Homewood Public Library Computer Lab Addition – Deborah Gout/Library Director.

Ms. Deborah Fout addressed the Council and stated that they finally got their bid opening done on the June 13, 2019 and Bennett Building got the contract for \$1,164,656.00. Ms. Fout further stated that they met with Davis Architects and the builders last Thursday and they had the contract in order and Mr. Kendrick had reviewed it so they were ready to have the Mayor sign it.

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

Resolution No. 19-99

(A Resolution to authorize the Mayor to sign contract for Homewood Public Library Computer Lab Addition)

Councilor Jones moved for the adoption and enrollment of Resolution No. 19-99. Councilor Higginbotham seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

The next item on the Agenda under Other New Business was Item No, 36.06.19 – Request for consideration of approval of vouchers for period of June 11, 2019 through June 24, 2019 – City Treasurer/Finance Committee.

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

Resolution No. 19-100

(A Resolution to approve vouchers for period of June 11, 2019 through June 24, 2019)

Councilor Thames moved for the adoption and enrollment of Resolution No. 19-100. Councilor Higginbotham seconded the motion.

President Pro-Tempore Wright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

On a voice vote, the motion carried without dissent.

Councilor Gwaltney stated that he wanted to congratulate Ms. Fout for working through everything and getting the contract signed and he was looking forward to seeing what the Library would do with their new addition. Councilor Gwaltney further stated that he and Councilor Thames had a meeting with the Rosedale Community and the developers last Thursday and they had a good dialog and the developer was going to go back to the drawing board in order to address some concerns primarily centered around height of the structure and they would probably end up carrying this over at the July Planning Commission Meeting and would hopefully make the August Planning Commission Meeting. Councilor Gwaltney added that Thursday they would have a work

session with the RPC and Planning Commission for the Downtown Code and there would also be two public input sessions from 12:00 to 1:00 p.m. and from 5:30 to 6:30 p.m.

Councilor Thames stated that the Planning and Development Committee would meet on July 1, 2019 at 5:45 p.m. Councilor Thames further stated that he and Councilor Gwaltney met with Volkert Friday and got a first look at the traffic calming document that they were putting together and he thought it would help address some Agenda items such as the stop sign items that failed tonight and would give a process which would streamline and provide with preset options for those situations.

Councilor Higginbotham stated that he wanted to congratulate Ms. Fout on the Library addition.

Councilor Wolverton stated that he wanted to thank the Library for their posts on social media which he always enjoyed and encouraged others to follow the Library. Councilor Wolverton further stated that some of the new striping had begun on Oxmoor Road.

Councilor McClusky stated that the Public Safety Committee would meet on July 1, 2019 at 6:15 p.m.

Councilor Jones stated that the Finance Committee would meet on July 1, 2019 at 5:00 p.m.

Councilor Smith stated that the Special Issues Committee would meet on July 1, 2019 at 6:30 p.m. Councilor Smith further stated that the Historic Commission was hosting a Forum tonight on rehabilitating and revitalizing communities from 6:30 to 7:30 p.m. and the Library in Room 102. Councilor Smith added that she wanted to thank Mr. Scott Cook and Mr. Randy Hambley because she was out walking last week and there were guys working on the creek walls on Roseland and Mr. Hambley and his crew were out restriping the entire intersection at Kenilworth and Roseland which desperately needed it and then today Mr. Scott Cook went to a house that she had a call about and rescued a Turkey Vulture which he took to the Oak Mountain Rescue Center.

Councilor Wyatt stated that he wanted to thank Mr. Berkley Squires for all his work with all the trees that came down in the neighborhoods during the storms because they got the streets cleared amazingly quick.

Councilor Andress stated that she also wanted to thank Mr. Berkley Squires because his crews were out on the Lakeshore Trail this morning clearing a tree that was blocking the trail. Councilor Andress further stated that she and Councilors Smith and Thames got to ride on the Magic City Connector which was 25 cents to ride and there

was an App that could be downloaded and the buses were 15 minutes apart with four buses now and they would be adding a fifth bus.

Councilor Wright stated that the Public Works Committee would not meet on July 1, 2019 because he wanted to wait to see if they received approval from Montgomery on their Storm Water Document but would call a meeting if they did receive approval. Councilor Wright further stated that he wanted to thank the Birmingham Transit Authority for the Magic City Connector as well as the work and good communication that was taking place. Councilor Wright added that he wanted to thank the Ward 2 Councilors who had worked overtime on the West Homewood District Code.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:26 p.m.