

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

**June 8, 2020**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, June 8, 2020 at City Hall at 6:00 p.m.

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

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

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, John Hardin, and Peter Wright constituting a quorum of Council members. Also present were: Mike Kendrick, City Attorney; and Melody Salter, City Clerk; and J.J. Bischoff, Chief of Staff.

At this time, Councilor Gwaltney moved to dispense with the reading of the Minutes of the Council Meeting of May 18, 2020 and approve them as amended. Councilor Smith seconded the motion.

President 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 Wright requested Board openings and nominations.

President Wright stated that the application period for the At-Large position of the BZA would be reopened until June 22, 2020 at 4:30 p.m.

Councilor Smith moved to nominate Ms. Allison Litton for the Ward 4 Historic Preservation Commission position. Councilor Wyatt seconded the motion.

President 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.

President Wright stated that the application period for the Ward 1 position of the Historic Preservation Commission would be reopened until June 22, 2020 at 4:30 p.m.

President Wright amended the published Council Agenda to add the following items to the Committee Referral Agenda and to the Other New Business Agenda for setting Public Hearings: Item No. 12.06.20 – Request to set a Public Hearing and referral to the Special Issues Committee for permission to install front yard fence at 918 Saulter Road, David Hansen/Wyatt Pugh, BEZ – Special Issues Committee; Item No. 13.06.20 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to 15’ setback requirement for fence in 2<sup>nd</sup> front yard at 1114 Columbiana Road – The Delk Family, Wyatt Pugh, BEZ – Special Issues Committee; Item No. 14.06.20 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 136 Green Springs Highway, Sara Peters/Greg Cobb, BEZ – Special Issues Committee.

President Wright further amended the published Council Agenda to add the following to the Other New Business Agenda: Item No. 15.06.20 – Request for consideration of an ABC 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) license for Demetris Bar B Q Inc d/b/a Demetris BBQ located at 1901 28<sup>th</sup> Ave S – Melody Salter, City Clerk.

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

President 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.

### **CONSENT AGENDA**

**No Items.**

### **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 07.05.20 – Public Hearing set for June 8, 2020 at 6:00 p.m. for consideration to rezone property at 720 Shades Creek Parkway (PID 28-00-17-1-005-004.001) from a I-2 (Institutional District) to C-1 (Office Building District): Applicant: Schoel Engineering Company Inc./Owner(s): Shades Valley Evangelical Lutheran Church for the purpose to rezone the eastern portion (1.289 acres). (The Planning Commission had a vote of 7-0 for a favorable recommendation of the rezone) – Wyatt Pugh.

Councilor Thames stated that the Planning and Development Committee met on June 1, 2020 and voted 5-0 to send this item to the full Council without recommendation pending the Public Hearing.

President Wright declared the Public Hearing opened at 6:13 p.m.

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

Mr. David Silverstein addressed the Council regarding this item.

President Wright declared the Public Hearing closed at 6:24 p.m.

President 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 6:17 p.m.:

**Ordinance No.**

**(An Ordinance to rezone property at 720 Shades Creek Parkway (PID 28-00-17-1-005-004.001) from a I-2 (Institutional District) to C-1 (Office Building District): Applicant: Schoel Engineering Company Inc./Owner(s): Shades Valley Evangelical Lutheran Church for the purpose to rezone the eastern portion (1.289 acres))**

Councilor Wyatt moved for the unanimous consent of the proposed Ordinance as read. Councilor Hardin seconded the motion.

President 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, Hardin, and Wright.

The motion for unanimous consent carried.

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

**Ordinance No. 2775**

**(An Ordinance to rezone property at 720 Shades Creek Parkway (PID 28-00-17-1-005-004.001) from a I-2 (Institutional District) to C-1 (Office Building District): Applicant: Schoel Engineering Company Inc./Owner(s): Shades Valley Evangelical Lutheran Church for the purpose to rezone the eastern portion (1.289 acres))**

Councilor Andress moved for the enrollment and adoption and publication according to law of Ordinance No. 2775. Councilor Hardin seconded the motion.

President 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, Hardin, and Wright.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 14.05.20 – Request for consideration of taking over cost of existing street light next the intersection of Crest Avenue and Columbiana Trail – Mayor Scott McBrayer.

Councilor Jones stated that the Finance Committee met on June 1, 2020 and voted 4-0 to recommend approval for funding an annual cost of \$149.41.

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

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

**Resolution No. 20-80**

**(A Resolution for taking over cost of existing street light next the intersection of Crest Avenue and Columbiana Trail)**

President Wright 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. 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.

Councilor Smith stated that the Special Issues Committee met on June 1, 2020 and voted 5-0 to recommend approval.

President Wright asked if the Council had any questions or comments regarding the Special Issues Committee's recommendation.

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

**Resolution No. 20-81**

**(A Resolution to remove live tree in City Right-of-Way at 140 West Oxmoor Rd)**

President Wright asked if the Council had any questions or comments regarding the motion from the Special Issues Committee. There was no response from the Council.

On a voice vote, the motion carried without dissent.

### **COMMITTEE REFERRAL AGENDA**

- 02.06.20** Request permission to work in the City Right-of-Way adjacent to 407 Clermont Drive – **Jamie Sransky/Greg Cobb, BEZ – Special Issues Committee**
- 03.06.20** Request permission to place tables on City Sidewalk at 2801 18<sup>th</sup> Street South for the Maple Street Biscuit Company – **Chris Sears/Greg Cobb, BEZ – Special Issues Committee**
- 04.06.20** Request for consideration of a Resolution to place a pedestrian signal light for the crosswalk at Windsor Drive connecting to Brookwood Mall – **Jennifer Andress/Greg Cobb, BEZ – Public Safety Committee**
- 05.06.20** Request to consider video options for virtual meetings– **Jennifer Andress/Andy Gwaltney – Finance Committee**
- 06.06.20** Request to consider amendments to the FY 19-20 Budgets – **Robert Burgett, Finance Director/Assistant City Clerk/Melody Salter, City Clerk/Assistant Finance Director – Finance Committee**
- 07.06.20** Request for update to mid-year review to discuss finances after COVID pandemic – **Robert Burgett, Finance Director/Assistant City Clerk/Melody Salter, City Clerk/Assistant Finance Director – Finance Committee**
- 08.06.20** Request for consideration to address a collapsed storm sewer pipe at 410 Morris– **Councilors Smith and Wyatt – Public Works and Finance Committee**
- 12.06.20** **Request to set a Public Hearing and referral to the Special Issues Committee** for permission to install front yard fence at 918 Saulter Road, David Hansen/Wyatt Pugh, BEZ – **Special Issues Committee**
- 13.06.20** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to 15' setback requirement for fence in 2<sup>nd</sup> front yard at 1114 Columbiana Road – The Delk Family, Wyatt Pugh, BEZ – **Special Issues Committee**
- 14.06.20** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration of a variance to the sign ordinance at 136

Green Springs Highway, Sara Peters/Greg Cobb, BEZ – **Special Issues Committee**

**OTHER NEW BUSINESS**

The next item on the Agenda under Other New Business was Item No. 09.06.20 – Request to set a Public Hearing to consider declaring the property located at 1117 Hardwick Ln. PID# 29-00-22-4-013-009.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth" – Scott Cook, Code Enforcement, Police Dept.

President Wright stated that without objections, the Public Hearing would be set for June 22, 2020 at 6:00 p.m. There were no objections.

The next item on the Agenda under Other New Business was Item No. 10.06.20 – Request to authorize the Mayor to sign a Municipal Election Service Agreement with Jefferson County for the 2020 Municipal Election – Melody Salter, City Clerk/Mike Kendrick, City Clerk.

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

**Resolution No. 20-82**

**(A Resolution declaring the property located at 1117 Hardwick Ln. PID# 29-00-22-4-013-009.000 a public nuisance due to a violation of Ordinance's 1910 & 1750 "Excessive Growth")**

Councilor Higginbotham moved for the adoption and enrollment of Resolution No. 20-82. Councilor McClusky seconded the motion.

President 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. 11.06.20 – Request for consideration of approval of vouchers for period of May 19, 2020 through June 8, 2020 – Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director.

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

**Resolution No. 20-83**

**(A Resolution for approval of vouchers for period of May 19, 2020 through June 8, 2020)**

Councilor Hardin moved for the adoption and enrollment of Resolution No. 20-83. Councilor Thames seconded the motion.

President 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 considered under Other New Business was Item No. 12.06.20 – Request to set a Public Hearing and referral to the Special Issues Committee for permission to install front yard fence at 918 Saulter Road, David Hansen/Wyatt Pugh, BEZ.

President Wright stated that without objections, the Public Hearing would be set for June 22, 2020 at 6:00 p.m. There were no objections.

The next item considered under Other New Business was Item No. 13.06.20 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to 15' setback requirement for fence in 2<sup>nd</sup> front yard at 1114 Columbiana Road – The Delk Family, Wyatt Pugh, BEZ.

President Wright stated that without objections, the Public Hearing would be set for June 22, 2020 at 6:00 p.m. There were no objections.

The next item considered under Other New Business was Item No. 14.06.20 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration of a variance to the sign ordinance at 136 Green Springs Highway, Sara Peters/Greg Cobb, BEZ.

President Wright stated that without objections, the Public Hearing would be set for June 22, 2020 at 6:00 p.m. There were no objections.

The next item considered under Other New Business was Item No. 15.06.20 – Request for consideration of an ABC 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) license for Demetris Bar B Q Inc d/b/a Demetris BBQ located at 1901 28<sup>th</sup> Ave S – Melody Salter, City Clerk.

Councilor McClusky moved for having no objection to the issuance of the ABC licenses pending letter of no objection from the Fire Department. Councilor Wolverton seconded the motion.

President 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 the Public Works Committee would meet on June 15, 2020 at 5:45 p.m.

Councilor Thames stated that the Planning and Development Committee would not meet on June 15, 2020.

Councilor McClusky stated that the Public Safety Committee would meet on June 15, 2020 at 6:00 p.m.

Councilor Jones stated that the Finance Committee would meet on June 15, 2020 at 5:00 p.m.

Councilor Smith stated that the Special Issues Committee would meet on June 15, 2020 at 6:15 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 6:48 p.m.