

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

July 27, 2020

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, July 27, 2020 at City Hall at 6:00 p.m.

The meeting was called to order by President Wright at 6:08 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 Address, John Hardin, and Peter Wright constituting a quorum of Council members. Also present were: Mike Kendrick, City Attorney; and Melody Salter, City Clerk; J.J. Bischoff, Chief of Staff; and Mayor Scott McBrayer.

At this time, Councilor Hardin moved to dispense with the reading of the Minutes of the Council Meeting of July 13, 2020 and approve them as presented. Councilor Gwaltney 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.

Councilor McClusky moved to appoint Andrew Marlin and Oz Imaguido to the Board of Adjustments and Appeals. 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.

President Wright stated that the application period for the remaining five vacancies of the Board of Adjustments and Appeals would be opened until September 14, 2020 at 4:30 p.m.

Councilor Wyatt moved to appoint Stuart Roberts and John Geer to the At-Large BZA Supernumary positions. Councilor Higginbotham 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 Smith moved to appoint Will Womack to the Ward 2 Historical Preservation Commission position. Councilor Higginbotham 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 amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 22.07.20 – Request to limit vehicles at residential properties – JJ Bischoff, Chief of Staff and City Attorney Mike Kendrick/ Special Issues Committee; Item No. 23.07.20 – Request amending parking ordinance to allow for police station – Councilors Thames and Gwaltne – Public Works Committee.

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

CONSENT AGENDA

06.07.20 Request for consideration and discussion of a city wide alert system for citizen information – **Councilor McClusky**

Action Taken: The Special Issues Committee met on July 20, 2020 and voted 5-0 to recommend dropping this item. The motion was made by Councilor McClusky and seconded by Councilor Gwaltney.

Councilor McClusky moved for the approval of the Consent Agenda. 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.

The first item considered on the Agenda, taken out of order from the Other New Business Agenda, was Item No. 19.07.20 – Request to approve the Mayor's recommendation for Homewood Fire Chief – **Mayor Scott McBrayer**.

Mayor McBrayer addressed the Council regarding this item and recommended appointing Battalian Chief Nick Hill as the City of Homewood Fire Chief.

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

Resolution No. 20-95

(A Resolution appointing Battalian Chief Nick Hill as the City of Homewood Fire Chief)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 20-95. Councilor Andress 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.

OLD BUSINESS AGENDA

The first item on the Agenda under Old Business was Item No. 13.06.20 – Public Hearing continued from June 22, 2020 at 6:00 p.m. for consideration of a variance to 15' setback requirement for fence in 2nd front yard at 1114 Columbiana Road – The Delk Family, Wyatt Pugh, BEZ.

President Wright continued the Public Hearing at 6:23 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. Jon Delk addressed the Council regarding this item.

President Wright declared the Public Hearing closed at 6:26 p.m.

President Weright asked if the Council had any questions or comments regarding the motion. There was no response from the Council.

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

Resolution No. 20-96

(A Resolution for a variance to 15' setback requirement for fence in 2nd front yard at 1114 Columbiana Road)

Councilor Smith moved for the adoption and enrollment of Resolution No. 20-96. 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 Old Business was Item No. 07.07.20 – Public Hearing set for July 27, 2020 at 6:00 p.m. to allow one section of an 8-foot fence to extend to 10 feet in height to create a symmetrical privacy screen from the elementary school carpool line at 322 Gran Avenue – Brain Wallace/Wyatt Pugh, BEZ.

Councilor Smith stated that the Special Issues Committee met on July 20, 2020 and voted 5-0 to refer this item back to the full Council without recommendation pending the Public Hearing.

President Wright continued the Public Hearing at 6:27 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. Brian Wallace addressed the Council regarding this item.

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

President Wright asked if the Council had any questions or comments regarding the motion.

The Council then held discussion regarding this item.

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

Resolution No. 20-97

(A Resolution to allow one section of an 8-foot fence to extend to 10 feet in height to create a symmetrical privacy screen from the elementary school carpool line at 322 Gran Avenue)

Councilor Smith moved for the adoption and enrollment of Resolution No. 20-97. 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 on the Agenda under Old Business was Item No. 08.07.20 – Public Hearing set for July 27, 2020 at 6:00 p.m. for consideration of extension to remove inoperable, abandoned, or stored vehicle (1988 Oldsmobile) from 701 Grove Street (Sc. 19-73 of Code of Ordinances) – Anne Grant Weil/Scott Cook, Code Enforcement/Police Dept.

Mr. Scott Cook addressed the Council regarding this item and stated that Ms. Weil was requesting to continue the Public Hearing until August 10, 2020.

President Wright declared the Public Hearing opened at 6:33 p.m. and stated that, without objections, this Public Hearing would be continued until August 10, 2020. There were no objections.

The next item on the Agenda under Old Business was Item No. 16.02.20 – Request for consideration for lighting for 700 Block of Windsor Drive – Councilors Andress and Hardin.

Councilor Jones addressed the Council and stated that the Finance Committee met on July 20, 2020 and voted 5-0 to recommend funding of \$118.74 per month for three lights from the 7 Cent Gas Tax Fund.

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

Resolution No. 20-98

(A Resolution for lighting for 700 Block of Windsor Drive)

President Wright asked if the Council had any questions or comments regarding the Finance Committee's 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. 03.07.20 – Request to consider amendments to the FY 19-20 Budgets – Robert Burgett, Finance Director/Assistant City Clerk/Melody Salter/Assistant Finance Director.

Councilor Jones addressed the Council and stated that the Finance Committee met on July 20, 2020 and voted 5-0 to recommend approval.

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

Resolution No. 20-99

(A Resolution amended FY 19-20 Budgets)

President Wright asked if the Council had any questions or comments regarding the Finance Committee's 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. 04.07.20 - Request to consider accepting reimbursement of expenditures related to COVID 19 from the Coronavirus Relief Fund (CRF) under the CARES Act received on behalf of the City of Homewood by Jefferson County – Robert Burgett, Finance Director/Assistant City Clerk/Melody Salter, City Clerk/Assistant Finance Director.

Councilor Jones addressed the Council and stated that the Finance Committee met on July 20, 2020 and voted 5-0 to recommend approval.

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

Resolution No. 20-100

(A Resolution consider accepting reimbursement of expenditures related to COVID 19 from the Coronavirus Relief Fund (CRF) under the CARES Act received on behalf of the City of Homewood by Jefferson County)

President Wright asked if the Council had any questions or comments regarding the Finance Committee's 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. 11.07.20 – Request to authorize the Mayor to sign supplemental to original contract for ALDOT Project #CMAQ-TA15(903) – 18th St Improvements from 28th Ave to Valley Ave including the addition of a right turn lane on Valley Ave and 18th St – Wyatt Pugh/BEZ.

Councilor Jones addressed the Council and stated that the Finance Committee met on July 20, 2020 and voted 5-0 to recommend approval and amend the budget.

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

Resolution No. 20-101

(A Resolution to authorize the Mayor to sign supplemental to original contract for ALDOT Project #CMAQ-TA15(903) – 18th St Improvements from 28th Ave to Valley Ave including the addition of a right turn lane on Valley Ave and 18th St)

President Wright asked if the Council had any questions or comments regarding the Finance Committee's 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. 02.07.20 – Request for consideration to change the short section of Vulcan Road from one-way back to two-way – Michael Williams/Greg Cobb, BEZ.

Councilor McClusky stated that the Public Safety Committee met on July 20, 2020 and voted 5-0 to recommend approval.

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

The Council then held discussion regarding this item.

At this time, Mr. Kendrick presented the first reading of the proposed Ordinance for the Council's consideration at 6:40 p.m.:

Ordinance No.

(An Ordinance to change the short section of Vulcan Road from one-way back to two-way)

President Wright stated that this item would be carried over.

COMMITTEE REFERRAL AGENDA

- 12.07.20** Request to consider Sims Garden Funding– **Councilor Thames/Councilor Gwaltney/Amy Milam – Public Works and Finance Committee**
- 13.07.20** Request for the Mayor to enter into an agreement with Cardiac Solutions to supply Automatic Electronic Defibrillators (AED) in Police Vehicles and School Buildings – **Mayor McBrayer – Finance Committee**
- 22.07.20** Request to limit vehicles at residential properties – JJ Bischoff, Chief of Staff and City Attorney Mike Kendrick – **Special Issues Committee**
- 23.07.20** Request amending parking ordinance to allow for police station – Councilors Thames and Gwaltne – **Public Works Committee**

Councilor Thames moved for the approval of the Committee Referral Agenda as amended. 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.

OTHER NEW BUSINESS

The next item on the Agenda under Other New Business was Item No. 14.07.20 – Request to authorize the Mayor to sign contract with Capital ATMs to install and service ATM at no cost to the City – John Morgan/Court Magistrate.

President Wright stated that, without objections, this item would be referred to the Finance Committee. There were no objections.

The next item on the Agenda under Other New Business was Item No. 15.07.20 – Request for consideration of an Ordinance providing for the appointment, notification, and compensation of officers (poll workers) for the 2020 General Municipal Election and if necessary the 2020 Run-Off Municipal Election – City Clerk/Mayor Scott McBrayer.

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

Ordinance No.

(An Ordinance providing for the appointment, notification, and compensation of officers (poll workers) for the 2020 General Municipal Election and if necessary the 2020 Run-Off Municipal Election)

Councilor Smith moved for the unanimous consent of the proposed Ordinance as read. 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 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. 2776

(An Ordinance providing for the appointment, notification, and compensation of officers (poll workers) for the 2020 General Municipal Election and if necessary the 2020 Run-Off Municipal Election)

Councilor Thames moved for the enrollment and adoption and publication according to law of Ordinance No. 2776. Councilor Higginbotham 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 Other New Business was Item No. 16.07.20 – A Resolution of election without opposition for Alex Wyatt/Council President – City Clerk.

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

Resolution No. 20-103

(A Resolution of election without opposition for Alex Wyatt/Council President)

Councilor Smith moved for the adoption and enrollment of Resolution No. 20-103. 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 on the Agenda under Other New Business was Item No. 17.07.20 – A Resolution of election without opposition for Andy Gwaltney/Ward 1/Place 1 – City Clerk.

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

Resolution No. 20-104

(A Resolution of election without opposition for Andy Gwaltney/Ward 1/Place)

Councilor Thames moved for the adoption and enrollment of Resolution No. 20-104. 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. 18.07.20 – A Resolution of election without opposition for Jennifer Andress/Ward 5/Place 1 – City Clerk.

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

Resolution No. 20-105

(A Resolution of election without opposition for Jennifer Andress/Ward 5/Place 1)

Councilor Hardin moved for the adoption and enrollment of Resolution No. 20-105. Councilor Gwaltney 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. 20.07.20 – Request for consideration of approval of vouchers for period of July 14, 2020 through July 27, 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. 20-106

(A Resolution for approval of vouchers for period of July 14, 2020 through July 27, 2020)

Councilor Thames moved for the adoption and enrollment of Resolution No. 20-106. Councilor Higginbotham 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. 21.07.20 – Request to consider changing the second Council meeting in August from the 24th to the 31st due to the municipal election on August 25th – Robert Burgett, Finance Director/Assistant City Clerk and Melody Salter, CPA, City Clerk/Assistant Finance Director/Council President Peter Wright.

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

Resolution No. 20-107

(A Resolution to change the second Council meeting in August from the 24th to the 31st due to the municipal election on August 25th)

Councilor Gwaltney moved for the adoption and enrollment of Resolution No. 20-107. 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.

Councilor Gwaltney stated that the Public Works Committee would meet on August 3, 2020 at 5:30 p.m.

Councilor Thames stated that the Planning and Development Committee would not meet on August 3, 2020.

Councilor McClusky stated that the Public Safety Committee would meet on August 3, 2020 at 5:45 p.m.

Councilor Jones stated that the Finance Committee would meet on August 3, 2020 at 5:00 p.m.

Councilor Smith stated that the Special Issues Committee would meet on August 3, 2020 at 6:00 p.m.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:27 p.m.