

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

**August 13, 2018**

The City Council of the City of Homewood, Alabama convened in Regular Session on Monday, August 13, 2018 at City Hall at 6:00 p.m.

The invocation was given by Father Balta Pentareddy Our Lady of Sorrows Catholic Church, after which the Pledge of Allegiance was given.

The meeting was called to order by President Bruce Limbaugh at 6:00 p.m.

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

At this time, Councilor Higginbotham moved to dispense with the reading of the Minutes of the Regular Council Meeting of July 23, 2018 and approve them as distributed. 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.

Mr. Burgett stated that the BZA Ward 3 interviews had been held but he did not have nomination information from Councilor Jones.

Councilor Andress stated that that the Ward 5 Library Board application period was still open.

At this time, President Limbaugh amended the published Council Agenda to add the following items to the Committee Referral Agenda: Item No. 18.08.18 – Request for consideration to contract for city-wide traffic study – Andy Gwaltney/Britt Thames – Finance Committee, Item No. 19.08.18 – Request for quarterly update from Homewood Chamber of Commerce – Meredith Drennen/Alex Wyatt – Finance Committee.

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

### **CONSENT AGENDA**

**08.07.18** Request to address drainage issues behind 212 Malaga – **Greg Cobb/Jennifer Andress**

**Action Taken: The Public Works Committee met on August 6, 2018 and voted 5-0 to recommend dropping this item. The motion was made by Councilor McClusky and seconded by Councilor Wyatt.**

**01.05.18** Request for consideration of bike lanes for Roseland Drive – **Scott Dean/Jennifer Andress (Carried over 7/16/18)**

**Action Taken: The Public Safety Committee met on August 6, 2018 and voted 5-0 to recommend dropping this item. The motion was made by Councilor Andress and seconded by Councilor Thames.**

Councilor Gwaltney moved for the approval of the Consent Agenda. 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 voice vote, the motion carried without dissent.

### **OLD BUSINESS AGENDA**

The first item on the Agenda under Old Business was Item No. 14.06.18 – Public Hearing set for August 13, 2018 at 6:00 p.m. for consideration to adopt changes to the Zoning Ordinances – Homewood Planning Commission – Greg Cobb, BEZ.

President Limbaugh declared the Public Hearing opened at 6:08 p.m.

Mr. Greg Cobb addressed the Council and stated that there were seven changes to the zoning book that had been sent through the Planning Commission that they would be discussing tonight and Mr. Kendrick had written an Ordinance for those but there were others that would follow, but they were still working on those within the Planning Commission that needed a little more work. Mr. Cobb further stated that they made a change to allow masonry fencing because most of the old Spanish style homes in the Hollywood section had the brick coming off the side of the house that was actually the front of a fence so they wanted to allow that to continue to be maintained. Mr. Cobb

added that the second change was regarding property lines and involved corner lots having two fronts which was recently changed so that someone did not split a lot and turn a house sideways on a corner so that the next house would have to look at their backyard. Mr. Cobb further added that the next change was the definition of half story for accessory structures because accessory structures were five feet off the property line unless they were two stories, which were ten feet off the property line so they had to define what a half story was for accessory structures.

Mr. Cobb stated that set backs were the next change because currently when a new house was built, a builder could go no closer to the front than any house within 250 feet in any direction on either side of the street but the problem was that if there were slopping lots, on one side, a house would be close to the property line but on the other side, a house would be set far back, so if a house was on the side that was set far back and a builder was allowed to come as close as the house across the street there would be a house setting far out in front, so this would help with continuity. Mr. Cobb further stated that a house could not set back any further than ten percent than those around it without a variance. Mr. Cobb added that another change was in the Community Shopping District to add Tabaco shops and taking them out of other zonings. Mr. Cobb further added that the last change was for non-conforming uses of land and building, which used to be that if something was vacant for a year, it lost its variances, and they would like to change that to six months.

Councilor Thames asked if regarding corner lots, though he agreed with the intent, as this would send a lot of cases to the BZA, they could preserve the intent by taking how it was written now and adding a clause that in the event of a subdivision or reorientation of a structure a variance would be required.

Mr. Cobb replied that he had also struggled for weeks to preserve the intent but it was difficult to put into words to maintain it, that they could do that without a variance.

Councilor Thames asked if there had been an issue where someone was not subdividing a lot or reorienting the house to face another street, but someone was just wanting to put an addition on their home but was encroaching too far into the side.

Mr. Cobb replied, no and stated that he had not had that issue but the issue he had was that as soon as that changed was that someone built a giant tree house in a side yard which was in front of the next door neighbor's home and that he received a lot of complaints.

Councilor Thames stated that he did agree with the intent but was curious if some additional wording could accomplish the same thing without creating a lot of variance requests.

Mr. Cobb stated that he would be open to that and would defer to Mr. Kendrick to work that out.

President Limbaugh asked if there was anyone in the audience who wished to speak in favor or, or in opposition to, this item. There was no response from the audience.

President Limbaugh declared the Public Hearing closed at 6:22 p.m.

President Limbaugh 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 6:22 p.m.:

**Ordinance No.**

**(An Ordinance to adopt changes to the Zoning Ordinances)**

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.

Councilor Higginbotham asked if the BZA had their questions answers that they emailed.

Mr. Cobb replied that they asked why this did not go through the BZA but that was not the process because it went through the Planning Commission and they also received the same complaint that the corner lot issue would cause a lot of variances and he remembered when it did, but right now there was only four corner lots available for new construction in the city and those had already been split under the old rules but unless someone tore down a house on a corner it should not become an issue. Mr. Cobb stated that the original ordinance they were going back to was written in 1986 and stood for 30 years and it did not seem to be a problem so he did not think it would be a problem now. Mr. Cobb added that he thought that whoever wrote the ordinance had already taken into consideration the example of not having one house that looked into the backyard of another out of the front window. Mr. Cobb further added that he walked all over Edgewood and looked at all the corners to see how they worked and most of Edgewood was set up where the corner lot had an alley that divided it between the house on the other side that faced the house on the opposite side or in some cases they both faced the opposite streets depending on how the blocks were laid out but at least with this they would have a variance process to look into something and keep someone from turning a house sideways on a lot and messing up their neighbor.

Mr. Cobb stated that he was not trying to hurt the builders but was trying to protect the homeowners.

Councilor Higginbotham asked if the principle concerns that the BZA had was with the corner lot change.

Mr. Cobb replied that the BZA thought that this would fill their agendas up with cases and at one time they had a lot of that but they were all built out now. Mr. Cobb stated that the next change was the way they calculated NPD for those splits because of how small they could get.

Councilor Thames stated that the variance requests that the BZA was worried about seeing a lot of was someone putting on a master bedroom addition into a side yard but he did think it was worth making this change and then looking at some verbiage changes and then maybe changing it again.

Mr. Cobb stated that they had the same intent in mind, but it was just the matter of how they said it.

Councilor Gwaltney stated that he was in favor of the change but the feeling of the BZA seemed to be, according to Mr. Cole's letter, was that there used to be a joint Planning Commission and Zoning Sub-Committee that met when these changes needed to be reviewed because all of the people on the BZA and Planning Commission were volunteers so when they perceived something that could send a lot more variances their way it may disincentive them to be volunteers with their time unless they are super passionate about it not to mention that they had people on the Planning Commission and the BZA who had expertise in these areas that might not cross over so there might be some benefit to re-establishing that subcommittee.

Mr. Cobb stated that he would be open to that and would certainly invite them to the next meeting and would welcome the input.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Thames, Higginbotham, Wolverton, McClusky, 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. 2710**

**(An Ordinance to adopt changes to the Zoning Ordinances)**

Councilor Thames moved for the enrollment and adoption and publication according to law of Ordinance No. 2710. 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 votes were: Yeas: Councilors Gwaltney, Thames, Higginbotham, Wolverton, McClusky, Smith, Wyatt, Andress, Wright, and Limbaugh.

The motion carried without dissent.

The next item on the Agenda was Item No. 03.07.18 – Public Hearing set for August 13, 2018 at 6:00 p.m. for consideration of a sign variance at 828 Green Springs Highway – Meighan Ellis /Greg Cobb, BEZ.

Councilor Smith stated that the Special Issues Committee met on July 16, 2018 and voted 4-0 to send this item back to the full Council without recommendation pending the Public Hearing.

President Limbaugh declared the Public Hearing opened at 6:33 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 one sign was oversized and the others were attached so the variance request was for one oversized sign and additional attached signs but the additional attached signs did meet the size ordinance.

Councilor Smith asked if the letters in the sign were illuminated.

Ms. Meighan Ellis addressed the Council and replied that the tower was not but the one with the letters were.

Councilor Andress asked if they were replacing existing signs with the new logo or adding signs.

Ms. Ellis replied that the tower sign was replacing another tower sign but they were redoing the building so they were taking away the top of the tower and the signs there were panels of red and white and they were putting the Colonel in vinyl graphics over that so in her opinion the sign was actually just the vinyl graphics part and it just had the color in the background to bring it out but the tower sign was oversized but if they just counted the vinyl it would not be.

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 Council.

President Limbaugh declared the Public Hearing closed at 6:35 p.m.

President Limbaugh asked if the Council had any questions or comments regarding this item.

Councilor Higginbotham stated that he struggled greatly with sign variances and he was having a really difficult time especially with the signs on the side of this building and he was not sure what hardship was represented but he felt relatively confident that once the customers got into the parking lot that they would know where they were and would not need KFC on the sides to help with orientation. Councilor Higginbotham further stated that he felt that it was too much and he was confused as to why that needed to happen on this building so he simply could not support it, though he supported the business in Homewood.

President Limbaugh stated that he would offer the opinion that the current signage was dated looking and for any business that was a factor.

Councilor Thames asked Mr. Cobb to recap the variance request.

Mr. Cobb stated that the sign depicting the Colonel on the front was oversized so that was a size variance and the two KFC signs attached to the building were additional sign variances. Mr. Cobb further stated that businesses were allowed one sign per business attached which would be the Colonel that was oversized and fifty square feet was what was allowed and the two KFC signs were just additional attached signs, which were not oversized.

Councilor Thames asked if the applicant would be willing to entertain a proffer in regards to the pole sign, which they were currently planning to reface.

Ms. Ellis replied yes.

Councilor Thames asked if the Colonel sign could be changed to a monument sign in place of the pole sign.

Ms. Ellis asked if the face replacements on the pylons were okay.

Councilor Thames replied, technically yes, they could change out the signage on an existing pole sign but they were also requesting two additional attached signs and a size variance for the one attached sign they were typically allowed, so he was wondering if they would be willing to proffer the pole sign becoming a monument sign.

Ms. Ellis replied that she would talk to them about it but she was a subcontractor so she had to go through another sign company that talked to KFC.

Councilor Thames stated that a proffer like that would personally go a long way toward helping him make a decision.

President Limbaugh stated that, without objection, this item would be carried over. There was no objection.

The next item on the Agenda under Old Business was Item No. 09.07.18 – Request for consideration to form a Highway 280 Public Road Co-operative District – Jennifer Andress.

Councilor Smith stated that the Finance Committee met on August 6, 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. 18-106**

**(A Resolution to form a Highway 280 Public Road Co-operative District)**

Councilor Smith then moved for the adoption and enrollment of Resolution No. 18-106.

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 items on the Agenda under Old Business were Item No. 26.06.18 – Request to address flooding issues at 212 Bonita Drive – Robert Robertson and Item No. 01.07.18 – Request to address flooding issues on Lancaster and Huntington – Rett Grover/Wyatt Pugh/Peter Wright.

Councilor Wright stated that the Public Works Committee met on August 6, 2018 and voted 5-0 to send both these items back to the full Council without recommendations pending contract review with Walter Shoal.

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



Mr. Cobb addressed the Council and stated that he contacted Walter Shoal who had provided him with a proposal last Monday to do a lot of hydraulic work at Bonita Drive and he spoke to Mr. Shoal regarding a drainage study on the item at Lancaster and Huntington as well and requested prices as of last week so that they could move forward as quick as possible if it was affordable. Mr. Cobb further stated that Mr. Shoal's reply was a total of \$27,380.00 and they only had about \$26,000.00 in the Engineering Budget so if they wanted to move forward with this, they would either need to come up with money from another line item or negotiate with Mr. Shoal to see if they could reduce that amount. Mr. Cobb added that he was really hoping they could move quickly because it was urgent.

President Limbaugh asked if the \$27,380.00 covered both Item No. 26.06.18 and Item No. 01.07.18.

Mr. Cobb replied yes.

Mr. Kendrick stated that the contract lists both items' projects so the resolution covered both Item No. 26.06.18 and Item No. 01.07.18.

Councilor Smith stated that negotiating with Mr. Shoal would be a good idea because if he agreed to go down a little bit it seemed like they would avoid the problem all together but she thought it was something that they had to fix.

Mr. Cobb stated that he could ask Mr. Shoal if there was any one piece of the study or work in the study that would be the least effective that could be easily eliminated, but he did see the urgency in it since there had been a lot of rain.

Councilor Wright asked if it would be acceptable to approve up to a certain level so he could get started.

Mr. Cobb replied yes because at least then he could get started but if they would approve it up to the limits of the available funds he could negotiate to that he would like to move forward quickly and if he could not negotiate to that number then he would have to come back to the next meeting with another request.

Councilor Wright asked if Mr. Cobb was comfortable exhausting the existing amount in the account.

Mr. Cobb replied that he tried not to spend funds until the later part of the year unless it was absolutely necessary.

Councilor Gwaltney asked if Walter Shoal would be providing plans and a solution.

Mr. Cobb replied no and stated that he had never guaranteed a solution.

Mr. Kendrick stated that the contract stated that he would provide a primary evaluation, hydraulic analysis, and recommendation to address the drainage problem but specifically excluded design work, study of fiducial options, and cost estimates for remediation.

Councilor Wright stated that they were getting needed information to fix the problem.

Mr. Cobb stated that flooding was the biggest engineering problem there was and Walter Shoal had more information on flooding information on this area than anyone else and had actually worked with FEMA on Griffin Creek so they had the data.

Councilor Thames asked if Mr. Shoal was who they would typically go to for design as far as engineering and design for whatever fix he recommended.

Mr. Cobb replied yes if it involved the waterways.

Councilor Thames stated that if there was any money to be saved to go ahead and ask for those specs to help implement a fix.

Mr. Cobb asked if he meant a larger contract with designs.

Councilor Thames replied yes.

Mr. Cobb stated that until he did the study they would not know what that would be and he did not know that there would be any cost savings but he could ask.

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

**Resolution No. 18-107**

**(A Resolution to address flooding issues at 212 Bonita Drive and Lancaster, and Huntington)**

Councilor Wright then moved for the adoption and enrollment of Resolution No. 18-107. 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.

The next item on the Agenda under Old Business was Item No. 10.07.18 – Request to work in city right-of-way to remove and replace a section of sidewalk to

replace deteriorated water supply line in front of Trustmark National Bank (1808 29<sup>th</sup> Avenue South) – Wyatt Pugh, BEZ/Cory Varden, Rives Construction Company.

Councilor Wright stated that the Public Works Committee met on August 6, 2018 and voted 5-0 to recommend approval pending approval of replacement tree.

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. 18-108**

**(A Resolution to approve work in city right-of-way to remove and replace a section of sidewalk to replace deteriorated water supply line in front of Trustmark National Bank (1808 29<sup>th</sup> Avenue South))**

Councilor Wright then moved for the adoption and enrollment of Resolution No. 18-108.

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. 11.07.18 – Request for consideration for repairs to the curb and sidewalk at 1914 28<sup>th</sup> Ave S. – Tommy Holcombe/Greg Cobb, BEZ.

Councilor Wright stated that the Public Works Committee met on August 6, 2018 and voted 5-0 to recommend approval for a cost to the city of \$13,766.00 and a cost to the homeowner of \$38,114.00.

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. 18-109**

**(A Resolution approving repairs to the curb and sidewalks at 1914 28<sup>th</sup> Ave S.)**

Councilor Wright then moved for the adoption and enrollment of Resolution No. 18-109.

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 20.05.18 – Request to address traffic concerns on Drake Street behind Piggly Wiggly – David Weaver/Walter Jones.

Councilor McClusky stated that the Public Safety Committee met on August 6, 2018 and voted 5-0 to recommend approval of right turn only sign and addition of crosswalk.

President Limbaugh 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 first reading of the proposed Ordinance for the Council's consideration at 6:53 p.m.:

**Ordinance No.**

**(An Ordinance to approve right turn only and crosswalk on Drake Street)**

Councilor McClusky 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.

On a roll call vote, the votes were: Yeas: Councilors Gwaltney, Thames, Higginbotham, Wolverton, McClusky, Smith, Wyatt, Address, 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. 2711**

**(An Ordinance to approve right turn only and crosswalk on Drake Street)**

Councilor McClusky moved for the enrollment and adoption and publication according to law of Ordinance No. 2711. 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, Smith, Wyatt, Address, Wright, and Limbaugh.

The motion carried without dissent.

The next item on the Agenda under Old Business was Item No. 08.04.18 – Request for consideration of reduction of speed humps on Berry Road – Patrick McClusky.

Councilor McClusky stated that the Public Safety Committee met on August 6, 2018 and voted 5-0 to recommend approval of adding speed humps back as per ordinance.

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

Councilor Wyatt moved to drop this item. Councilor Gwaltney seconded the motion.

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

Councilor Higginbotham stated that while he did not agree with the conclusion that was reached he wanted to extend his thanks to Councilor McClusky for the way he handled this process because he had done so in a very orderly and open manner and he appreciated that he took the time that he went through and looked at this issue very closely.

On a voice vote, the motion carried on a 9-1 vote. Councilor Higginbotham voted no.

The next item on the Agenda under Old Business was Item No. 14.07.18 – Request for consideration of an ABC 020 – Restaurant Retail Liquor for Ash Restaurant LLC d/b/a Ash Restaurant located at 703 and 705 Oak Grove Road – Robert Burgett, Acting City Clerk.

Councilor McClusky stated that the Public Safety Committee met on August 6, 2018 and, after receiving letters of no objections from Fire and Police Departments, voted 5-0 to recommend having no objections to the issuance of the license.

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

Councilor McClusky then moved to having no objections to the issuance of the ABC license.

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. 03.01.18 – Request for consideration for tree planting – Britt Thames.

Councilor Thames stated that the Planning and Development Committee met on August 6, 2018 and voted to take this item off the table. Councilor Thames further stated that Mr. Hughes and Amy Milam presented a budget for the upcoming year as well as suggested locations for tree plantings and suggested that they carry forward the \$14,500.00 that was currently in the Tree Planting Line Item and add another \$35,500.00 to bring the total to \$50,000 in the 18/19 Budget. Councilor Thames added that the Committee then voted 3-0 to recommend asking the Mayor to include this in his proposed Budget.

Mayor McBrayer stated that this would be included in his proposed budget.

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

Councilor Thames moved for approval. 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.

#### **COMMITTEE REFERRAL AGENDA**

- 01.08.18** Request for consideration of budget amendments – Chief Tim Ross/Berkley Squires/Robert W. Burgett/Finance Director – **Finance Committee**
- 02.08.18** Request for consideration of an ABC 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) for Poke Fresh 2 LLC d/b/a The Ono Poke located at 934 Oxmoor Road – Robert Burgett, Acting City Clerk – **Public Safety Committee**

- 03.08.18** Request to address bus stop and shelter options on 18<sup>th</sup> Street –Jennifer Andress and Barry Smith – **Public Works Committee**
- 04.08.18** Request for consideration to work on city property to create an orienteering course on the Homewood Forest Preserve Hiking Trail – Wyatt Pugh, BEZ/Aidan Wright, Life Scout, Homewood Troop 97 – **Special Issues Committee**
- 05.08.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration for a variance to the fence ordinance at 300 Mecca Ave – Paul Treusdell/ Greg Cobb, BEZ – **Special Issues Committee**
- 06.08.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration for a variance to the sign ordinance at 201 Green Springs Highway – Greg Cobb, BEZ – **Special Issues Committee**
- 07.08.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration for a variance to the sign ordinance at 215 Green Springs Highway – Greg Cobb, BEZ – **Special Issues Committee**
- 08.08.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration for a variance to the sign ordinance at 308 Oxmoor Road – Marco Perez/Greg Cobb, BEZ – **Special Issues Committee**
- 09.08.18** **Request to set a Public Hearing and referral to the Special Issues Committee** for consideration for a variance to the sign ordinance at 428 Green Springs Highway – Greg Cobb, BEZ – **Special Issues Committee**
- 10.08.18** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of changes to minimum side building setbacks – Andy Gwaltney/Britt Thames – **Planning and Development Committee**
- 11.08.18** **Request to set a Public Hearing and referral to the Planning and Development Committee** for consideration of changes to structure ground coverage and permeable surfaces – Andy Gwaltney/Britt Thames – **Planning and Development Committee**
- 16.08.18** Request for consideration for closing off roadway at the westbound end of Little Oxmoor Road at the intersection of Oxmoor Blvd – Andrew Wolverton – **Public Safety Committee**

- 17.08.18** Request for discussion of neighborhood buffer considerations on Oak Grove Road after recent utility work – Andy Gwaltney – **Public Works Committee**
- 18.08.18** Request for consideration to contract for city-wide traffic study – Andy Gwaltney/Britt Thames – **Finance Committees**
- 19.08.18** Request for quarterly update from Homewood Chamber of Commerce – Meredith Drennen/Alex Wyatt – **Finance Committee**

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

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

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. 05.08.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration for a variance to the fence ordinance at 300 Mecca Ave – Paul Treusdell/Greg Cobb, BEZ.

President Limbaugh stated that, without objection, the Public Hearing would be set for August 27, 2018 at 6:00 p.m. There were no objections.

The next item on the Agenda under Other New Business was Item No. 06.08.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration for a variance to the sign ordinance at 201 Green Springs Highway – Greg Cobb, BEZ.

President Limbaugh stated that, without objection, the Public Hearing would be set for August 27, 2018 at 6:00 p.m. There were no objections.

The next item on the Agenda under Other New Business was Item No. 07.08.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration for a variance to the sign ordinance at 215 Green Springs Highway – Greg Cobb, BEZ.

President Limbaugh stated that, without objection, the Public Hearing would be set for August 27, 2018 at 6:00 p.m. There were no objections.



The next item on the Agenda under Other New Business was Item No. 08.08.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration for a variance to the sign ordinance at 308 Oxmoor Road – Marco Perez/Greg Cobb, BEZ.

President Limbaugh stated that, without objection, the Public Hearing would be set for August 27, 2018 at 6:00 p.m. There were no objections.

The next item on the Agenda under Other New Business was Item No. 09.08.18 – Request to set a Public Hearing and referral to the Special Issues Committee for consideration for a variance to the sign ordinance at 428 Green Springs Highway – Greg Cobb, BEZ.

President Limbaugh stated that, without objection, the Public Hearing would be set for August 27, 2018 at 6:00 p.m. There were no objections.

The next item on the Agenda under Other New Business was Item No. 10.08.18 – Request to set a Public Hearing and referral to the Planning and Development Committee for consideration of changes to minimum side building setbacks – Andy Gwaltney/Britt Thames.

Councilor Thames voted to drop the Public Hearing until after discussion in the Planning and Development Committee. 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.

The next item on the Agenda under Other New Business was Item No. 11.08.18 – Request to set a Public Hearing and referral to the Planning and Development Committee for consideration of changes to structure ground coverage and permeable surfaces – Andy Gwaltney/Britt Thames.

Councilor Thames voted to drop the Public Hearing until after discussion in the Planning and Development Committee. 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.

The next item on the Agenda under Other New Business was Item No. 12.08.18 – Request to set a Public Hearing to consider declaring the property located at 1575 Valley View Cir, PID# 29-00-12-4-007-012.000 a public nuisance due to a violation of

Ordinances 1910 & 1750 “Excessive Growth” – Scott Cook, Code Enforcement, Police Dept.

President Limbaugh stated that, without objection, the Public Hearing would be set for August 27, 2018 at 6:00 p.m. There were no objections.

The next item on the Agenda under Other New Business was Item No. 13.08.18 – Request to set a Public Hearing to consider declaring the property located at 218 Summit Pkwy. , PID# 29-00-15-4-006-007.002 a public nuisance due to a violation of Ordinances 1910 & 1750 “Excessive Growth” – Scott Cook, Code Enforcement, Police Dept.

President Limbaugh stated that, without objection, the Public Hearing would be set for August 27, 2018 at 6:00 p.m. There were no objections.

The next item on the Agenda under Other New Business was Item No. 14.08.18 – 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 Ordinances 1910 & 1750 “Excessive Growth” – Scott Cook, Code Enforcement, Police Dept.

President Limbaugh stated that, without objection, the Public Hearing would be set for August 27, 2018 at 6:00 p.m. There were no objections.

The next item on the Agenda under Other New Business was Item No. 15.08.18 – Request for consideration of approval of vouchers for period of July 23, 2018 through August 12, 2018 – City Treasurer/Finance Committee.

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

**Resolution No. 18-110**

**(A Resolution for approval of vouchers for period July 23-August 12, 2018)**

Councilor Smith moved for the adoption and enrollment of Resolution No. 18-110. 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.

Councilor Gwaltney stated that he wanted to congratulate the Library on their Block Party that raised \$35,000.00.

Councilor Thames stated that the Planning and Development Committee would meet on August 20, 2018 at 5:30 p.m. Councilor Thames further stated that he wanted to thank the Mayor for including the tree planting money in his budget.

Councilor Higginbotham stated that Library Block Party was an incredible event and was well attended.

Councilor Wolverton stated that the Back to School Bash would be held on August 25, 2018 from 4:30-8:30 p.m. at Patriot Park. Councilor Wolverton further stated that he wanted to welcome Ash to the neighborhood. Councilor Wolverton added that they would be having a Town Hall Meeting on August 23, 2018 at 6:30 p.m. at Homewood Church of Christ and they would be having a group from Red Mountain Park coming to speak.

Councilor McClusky stated that the Public Safety Committee would meet on August 20, 2018 at 5:45 p.m.

Councilor Smith stated that the Finance Committee would meet on August 20, 2018 at 5:00 p.m. and Special Issues Committee would meet on August 20, 2018 at 6:15 p.m.

Councilor Wyatt stated that Jersey Night would be this Friday at Samford at 6:00 p.m.

Councilor Andress stated that the Library Block Party was very successful and they had the most pre-sales and the most corporate sales they had ever had. Councilor Andress further stated that the Beautification Board was meeting tomorrow night at 6:00 p.m. at City Hall. Councilor Andress added that the Police Department had a couple of odd events that they had to deal with recently and they did a great job and they were lucky to have them in their city. Councilor Andres further added that on September 29, 2018 they would selling fundraising t-shirts for the bridge project.

Councilor Wright stated that the Public Works Committee would meet on August 20, 2018 at 6:45 p.m. Councilor Wright further stated that the Police Department had a momentous night in their neighborhood and it was most reassuring to see the response time and the good police work that was on display last night with routine patrolling that did end up in a chase that came up his street but was an impressive display of the police force doing all they could to protect them and to take care of issues and the Fire Department did impressive work that night as well.

There being no further business to come before the Council, the meeting was, on a motion duly made, adjourned at 7:15 p.m.